



Item No. 10  
MCPB 1/15/04

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
Office of the Chairman, Montgomery County Planning Board

**MEMORANDUM**

**DATE:** January 9, 2004  
**TO:** Montgomery County Planning Board  
**VIA:** Joseph Davis, Chief *JRD*  
Michael Ma, Supervisor *Ma*  
Development Review Division  
**FROM:** Robert A. Kronenberg, RLA *RAK*  
Planning Department Staff  
(301) 495-2187



**REVIEW TYPE:** Site Plan Review  
**APPLYING FOR:** Approval of 1,489.5 gross square feet (gfs) of commercial office, and 1,091.5 gross square feet of commercial retail on approximately 2,625 square feet.  
**PROJECT NAME:** 4933 Fairmont Avenue Bethesda  
**CASE #:** 8-04009  
**REVIEW BASIS:** Montgomery County Zoning Ordinance, Div. 59-D-3, Bethesda CBD-Standard Method of Development  
**ZONE:** CBD-1  
**LOCATION:** 4933 Fairmont Avenue, 230 feet northeast of the intersection with Old Georgetown Road in Downtown Bethesda  
**MASTER PLAN:** Bethesda Central Business District  
**APPLICANT:** Rickman Development Ltd. Partnership  
C/o Peter Chick, AIA  
**FILING DATE:** October 10, 2003  
**HEARING DATE:** January 15, 2004

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**STAFF RECOMMENDATION:** The staff recommends approval of Site Plan #8-04009 for 2,581 gross square feet (gfs) of commercial and 2,625 square feet of residential in the CBD-1 Zone on approximately 2,625 square feet, with the following conditions:

1. Signature Set  
Prior to signature set approval of the site/landscape plans the following revisions shall be made and/or information provided, subject to staff review and approval:
  - a. Show all easements, Limits of Disturbance, Rights-of-way, , development program inspection schedule, opinion, numbers and dates of approval on the drawing;

2. Public Use Space

The proposed on-site public use space shall not be less than the proposed 262.5 square feet or 10 percent of the net lot area of the site. The proposed off-site public use space shall not be less than 10 percent (250 square feet), with a total combined on-site and off-site public use space of 20 percent (512.5 square feet). The space shall be easily and readily accessible to the general public and used for public enjoyment.

3. Streetscape

Landscape and Lighting Plan to show the following:

- a. Provide streetscape improvements on the north side of Fairmont Avenue along the frontage of the property in accordance with the Bethesda Streetscape Plan (April 1992). Improvements to include replacement of existing sidewalk, relocation of curb, special paving along the frontage of the property, installation of one 4-4.5" caliper 'Green Vase' Zelkova within a tree well as specified in the Bethesda Streetscape Plan;
- b. Provide planting details and notes;
- c. Provide details for all proposed paving materials;
- d. The applicant shall accept the maintenance and responsibility for the proposed improvements within the on-site public use area;
- e. All utilities to be located underground along the frontage of the subject property parallel to Fairmont Avenue.

4. Site Plan Enforcement Agreement

Submit a Site Plan Enforcement Agreement, including Development Program for review and approval prior to approval of the signature set as follows:

- a. Development Program to include a phasing schedule as follows:
  - 1) Street tree planting, streetscape, on-site and off-site amenities must be installed as the building is completed;
  - 2) Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
  - 3) Coordination of each section of the development and roads;
  - 4) Phasing of dedications, stormwater management, sediment and erosion control, public use spaces and amenities or other features;
- b. No clearing or grading prior to M-NCPPC approval of signature set of plans.

5. Stormwater Management

Condition of MCDPS stormwater management concept approval dated September 18, 2003. [Appendix A]

6. Transportation Planning

Remove the central curb-cut from Fairmont Avenue and install a handicapped accessible ramp consistent with the approval from the Montgomery County Department of Public Works and Transportation.

## **SUMMARY**

The applicant, Rickman Development Limited Partnership, proposes a mixed-use development of residential, retail and commercial office within a four-story building. During the course of site plan review, staff reviewed improvements to Fairmont Avenue as recommended by the Bethesda Streetscape Guidelines as well as public use space requirements for a standard method project.

The proposal will improve streetscape frontage along the north side of Fairmont Avenue with brick sidewalks and a street tree, consistent with the Bethesda Streetscape Guidelines. Public use space will include specialty paving along the frontage of the building as well as streetscape improvements within the right-of-way. The project does not provide any on-site parking spaces given the constraints of the property and location to public garages and public transportation.

## **PROJECT DESCRIPTION: Site Description and Surrounding Vicinity**

The Fairmont Avenue development is within the CBD-1 zone in Bethesda, Maryland. The site is surrounded by CBD-1 zoned properties including existing commercial office, retail and restaurant uses. A one-story restaurant and retail building abuts the property to the north and a 3-story private parking garage to the west. A one-story office building adjoins the site to the east. Directly across Fairmont Avenue is a mixed 2-3-story office and restaurant building. A gas station is located at the intersection of Old Georgetown Road and Fairmont Avenue. All of the properties on Fairmont Avenue and the surrounding streets are zoned CBD-1.

The property includes concrete sidewalks along the street frontage, although most of the properties do not have improved frontages on Fairmont Avenue. Street trees have been installed in front of the 12-story office building adjacent to Old Georgetown Road. The streetscape on the south side of Old Georgetown Road has been substantially improved with paving, street lights and street trees. The topography on the site contains nearly level slopes and there is no existing vegetation on the property. Presently, a 6-foot blockade fence cordons off the frontage of the property. On-street parking exists on both sides of Fairmont Avenue and a vehicular curb-cut exists directly in front of the site.



## **PROJECT DESCRIPTION: Proposal**

The Fairmont Avenue development proposes a four-story mixed use building on a vacant lot on Fairmont Avenue in the Bethesda Central Business District. The mixed-use building proposes restaurant/retail use on the first floor, office on the second floor and two apartment units on the third and fourth floors. Access to the first floor retail/restaurant is from Fairmont Ave. Access to the upper three floors is on the north side of the building via elevators. The development is just short of the maximum permitted FAR of 2 for a standard method project in the CBD.

The standard method of development requires that ten percent of the net lot area is designated as public open space within the property boundaries. An off-site amount of public use space is typically provided consistent with the amount and intensity of the proposed development. The minimum ten percent is provided in the form of brick paving and seating for on-site compliance, while the frontage of the property within the public right-of-way is being improved for off-site public use space. One street tree and light pole are proposed along the property frontage, in conformance to with the Bethesda streetscape standards.

Vehicular access is provided via adjacent parking facilities. The applicant will pay into the Bethesda parking district fund for maintenance and upkeep of the facility to satisfy their parking requirement for the required 39 spaces. This provision is encouraged to promote use of the metro located four blocks away from the site. Use of the metro also encourages pedestrian activity in the CBD. Pedestrian access is improved with the installation of streetscape amenities such as brick paving, a street tree and light. Internal access is provided with the extension of the brick paving on the north side of the building, which leads to the rear patio and access to the upper floors.