



4/28/05

MCPB

Item # 1

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



MEMORANDUM

DATE:

TO:

VIA:

Montgomery County Planning Board

Rose Krasnow, Chief *RK*

Michael Ma, Supervisor *Ma*

Development Review Division

FROM:

Wynn E. Witthans *WW*

Planning Department Staff

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REVIEW TYPE: Project Plan Review

APPLYING FOR: Approval of 132,421 sf of new Hotel with 4,600 sf of existing retail, 364,100 ex. Office for a total of 501,121 sf of commercial development on 143,174 sf

PROJECT NAME: Air Rights Hotel Project

CASE #: 9-00001A

REVIEW BASIS: Sec. 59-D-2, M. C. Zoning Ordinance

ZONE: CBD-2

LOCATION: East Side of Waverly Street, 300 feet from the east end of Wisconsin Avenue

MASTER PLAN: The Bethesda Central Business District

APPLICANT: Donohoe Companies, Inc. Christopher A. Bruch, Contact

FILING DATE: January 3, 2005

HEARING DATE: April 28, 2005

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SUMMARY

The application proposes the addition of 132, 421 s.f. of new hotel space to a site that contains 4,600 sf of existing retail and 364,100 s.f. of office for a total of 501,121 s.f. of commercial development on 143,174 sf of CBD-2-zoned land in the Bethesda Central Business District. The project includes a number of significant amenities and facilities on and off site: streetscape improvements; plaza improvements; improvements to the interim Capital Crescent Trail; a bike path link from Pearl Street to the interim Capital Crescent Trail; and renovation of the Elm Street Park. Staff recommends approval of the Project Plan with the conditions listed in the Recommendation section below.

The issues addressed during review include building height, the Pearl Street Bike Path Connection and the amenity package.

Issue: The issue still outstanding at time of report concerns the proposed building height of 116 ft which is not in conformance with the recommended 90 foot building height as presented in a sketch on page 39 of the Bethesda CBD Sector Plan.

Applicant's position: The proposed size of the hotel is critical to the success of the project and requires the taller building height; this building footprint and height configuration were preferred by the Town of Chevy Chase which has the most direct view of the site (see letter dated March 30, 2005); the Sector Plan recommendations are considered a guide and need to be taken in context; and the height of the proposed building is similar to other buildings that surround it – there is no further reduction of skyline as viewed from the Town of Chevy Chase. (See letter from Holland and Knight of April 6, 2005).

Citizen's position: A letter of March 30, 2005, from the Town of Chevy Chase indicates support for the project and the proposed building height of 116, feet stepping down to 88 feet, because this configuration is much better than the “massive horizontal project extending over the parking garage - that was proposed - five years ago.” They are also very interested in improvements proposed by the developer – notably the Pearl Street Bike Connection to the interim Capital Crescent Trail and the M-NCPPC Elm Street Park improvements. They urge the Planning Board to review the context of this proposal and strike a compromise with the Sector Plan recommendation. They also note the building is very similar in height to two of the adjacent Air Rights buildings and is compatible to the view on Waverly Street.

Staff's position: The height of the hotel should be lowered to 90 feet from 116 feet as recommended in the 1994 Sector Plan of the Bethesda Central Business District. There have been exceptions from the recommended Sector Plan heights but they have never been for purely commercial projects on the CBD edge, but rather for projects that supply a proportional increase in MPDUs on site. Of note is that this project does propose a number of public amenities: streetscape improvements, the Pearl Street Bike Path connection; public art on the façade of a stair tower on Waverly Avenue and a significant overhaul of M-NCPPC Elm Street Park. These amenities may change with a lower density or building configuration.

STAFF RECOMMENDATION

The staff recommends approval of Project Plan #9-00001A, which includes 132, 421 s.f. of new Hotel with 4,600 s.f. of existing retail and 364,100 s.f. of existing office for a total of 501,121 s.f. of commercial development on 143,174 s.f. of CBD-2-zoned land with the following conditions:

1. Building Height

Reduce the height of the hotel to 90 feet as recommended in the 1994 Sector Plan for the Bethesda Central Business District.

2. Pearl Street Bike Connection

In the event that Montgomery County Department of Public Works secures an easement from the adjacent property owner from the end of the Pearl Street right-of-way to create a bike path connection to the interim Capital Crescent Trail in order to implement Stage Two Transportation Improvements in Bethesda, this applicant shall build the bikepath connection. The Applicant shall build a connecting staircase and/or a bike ramp type of structure per DPWT approvals. Consideration shall be given to the type of building materials to be used that would reflect the possible interim nature of the bike ramp given possible future implementation of the Bi-County Transitway (aka "the Purple Line").

3. On and Off Site Amenities

The developer shall provide the following amenities with the approval this project:

On Site Public Use Space

- Create a public plaza at the corner of Montgomery Avenue and Waverly Street
- Public Art at the Stair Tower along Waverly Avenue – façade or other treatment to the stair tower linking the lower garage floors to Waverly Street and the Link above.
- Install the following improvements to the interim Capital Crescent Trail:
 - o Whitewash the interior walls and surfaces within the tunnel
 - o Landscape with stone pattern along trail
 - o Pavement restoration along the eastern edge of the trail

Off Site Public Amenity Features

- Streetscape improvements to Waverly Street right-of-way adjacent to the site. Streetscape improvements to conform to the Bethesda Streetscape Guidelines.
- Dedicate without cost to the County a public easement to provide access between the interim Crescent Trail and Elm Street Park.
- Pursuant to an agreement with MCDPWT, construct the Pearl Street Bike Connection - see above.
- Renovate Elm Street Park, between Elm Street and Willow Lane, to include the features as shown in the Concept Plan II dated August 29, 2000 as follows:

- Remove old paths and upright wooden post walls;
- Regrade to prevent drainage problems as necessary;
- Install new paths;
- Install new benches, tables and chairs as determined by M-NCPPC to be necessary;
- Install landscaping, reseed; and follow tree preservation practices as required by M-NCPPC parks;
- Relocate any existing lighting fixtures that utilize existing wiring;
- All plans for improvements to conform to M-NCPPC Parks standards.

4. Waverly Street Dedication

Developer to dedicate by minor amendment to a record plat, the necessary right of way for Waverly Street to create a full width dedication of 70 feet, with 35 feet from centerline provided by this project.

5. Maintenance of Public Use Spaces and Amenity Areas

Applicant to enter into an agreement with the Bethesda Urban Partnership to provide ongoing maintenance for Public Use Spaces and Amenity Areas to be executed with the Site Plan Approval.

6. Transportation Planning Issues

The following conditions are part of the APF test for transportation requirements related to Local Area Transportation Review (LATR).

- a. The proposed development shall provide a 35 foot right-of-way from the center line of Waverly Street and subject the land immediately east of the dedicated right-of-way for a width of 5 feet to an easement for future dedication; provided however, that if the Sector Plan recommended right-of-way for Waverly Street is ever reduced to 70 feet or less, the easement for future dedication shall be extinguished.
- b. The Applicant has previously dedicated 40 feet from centerline, along the frontage of the property, for Montgomery Avenue right-of-way dedication.
- c. As it pertains to Applicant's property, coordinate with M.C. Department of Public Works and Transportation to improve drainage problems at the southern terminus of Pearl Street.
- d. Provide a sidewalk at least 15 feet wide along the frontage of the property on Waverly Street and Montgomery Avenue.
- e. Provide bicycle and pedestrian connection ramps and/or stairs between Pearl Street and the Capital Crescent Trail/Georgetown Branch Trail on the south side of the property.

7. M-NCPPC Elm Street Park – Site Plan Issues

In conjunction with the Elm Street Park improvements, the future site plan shall include the following:

- a. Applicant to renovate the interior path network and sitting areas between Willow Lane and the Elm Street Promenade at Elm Street Urban Park, in accordance with the concept design by Parker Rodriguez, Inc. dated August 29, 2000 and attached hereto. Work to include 1) removal of the old paths and sitting areas, including the wooden post walls that surround the sitting areas, 2) re-grade (adding fill if necessary) the site to prevent water accumulation in the park, 3) install new paving along re-aligned trails and in sitting areas, and 4) install new benches, tables and chairs as determined by M-NCPPC staff to provide adequate seating and recreation in the park. The retaining wall that separates the Elm Street Promenade from the open space park area should be left in place except where necessary to connect the new paths to the promenade.
- b. Applicant to provide landscaping for the renovated park area to include 1) tree and shrub plantings around the new sitting areas, 2) re-seeding of the park area, and 3) additional trees and shrubs to compliment the trail and park improvements. Number of plantings, plant species and planting locations to be acceptable to M-NCPPC staff. Applicant to establish a tree preservation program acceptable to M-NCPPC staff to protect existing trees from damage during renovation.
- c. Applicant to re-locate any existing lighting features and wiring in the park as is necessary to accommodate the renovations.
- d. Applicant to provide engineering and design plans acceptable to M-NCPPC staff for park site grading, construction of improvements, and necessary stormwater management. Improvements to be constructed to park standards and specifications.

7. Issues to review with the Site Plan

In conjunction with the future site plan submittal; the Applicant shall address the following:

- a. All plans to note “All construction to be staged from Waverly Street” unless otherwise agreed to by other adjacent parties;
- b. Final open space design and development, i.e. the Plaza at Waverly and Montgomery, to include plant material;
- c. Final plans for the Pearl Street connection to be approved with the site plan and to be reviewed simultaneously with DPWT;
- d. Parking garage access shall be accommodated from Montgomery Avenue during construction, with two lanes available during each rush hour.
- e. The Applicant will evaluate the retaining wall and other areas adjacent to the interim Capital Crescent Trail at Pearl Street to determine if there is any

stabilization or other maintenance required and shall make any necessary repairs;

- f. Relocate the lay-by or drop off on Waverly Street so as to allow for adequate space for entry to the hotel, drop off/pick up and pedestrian movements with minimal conflict and maximum accommodation for each function.