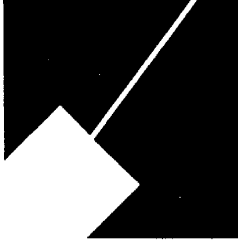


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

February 22, 2006

MEMORANDUM

TO: Montgomery County Planning Board

VIA: John A. Carter, Chief *JAC*
Community-Based Planning Division

FROM: Marilyn Clemens, Planner Coordinator (301.495.4572) *MC*
Community-Based Planning Division

SUBJECT: Adoption of the Woodmont Triangle Amendment to the 1994 Sector Plan for the Bethesda Central Business District (CBD)

RECOMMENDATION:

Approve the Resolution of Adoption and Transmit to the Full Commission

DISCUSSION

The Montgomery County Planning Board Resolution No. 06-02 to adopt the Woodmont Triangle Amendment to the 1994 Sector Plan for the Bethesda CBD is attached for your review and approval. The District Council Resolution No. 15-1317 dated January 31, 2006, is also attached for your information.

The Woodmont Triangle Amendment to the 1994 Sector Plan for the Bethesda CBD was approved unanimously by the District Council on January 31, 2006. This Amendment is an example of planning at the neighborhood scale. It includes opportunities to increase housing for a variety of income levels, improve retail, and provide amenities in the Bethesda CBD.

JAC:ha: j:\2006 staff reports\team 2\MCPB woodmont resolution
Attachments

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

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**M-NCPPC No. 06-04
MCPB No. 06-02**

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of Article 28 of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend and add to the General Plan for the Physical Development of the Maryland-Washington Regional District; and

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, pursuant to said law, held a duly advertised public hearing on May 20, 2004, on the Public Hearing (Preliminary) Draft of the Woodmont Triangle Amendment to the Sector Plan for the Bethesda Central Business District (CBD), being also an amendment to the Approved and Adopted Bethesda-Chevy Chase Master Plan, 1990 as amended; the Master Plan of Bikeways, 2005, as amended; the General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties, as amended; and the Master Plan of Highways within Montgomery County, as amended; and

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on December 22, 2004, approved the Planning Board (Final) Draft of the proposed Woodmont Triangle Amendment to the Sector Plan for the Bethesda Central Business District, and recommended that it be approved by the District Council and forwarded it to the County Executive for recommendation and analysis; and

WHEREAS, the Montgomery County Executive reviewed and made recommendations on the Planning Board (Final) Draft of the Woodmont Triangle Amendment to the Sector Plan for the Bethesda Central Business District and forwarded those recommendations with a fiscal analysis to the District Council on February 23, 2005; and

WHEREAS, the Montgomery County Council, sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Montgomery County, held a public hearing on May 10, 2005 and July 12, 2005, wherein testimony was received concerning the Planning Board (Final) Draft of the Woodmont Triangle Amendment to the Sector Plan for the Bethesda Central Business District; and

WHEREAS, the District Council, on January 31, 2006, approved the Planning Board (Final) Draft of the Woodmont Triangle Amendment to the Sector Plan for the Bethesda Central Business District subject to the modifications and revisions set forth in Resolution No. 15-1317; and

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Planning Board and The Maryland-National Capital Park and Planning Commission do hereby adopt said Woodmont Triangle Amendment to the Sector Plan for the Bethesda Central Business District, together with the General Plan for the Physical Development of the Maryland-Washington Regional District, as amended; and the Master Plan of Highways within Montgomery County, as amended, and as approved by the District Council in the attached Resolution No. 15-1317; and

BE IT FURTHER RESOLVED, that copies of said Amendment must be certified by The Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court of each of Montgomery and Prince George's Counties, as required by law.

* * * * *

Resolution No.: 15-1316
Introduced: January 31, 2006
Adopted: January 31, 2006

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Approval of Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan

1. On December 22, 2004, the Montgomery County Planning Board transmitted to the County Executive and the County Council the Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan.
2. The Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan amends the approved and adopted 1980 Master Plan of Bikeways; The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties; The Countywide Park Trails Plan; and The Master Plan of Highways within Montgomery County.
3. On February 23, 2005, the County Executive transmitted to the County Council his fiscal analysis of the Woodmont Triangle Amendment to the Bethesda CBD Sector Plan.
4. On May 10, 2005 and July 12, 2005, the County Council held a public hearing regarding the Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan. The Sector Plan was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.
5. On September 15, September 26, October 10, October 24, and October 31, 2005 the Planning, Housing, and Economic Development Committee held worksessions to review the issues raised in connection with the Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan.
6. On November 22, 2005, the County Council reviewed the Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan and the recommendations of the Planning, Housing, and Economic Development Committee.

Action

The County Council for Montgomery County, Maryland sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following resolution:

The Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan, dated December 2004, is approved with revisions. Council revisions to the Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan are identified below. Deletions to the text of the Plan are indicated by [brackets], additions by underscoring.

Page 1: Under Purpose of the Amendment, revise paragraph as follows:

In October 2003, the Montgomery County Council requested that the M-NCPPC examine the potential for a limited amendment to the [existing Sector Plan for the Bethesda Central Business District, dated July 1994] **1994 Approved and Adopted Sector Plan for the Bethesda Central Business District**. The [primary] purpose of this amendment was to [increase opportunities for housing to serve a variety of income levels and to improve the retail environment in the Woodmont Triangle area] reconsider how redevelopment could both provide more opportunities for housing close to the Metro station and retain the qualities and ambience of the small-scale retail that distinguishes the study area from other parts of the Bethesda CBD.

Page 1: Under Summary of Community Outreach revise first two sentences of the first paragraph as follows:

An [unique] outreach program was developed to address the issues in the Woodmont Triangle Study Area. The M-NCPPC with the Conflict Resolution Center of Montgomery County held five[,] public workshops and several focus group meetings.

Page 2: Revise first paragraph as follows:

Separate meetings with individuals, government agencies and civic associations were also held to augment the discussions in the workshops. [The use of e] Electronic media, phone messages and written announcements were used to notify individuals of the date and location of the workshops.

Page 2: Delete the section entitled "Relationship to the 1994 Sector Plan" and replace with the following:

BACKGROUND – THE 1994 SECTOR PLAN

The 1994 Sector Plan had four objectives for the Woodmont Triangle District:

- Preserve the predominantly low-density and low-scale character of the district.
- Provide additional housing particularly in the north end of the district.

- Support a diverse specialty retail community serving retail and restaurant environment, including sidewalk cafes and dispersed parking.
- Improve the pedestrian environment with up-graded streetscape including street trees and green open spaces.

The 1994 Sector Plan recommended the use of CBD zones to further the goals of the plan. Development in the CBD zones may occur under two options: the standard method and the optional method. The standard method requires the development to comply with a specific set of standards and density compatible with the standards. The optional method does not have as many specific standards and allows higher densities if certain public facilities and amenities are provided. The CBD zones permit an increase in density, height and intensity where such increases conform to the sector plan.

The design concept for the 1994 Bethesda CBD Sector Plan encourages the greatest height at the Metro and a “step down” in height away from the CBD Core. To ensure that the desired heights would be achieved, the Sector Plan recommended lower floor area ratios (FAR) and capped building heights to lower than the maximum allowed in the zone to address scale, shading, and compatibility with the existing neighborhood character. The Sector Plan further directed future development with a series of Urban Design Guidelines and priority public improvements.

After the Sector Plan was approved and the District Council granted the Sectional Map Amendment implementing the zoning recommendations of the Plan, development in the Bethesda CBD proceeded in conformance with the Sector Plan. While portions of Bethesda CBD redeveloped as recommended, the Woodmont Triangle District did not realize the vision of the 1994 Plan. Although the Sector Plan envisioned an increase in housing in the Woodmont Triangle District, the building height and density limits inhibited redevelopment. Retail and housing did not expand in this area, and some businesses began to relocate to the newly developed areas in south Bethesda, leading some to believe that the area was beginning to decline.

Since 1994, market forces, lack of redevelopment and the need for more housing, especially housing for all income levels, indicated that reconsideration of objectives in the sector plan was warranted. The Woodmont Triangle area appeared to be an appropriate area to address the County’s housing needs and provide incentives to encourage revitalization and redevelopment.

Page 2: Following new section entitled Background – The 1994 Sector Plan, add a new section as follows:

CHANGES TO DEVELOPMENT POTENTIAL

As a result of zoning, height and floor area ratio changes proposed in this plan and changes in law and regulation that have occurred since the adoption of the 1994 Sector Plan, the estimated residential development increases and the estimated commercial development decreases as indicated below.

Changes to Development Potential

<u>1994 Sector Plan</u>		<u>2005 Amendment</u>		<u>Difference</u>	
<u>Commercial Development SF</u>	<u>Residential Development</u>	<u>Commercial Development SF</u>	<u>Residential Development</u>	<u>Commercial Development SF</u>	<u>Residential Development</u>
<u>2,957,900 SF</u> <u>11,350 Jobs</u>	<u>3,400 DUs</u>	<u>2,661,710 SF</u> <u>10,491 Jobs</u>	<u>5,012 DUs</u>	<u>-296,190 SF</u> <u>-859 jobs</u>	<u>+1612 DUs</u>

Recommendations to monitor the actual development on an ongoing basis are contained in the Implementation chapter of this plan.

Page 2: Replace Woodmont Triangle Study Area Boundary with the following:

STUDY AREA BOUNDARY

This Amendment analyzed an area larger than the Woodmont Triangle District described in the Sector Plan in order to evaluate more comprehensively the effect the recommended changes might have on the surrounding districts. The study area includes the entire Woodmont Triangle District, as defined in the 1994 Approved and Adopted Sector Plan, the west side of the Wisconsin Avenue North District, the east side of the Old Georgetown Road Corridor District, and the entire Battery Lane District.

The study area is bounded on the north by the National Institutes of Health (NIH), on the east by Wisconsin Avenue, on the southeast by Woodmont Avenue, and on the southwest by Old Georgetown Road.

Page 3: Delete first paragraph and rename chapter as follows

[SUMMARY OF THE AMENDMENT] VISION AND GOALS

[This section of the amendment provides a summary of the Vision, Challenges, and Actions necessary to implement the objectives of this amendment.]

Page 3: Under Vision, revise as follows:

[The Woodmont Triangle will be] This Amendment envisions the Woodmont Triangle Study Area as a vibrant [and] urban, mixed-use neighborhood [emphasizing] that emphasizes residential, small-scale retail, [and] the arts and public amenities. One-of-a kind, small-scale specialty retail stores, art galleries, studio space and people strolling on pedestrian-friendly local streets characterize this neighborhood.

Page 3: Under Challenges rename and revise section as follows:

[CHALLENGES] GOALS

The [challenges to be met in order to meet the vision] goals of this amendment include the following:

- **[Encourage] Housing** – Provide opportunities to increase the supply of housing to serve a variety of income levels.
- **Small-Scale Retail** – Provide opportunities to retain existing businesses and expand opportunities for new businesses.
- **[Enhance the] Arts and Entertainment District** – Enhance the existing public arts programs in the Bethesda CBD and provide opportunities for both the visual and performing arts.
- **[Create Great] Safe and Attractive Streets** – Focus on improving the safety and character of the existing streets. Establish Norfolk Avenue as the main street in the Woodmont Triangle Study Area.
- **[Provide] Public Amenities** – Increase the flexibility in providing the public use space through the Optional Method of Development by allowing off-site and on-site fulfillment of this requirement, and by identifying a list of priority public [spaces] amenities

Page 7: Delete section entitled Summary of Recommended Actions and replace with the following:

HIGHLIGHTS

This Amendment to the Sector Plan:

- Reduces the amount of future commercial development and increases the amount of residential development.
- Allows an increase in residential FAR (floor area ratio) to encourage housing.
- Encourages retention of small-scale retail.
- Removes the 1994 Sector Plan height limits to encourage redevelopment, but retains the step down principles from the core and along Norfolk Avenue to preserve solar access.
- Encourages the location of first floor retail.
- Recommends improvements to enhance Norfolk Avenue as the “main street” for the Woodmont Triangle District.

- Recommends improving Battery Lane Urban Park for all users and to provide a better connection between the Woodmont Triangle Study Area, NIH and the North Bethesda Trolley Trail.
- Recommends limited zoning changes to encourage housing.
- Recommends a text amendment to the CBD Zones that lowers the minimum lot size necessary to apply for the Optional Method of Development and provides a transfer of density option.

Page 8: Replace first paragraph with the following:

[This section of the amendment describes the limited changes to the general provisions of the existing Sector Plan for the Bethesda Central Business District.]

This Amendment recommends zoning changes, higher floor area ratios (FAR) and greater building height than were recommended in the 1994 Sector Plan. The 1994 Sector Plan capped heights and FAR below that allowed in the respective CBD zones. The Plan specifically restricted some of the CBD-1 zoned properties to 50 feet in height and CBD-R2 zoned properties to a height of 90 to 110 feet in order to preserve the existing low-density and low-scale character. This Amendment encourages redevelopment to provide housing opportunities along with retention of small-scale retail by eliminating the caps set in the 1994 Plan. The Amendment recommends using the standards of the existing zones to determine building height. Mixed-use projects with moderately priced units (MPDUs) on-site can achieve the greater height and density allowed in the respective zones as specified in this Amendment, but at an FAR no greater than the maximum allowed in the Zoning Ordinance. The Amendment continues to recommend that buildings “step down” from the Metro station to the edges of the Central Business District except where noted in the specific Block recommendations. The Amendment proposes priority public use space and amenities, emphasizing improvements along Norfolk Avenue, to more fully realize the vision of the 1994 Sector Plan.

In addition to removing the caps of the 1994 Sector Plan, this Amendment recommends that two provisions be added to the CBD zones to encourage redevelopment and yet retain small-scale retail. The first reduces the minimum lot size requirement for the optional method; the second allows transfer of density between CBD zoned properties within the Woodmont Triangle Study Area. The transfer of density provides development flexibility whereby existing retail businesses wishing to remain could transfer unused density to parcels within the density transfer area as described in this Amendment. Both these provisions would be added to the CBD zones through a Zoning Ordinance Text Amendment, which is more fully described in the Implementation Section.

Page 8: Under Housing revise paragraph as follows:

[This amendment proposes to encourage the retention of existing housing and the construction of new housing to serve a variety of income levels in the Woodmont Triangle Study Area. This amendment also supports the Land Use and Urban Design Objectives of the existing Sector

Plan.] In the ten years since the Sector Plan was approved, the cost of housing in the Bethesda CBD has increased significantly. Although many new dwelling units are becoming available, the diversity and supply of housing are not sufficient to serve a variety of income levels.

- Provide a range of housing opportunities, including new low-rise and high-rise housing, to serve a variety of income levels.
- Public surface parking lots in the Sector Plan area should be considered for optional method housing projects and projects with significant permanent affordable housing, as is being done in other areas such as Lot 31 and in Silver Spring.

Page 8: Delete section entitled Revitalization through Improvements to Public Streets and Spaces.

Page 9: Replace entire section under the heading “Building Height Limits” with the following:

The guidelines for building heights in the 1994 Sector Plan were designed to protect the residential neighborhoods at the edge of the CBD and to concentrate building height near the Metro station. These goals can still be achieved while changing some of the height limits in the study area.

- Support the “step down” of building heights from the Metro station area to the edges of the Central Business District, but provide incentives for increased building heights to encourage new opportunities for housing for all income levels. Specific height recommendations are discussed in the section entitled “Recommendations by Block Within the Study Area”.
- Protect the sunlight to the area’s main street, Norfolk Avenue, by approving development that steps back from Norfolk Avenue, particularly on the southwest side of the street.
- Limit the height along Old Georgetown Road north of St. Elmo Avenue to 50 feet, extending 60 feet back from Old Georgetown Road to maintain compatibility with existing development.

Page 10: Under Opportunities for Residential Development revise section as follows:

[OPPORTUNITIES FOR RESIDENTIAL] MIXED-USE DEVELOPMENT

[The Optional Method of Development is a tool to encourage housing and to provide public facilities and amenities. In exchange, the developer could provide additional residential density and height. Providing moderately priced dwelling units on-site is a priority for all projects that use the Optional Method of Development.] The 1994 Sector Plan capped heights within the CBD-1 Zone to 50 feet and limited FAR to the limits proscribed under the Standard Method of the CBD zones. This resulted in few development applications under the Optional Method of Development. This Amendment removes the height caps and recommends higher FARs to encourage use of the Optional Method to create more opportunities for residential development and also provide desired public facilities and amenities. The Woodmont Triangle Study Area is a desirable location for future residential development. Housing for a variety of incomes is

equally important. Building MPDUs within the study area is a priority for all projects developing under the Optional Method of Development.

- **Density** – [The p] Properties [in the Woodmont Triangle Study Area will be provided the opportunity to] may develop to the density [specified] permitted in the CBD-1, CBD-2 and CBD-R2 Zones. [With this amendment,] CBD-1 mixed-use projects can achieve a floor area ratio (FAR) of [three] 3.0[,] and those in the CBD-2 and CBD-R2 Zones can achieve a FAR of [five] 5.0. [The existing Sector Plan limited the density in the Woodmont Triangle Study Area.]
- **FAR** – [Building MPDUs on-site is a priority for all projects developing under the Optional Method of Development.] In order to encourage residential development, the recommended increase in density up to the maximum allowed would be for residential development. All CBD zoned parcels within the [Woodmont Triangle S] study [A] area will be limited to a [floor area ratio] FAR of [one] 1.0 for non-residential development. [Any increase in density up to the maximum allowed must be residential.]
- **Public Use Space** – The public use space and amenity priorities [in the Woodmont Triangle] include improvements to the [public] streetscape, [improvements to] Battery Lane Urban Park, and support for the Arts and Entertainment District through providing public art and private arts facilities. Optional Method of Development projects may provide [their] required public use space [requirement] off-site [in the Woodmont Triangle], if needed to accommodate MPDUs [moderately priced dwelling units are provided] on-site. This Amendment recommends a text amendment that allows public use space to be provided off-site in the same density transfer area if the Planning Board finds that an off-site location implements a sector plan recommendation. If public use space is located on-site, it should contribute to establishing a variety of public spaces in the area. All developments should avoid extensive setbacks of retail from [public] the streets. Public spaces should support retail and an active pedestrian environment.

RETAIL PRESERVATION

The existing commercial enterprises in the study area provide needed goods and services. Some of the businesses are one-of-a-kind retail shops and restaurants, which contribute to the unique urban flavor of the study area. This Amendment encourages the retention of this retail, as did the 1994 Plan, but recommends some additional mechanisms to allow for redevelopment. Reduction in minimum lot size and density transfers are intended to foster new small-scale retail in character with the existing retail environment in the Woodmont Triangle Study Area.

- **Lot Sizes** – Minimum lot sizes of 22,000 square feet were required for optional method of development in the CBD zones to be sure that significant amenity and public use space could be provided on-site. Achieving these minimums in the study area would require assemblage of multiple parcels given the small size of most properties. Requiring larger projects is contrary to the Plan's goal of encouraging small retail. Moreover, the Plan's recommendation for off-site public amenities means that a threshold minimum lot size for optional method development is unnecessary in Woodmont Triangle Study Area.

- **Density Transfer** –In order to encourage retention of existing small-scale retail, there needs to be incentives to encourage businesses to remain. Density transfer between properties is one way to achieve that goal. This Amendment designates an area, shown on page , within the study area that would be appropriate for this transfer. Owners of small commercial properties that wish to remain can offer unrealized density to other properties to amass enough square footage or FAR to develop a mixed-use project. This density transfer would be permitted through a proposed text amendment; see the Implementation Section.

Page 11: Revise Proposed Building Heights map per Council revisions.

Page 12: Prior to section entitle “Public Amenities and Facilities”, insert the section on page 21 entitled “Urban Design Guidelines”.

Page 12: Under Public Amenities and Facilities, revise section as follows:

PUBLIC AMENITIES and FACILITIES

In the Woodmont Triangle Study Area, there is a [great] need for revitalization [of the public spaces, including the rights-of-way]. Businesses have seen their clientele decline over the last several years due to the popularity of Bethesda Row, with its pleasant streetscape environment, new buildings, and attractive assortment of uses. The Woodmont Triangle needs improved lighting for public safety, attractive streets and sidewalks, and incentives to expand uses and hours of operation. In addition to new housing, upgraded public facilities help promote revitalization.

Improvements to Public Streets and Spaces

This Amendment recommends public and private improvements to the public streets and spaces within the study area. The improvements will enhance pedestrian safety and access to transit. Improving the pedestrian and bicycle connections between the NIH, the Battery Lane District, the adjacent neighborhoods and the Metro Stations is a primary objective. Either on-site or off-site improvements would be required in the Optional Method of Development according to a list of public use spaces and amenities.

Public Amenities and Public Use Space

The Woodmont Triangle Study Area is an important part of the Bethesda Arts and Entertainment District. Within the study area, there are currently over 20 art galleries, music stores, and dance and music schools. This Amendment supports the continued use of the Optional Method to provide public art, art facilities, and public gathering spaces.

The existing provisions of the Optional Method of Development require a minimum of 20 percent of the net lot area of each parcel be devoted to public use space on-site. [As permitted in the Optional Method of Development, existing projects in the Bethesda CBD achieved double