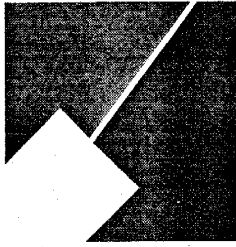


M-NCPPC



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

June 7, 2006

MEMORANDUM

TO: Montgomery County Planning Board

FROM: John A. Carter, Chief (301.495.4575) SAC
Community-Based Planning Division

Carlton Gilbert, Zoning Supervisor
Development Review Division

Dan Janousek, Zoning Analyst
Development Review Division

SUBJECT: **Local Map Amendment No. G-850: Lot 31 Associates, LLC**
Reclassification of 3.30 acres of land currently owned by the County's Bethesda Parking Lot District from the R-60 and CBD-1 Zones to the TS-M Zone, 40,000 square feet of retail, 332,500 square feet residential and 1,480 parking spaces, located at the southwest and southeast quadrant of the intersection of Bethesda Avenue and Woodmont Avenue, Bethesda

FILING DATE: February 24, 2006

PUBLIC HEARING: June 27, 2006

RECOMMENDATION

The staff recommends APPROVAL of Local Map Amendment No. G-850 and the associated Development Plan for the following reasons:

1. The request for reclassification to the TS-M Zone is in compliance with the land use, zoning, and transportation recommendations of the Sector Plan for the Bethesda CBD.
2. The reclassification will comply with the purpose clause of the TS-M Zone (59-C-8.23) and all other requirements of the zone.
3. The reclassification will be compatible with the surrounding uses.

ITEM #21

PLANNING PROCESS

The Planning Board hearing will include a combined review of the following:

1. Local Map Amendment and the Development Plan
2. Abandonment of a portion of Woodmont Avenue
3. Mandatory Referral for the public parking garage

ISSUES

1. Setback from the adjacent high-rise residential building
2. Number of public parking spaces

PROJECT SUMMARY

The applicant proposes a Local Map Amendment to rezone approximately 3.30 acres of land from the R-60 and CBD-1 Zones to the TS-M Zone (Transit Station Development Area Zone - Mixed). The property is currently owned by Montgomery County. The property was the subject of a joint development partnership agreement with the Montgomery County Parking Lot District. The following paragraphs describe the components of this joint development project.

Description of Property

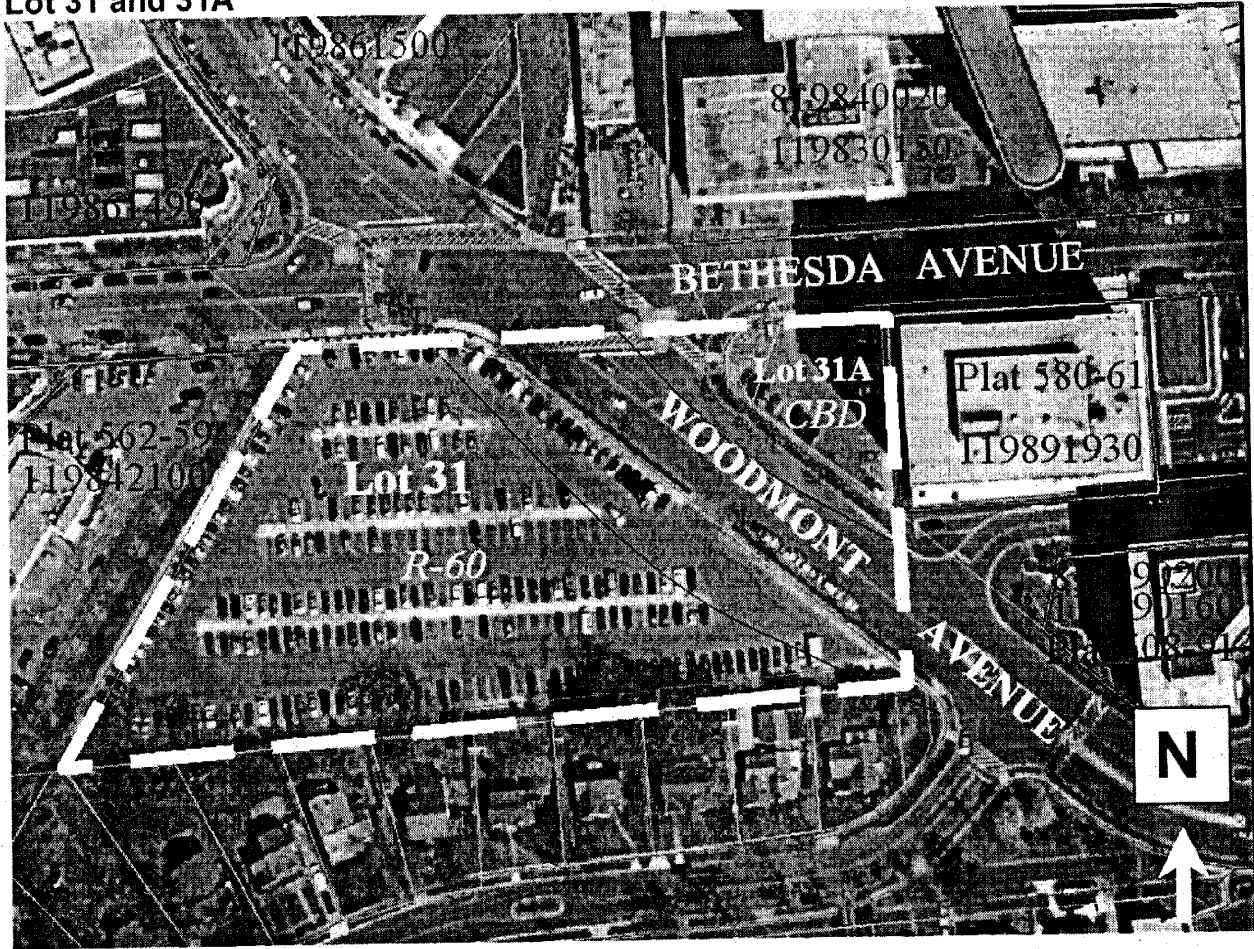
The subject property is located between the Capital Crescent Trail and Woodmont Avenue, north of the Sachs Subdivision, on the southern edge of downtown Bethesda, Maryland. The property has a quadrangle shape with frontage on Woodmont Avenue and Bethesda Avenue. The property consists of several parts of recorded lots 18, 19, 20, 21, 22, 23, 24, 138, and 139, as shown on a plat recorded in Plat Book B, Plat 37. The property is within the Bethesda CBD Sector Plan area of downtown Bethesda and within 1,500 feet of the Bethesda Metro Station. Existing improvements on the site include surface parking operated by Montgomery County (Parking Lot District Lot 31 and 31A).

Lot 31 and 31A

Several trees are located on the southern edge of the property on either side of the boundary of the Sachs Subdivision, which is comprised of single-family detached dwellings. The topography is such that it slopes in different directions to allow water to drain from the parking surface areas. Woodmont Avenue slopes gradually upward from the north to the south of the property. The property is zoned R-60 to the west of Woodmont Avenue, and CBD-1 to the east of Woodmont Avenue. There are no historic structures or sites located on the property (source: The M-NCPPC Historic Preservation Division).

ITEM #21

Lot 31 and 31A



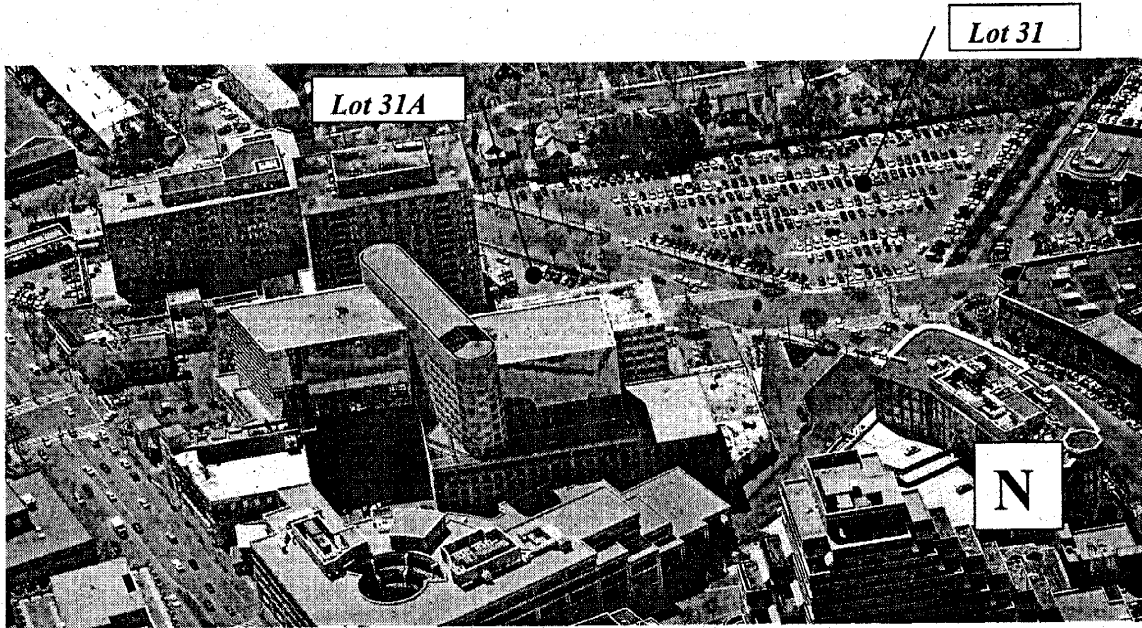
Description of the Surrounding Area

The TS-M Zone is a floating zone and evaluation of the zoning requires delineation of a surrounding area. In general, the defined surrounding area takes into account those areas that are most directly affected by the proposed development and any special study areas that may have been defined by a master or sector plan. For the purposes of analysis, properties in the surrounding area include those located between Elm Street to the north, Arlington Road to the west, Bradley Boulevard, Strathmore Avenue, Woodmont Avenue, Leland Street and Wisconsin Avenue to the south and east, including properties on Miller Avenue. The surrounding area includes portions of the Arlington Road District that is defined in the Sector Plan.

Adjacent Development

Land use in the surrounding area is mixed and there are several zoning classifications including C-2 and CBD-1. The Sachs Subdivision is located south of the subject property. It is comprised of single-family detached residential units in the R-60 Zone.

ITEM #21



A three-story automotive retail building on C-2 zoned property is located to the west and across the Capital Crescent Trail. A three-story retail building, a one-story retail building and restaurant in the C-2 Zone, and an 8-story office building with a restaurant in the CBD-1 Zone is located to the north of the property and across Bethesda Avenue. A 15-story residential apartment and retail building located to the east of the subject property is built 13-feet from the eastern property line. This building is closer to the proposed buildings than any others in the surrounding area. This building is approximately 143 feet tall. Other nearby land uses include high-rise residential buildings, townhouses, condominiums, and retail and office uses. The Capital Crescent Trail is located along the western boundary of Lot 31.

Description of the Proposed Project

The applicant requests approval for the TS-M Zone and the Development Plan. The mixed-use project includes two residential buildings, ground floor retail, and a large public and private parking garage. The proposal is intended to be compatible with adjacent development and provide a transition from the Central Business District to the adjacent single-family detached neighborhood.

The 3.30-acre gross-tract area includes 10,081 square feet of previously dedicated land for the right of way of Bethesda Avenue (approximately 0.23 acres). As shown on the Development Plan, the total floor area ratio will be 2.59, based on the 3.30-acre gross tract area. The project will be developed in one phase. The buildings are located close to the edge of the property lines along the Capital Crescent Trail, Bethesda Avenue and Woodmont Avenue. The project includes 372,500 square feet of total development, including 40,000 square feet of retail space, and 332,000 square feet of residential space. Approximately 250 total residential dwelling units with 32 Moderately Priced Dwelling Units are also included. In addition, 35 units would be workforce-housing units provided on-site and pursuant to an agreement with Montgomery County.

ITEM #21

The following paragraphs summarize the components of the proposed project.

- **Residential Building Located West of Woodmont Avenue** - This building is located on the west side of Woodmont Avenue. It will be from three to five stories tall stepping up towards Bethesda Avenue from the southern portion of the property line. A service area for this building is located along the west side of Woodmont Avenue. Retail space will be on the first floor of this building and in two mezzanine levels above the first floor. The retail space will be located along a portion of the Capital Crescent Trail with direct access to Bethesda Avenue and Woodmont Avenue. The main entrance lobby for the residential portion of this building will be located on Bethesda Avenue.
- **Residential Building Located East of Woodmont Avenue** - This building is located on the east side of Woodmont Avenue. It will range from six to nine stories tall (90 feet), stepping up from Woodmont Avenue to the east towards the existing adjacent 15-story residential building (the Seasons). The service area is located along Bethesda Avenue adjacent to the Seasons high-rise residential building. Retail space will also be on the first floor of this building and in two mezzanine levels above the first floor. The retail space will have direct access from Bethesda Avenue and Woodmont Avenue. The main entrance lobby for this residential building will also be located on Bethesda Avenue.
- **Public and Private Parking Garage** - Each building has access to the same underground, 342-space private parking garage associated with the private residential and retail space. The project also includes a 1,138-space public parking garage (County Parking Lot District). The combined public and private parking garage is located below grade under both buildings and Woodmont Avenue. Access to the combined garage is located along the east side of Woodmont Avenue and along Bethesda Avenue near the Seasons high-rise residential building.
- **Re-Alignment of Woodmont Avenue** - The Development Plan includes a re-alignment of Woodmont Avenue. This street will be closed during the construction of the below grade garage. Woodmont Avenue will be reconstructed with a small realignment.
- **Improvements to the Intersection of Woodmont Avenue and Bethesda Avenue** - The applicant proposes to neck-down two quadrants of the intersection of Bethesda. These proposed improvements coincide with current improvements by the Department of Public Works and Transportation (DPWT) to improve the intersection of Woodmont Avenue and Bethesda Avenue. These combined improvements are intended to improve pedestrian and bicycle safety, and circulation at the intersection of Woodmont Avenue and Bethesda Avenue. These improvements were recommended in the 1994 Bethesda CBD Sector Plan.

ITEM #21

- **Streetscape, Public Use Space, and Active and Passive Recreation Space -**
The applicant proposes street level retail and streetscape amenities to enhance the pedestrian experience along Bethesda Avenue and Woodmont Avenue.

The proposed development meets the requirement for public use space, and active and passive recreation space. The public use space includes public areas adjacent to the right-of-way, seating areas, and a 'bike depot' located at the southern intersection of Capital Crescent Trail and Bethesda Avenue. In addition, an on-site vehicular drop-off for bicycle and pedestrian access to the trail, and activating links to the trail from Woodmont Avenue will be provided. Active and passive recreation areas are located within the 50-foot setback area along the southern property line and adjacent to the single-family detached neighborhood.

COMPREHENSIVE ZONING HISTORY

1. Comprehensive Rezoning
 - a. 1954 Regional District Zoning; R-60 Zone enacted and mapped
 - b. 1958 County-wide Comprehensive Zoning; R-60 Zone Confirmed
 - c. SMA F-739: Adopted 08/15/72; R-60 Zone Confirmed
 - d. SMA G-20: Adopted 12/06/77; R-60 Zone Confirmed
 - e. SMA G-665: Adopted 06/26/90; R-60 Zone Confirmed
 - f. SMA G-666: Adopted 06/26/90; R-60 Zone Confirmed
 - g. SMA G-711: Adopted 10/11/94; R-60 Zone Confirmed
2. Master Plan Recommendations
 - a. Land Use: Residential, Retail, and Parking
 - b. Zoning: TS-M

PUBLIC FACILITIES

The public facilities are adequate to serve the proposed development as described in the following paragraphs.

Water and Sewer Service

The subject properties are served by public water and sewer systems, and are currently in Water Service Category W-1 and Sewer Service Category S-1. There would not be any significant any impact to the water or sewer systems should the zoning category change from the R-60 and CBD-1 zones to the TS-M Zone (Source: WSSC).

Roads

- a. Woodmont Avenue: This business street consists of a public right-of-way of 80 feet as indicated on the Development Plan.
- b. Bethesda Avenue: This business street consists of a public right-of-way of 60 feet as indicated on the Development Plan.

ITEM #21

Schools

The Montgomery County Public Schools (MCPS) estimates that the proposed residential development will generate approximately 20 elementary school students, 10 middle school students and 11 high school students. The property is located in the Bethesda Elementary School, Westland Middle School and Bethesda-Chevy Chase High School service areas. The school population in this cluster is generally trending down.

The current Growth Policy schools test finds capacity adequate in the Bethesda-Chevy Chase cluster (see attachment from MCPS).

ITEM #21

ANALYSIS

CONFORMANCE WITH THE SECTOR PLAN FOR THE BETHESDA CBD

The proposed TS-M Zone and the Development Plan conforms to the recommendations in the Sector Plan for the Bethesda CBD as described in the following paragraphs.

Land Use, Zoning and Urban Design

The proposal is consistent with the land use, zoning and urban design objectives and recommendations of the Approved and Adopted Sector Plan for the Bethesda CBD (pages 124-125 Wisconsin South Corridor, and pages 132-133 Arlington Road District).

In the Arlington Road District, the project provides the recommended residential component in the TS-M Zone as part of a joint development with public parking. It steps up from three to five stories and provides a setback of 50 feet to provide compatibility with the adjacent single-family detached neighborhood. It also improves bicycle access, provides streetscaping, and establishes a main street character along Bethesda Avenue.

In the Wisconsin South Corridor, the applicant proposes to rezone the property from the existing CBD-1 Zone to the TS-M Zone. The land use and density are consistent with the requirements of the CBD-1 and TS-M zones. The applicant recommends a floating TS-M Zone for both areas to consolidate the review process in accordance with a recent Zoning Text Amendment.

Transportation

The proposed development is consistent with the transportation recommendations including public parking included in the Sector Plan (page 143-186). The intersection of Bethesda Avenue and Woodmont Avenue will be improved by reducing the width of this intersection and increasing the safety and convenience for pedestrians and bicyclists. The new public parking structure will include joint development with residential and retail uses.

The proposal provides the recommended bicycle improvements in the Capital Crescent Trail area (page 159). The Development Plan shows that the applicant would build a connection from a bike drop-off on Woodmont Avenue to the Capital Crescent Trail.

The public right-of-way will be 60 feet along Bethesda Avenue and 80 feet along Woodmont Avenue as recommended in the Sector Plan. Sidewalks will be substantially improved along both streets.

ITEM #21

Streetscape Plan

The proposed development conforms to the Streetscape Plan. The Development Plan provides for wide sidewalks and retail at the ground level to create the recommended main street.

Community Facilities

The proposal is in conformance with the recommendations for Community Facilities in the Sector Plan, which makes recommendations for "sites used for below grade parking and mixed income housing". Lot 31 is one of these sites (page 215). The Sector Plan recommends landscape screening along the southern edge of the site to buffer the single-family detached houses of the Sachs subdivision, which the applicant has provided. The Development Plan includes the recommended staging area, and it provides links to the Capital Crescent Trail.

COMPATIBILITY

The proposed development is compatible with the existing and proposed adjacent development.

Building Located East of Woodmont Avenue

This building will be limited to three to five stories (65 feet maximum) as recommended in the Sector Plan. Three story multi-family units are located along the southern property line adjacent to the existing single-family dwelling units. In addition, a setback of 50 feet will be provided, and a large green space extending into the project will be provided adjacent to the existing development. The building will step up to five stories along Bethesda Avenue and away from the existing development.

Building Located West of Woodmont Avenue

This building located east of Woodmont Avenue will be limited to nine stories (90 feet). The building height of the adjacent high-rise residential building is approximately 143 feet. The step down from 143 feet for the adjacent building, to 90 feet for the proposed building located east of Woodmont Avenue, to the 65 feet for the proposed building located west of Woodmont Avenue provides compatibility with existing and proposed adjacent development. This step down of buildings also meets the guidelines in the Sector Plan for a step down of buildings from the core of Bethesda to the residential neighborhoods located on the edge of the CBD. This building is located five feet from the property line for the first floor, 10 feet for the residential portions of the building without windows, and 15 feet for the residential portions of the building with windows. This setback provides a distance of 28 feet between buildings in areas with windows. During the review of the Site Plan for this building located east of Woodmont Avenue, the following items should be considered: