



MONTGOMERY COUNTY PLANNING DEPARTMENT
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**Staff Report: Preliminary Plan 120080050: Holladay at Edgemoor
 Site Plan 820080030: Holladay at Edgemoor**

ITEM #: _____

MCPB HEARING

DATE: June 5, 2008

REPORT DATE: May 21, 2008

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
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APPLICATION DESCRIPTION:

Creation of one lot for the construction of a 48-unit multi-family residential building, including 6 MPDUs, in the TS-R Zone; located on West Lane at the intersection with Montgomery Lane within the Bethesda CBD Sector Plan.

APPLICANT: Holladay Corporation

FILING DATE: August 7, 2007

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY:

The proposed development would create one lot out of existing Lots 24, 25, and 27, Block 13, for a 6-story multi-family building with 48 units, including 6 MPDUs. The subject project provides 78 parking spaces on site below grade, contains active and passive recreation facilities, and offers a contemporary design with frontages on both Montgomery and West Lanes. The adjacent streets will be upgraded to meet the Sector Plan streetscape standards. The project is subject to the Binding Elements of the Development Plan for Local Map Amendment G-843.

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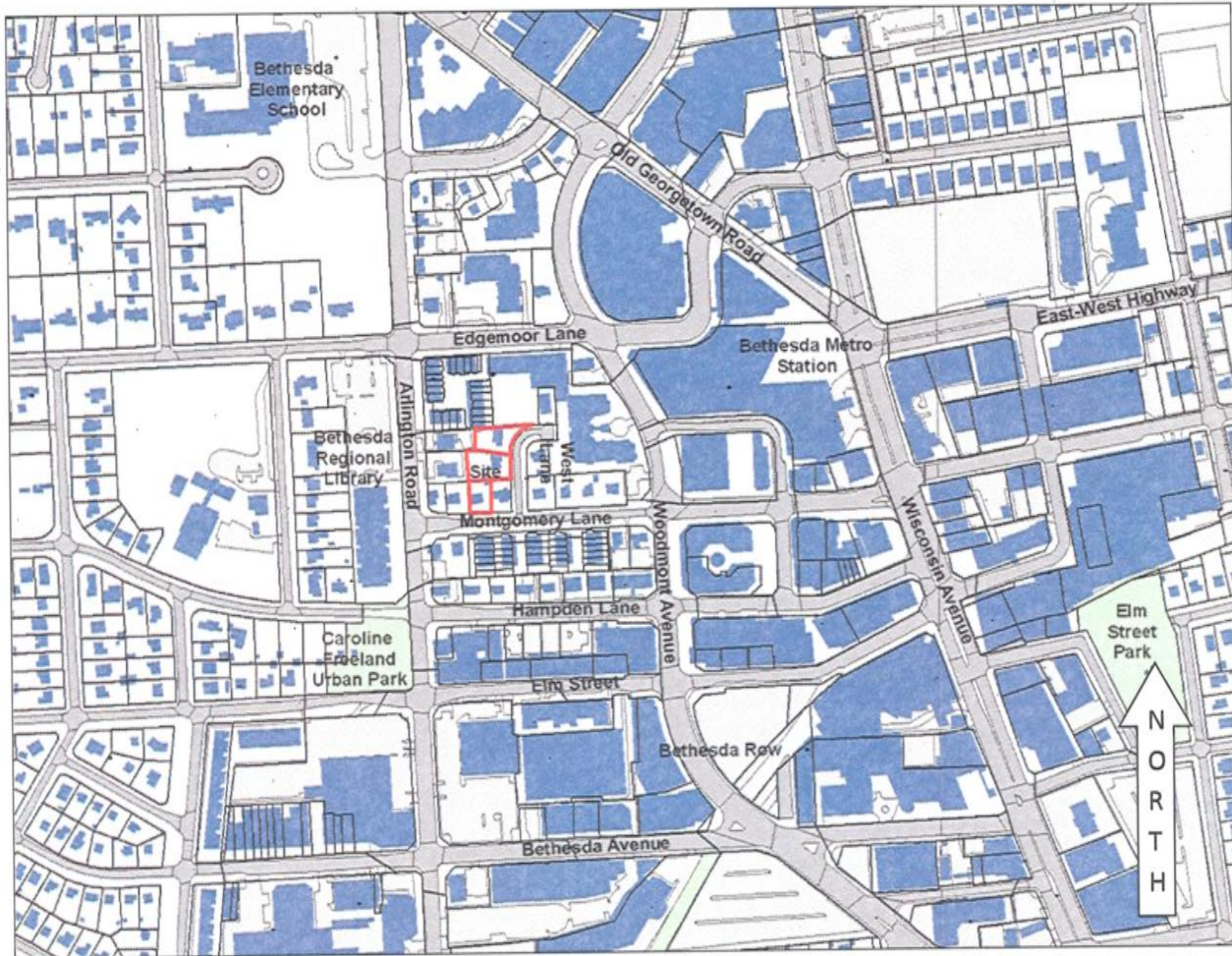
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SECTION 1: CONTEXT AND PROPOSAL

SITE DESCRIPTION

Vicinity

The subject property is located midblock on Montgomery Lane at West Lane. This area is at the southern end of the Transit Station Residential District as delineated by the Sector Plan, and the proposed development is approximately 950 feet from the Bethesda Metro Station.



Vicinity Map

Surrounding the subject property is a mix of primarily residential and some commercial uses. To the west are one-and-one-half- to two-story single-family homes currently operated as offices, though the properties located directly along Arlington Road are under rezoning review for low-rise multi-family apartments. To the north are two residential developments, including a 21-unit townhouse project along Arlington Road and a 12-story multi-family building with associated recreation areas. To the east are other single-family houses, operated both as residences and businesses, including the house at the northwest quadrant of the intersection of Montgomery Lane and West Lane, which the proposed building borders on two sides. Further east along Montgomery Lane is the 10-story Edgemoor multi-family apartment building. Across Montgomery Lane to the south is the City Homes townhouse development.

Site Analysis

The existing site (after consolidation and right-of-way dedication) is an L-shaped lot of 22,769 net square feet with approximately 62 feet of frontage along Montgomery Lane and approximately 165 feet of frontage on West Lane. The site is essentially flat and contains no historic structures or sites located on any of the properties. The newly created parcel will be completely cleared and graded.



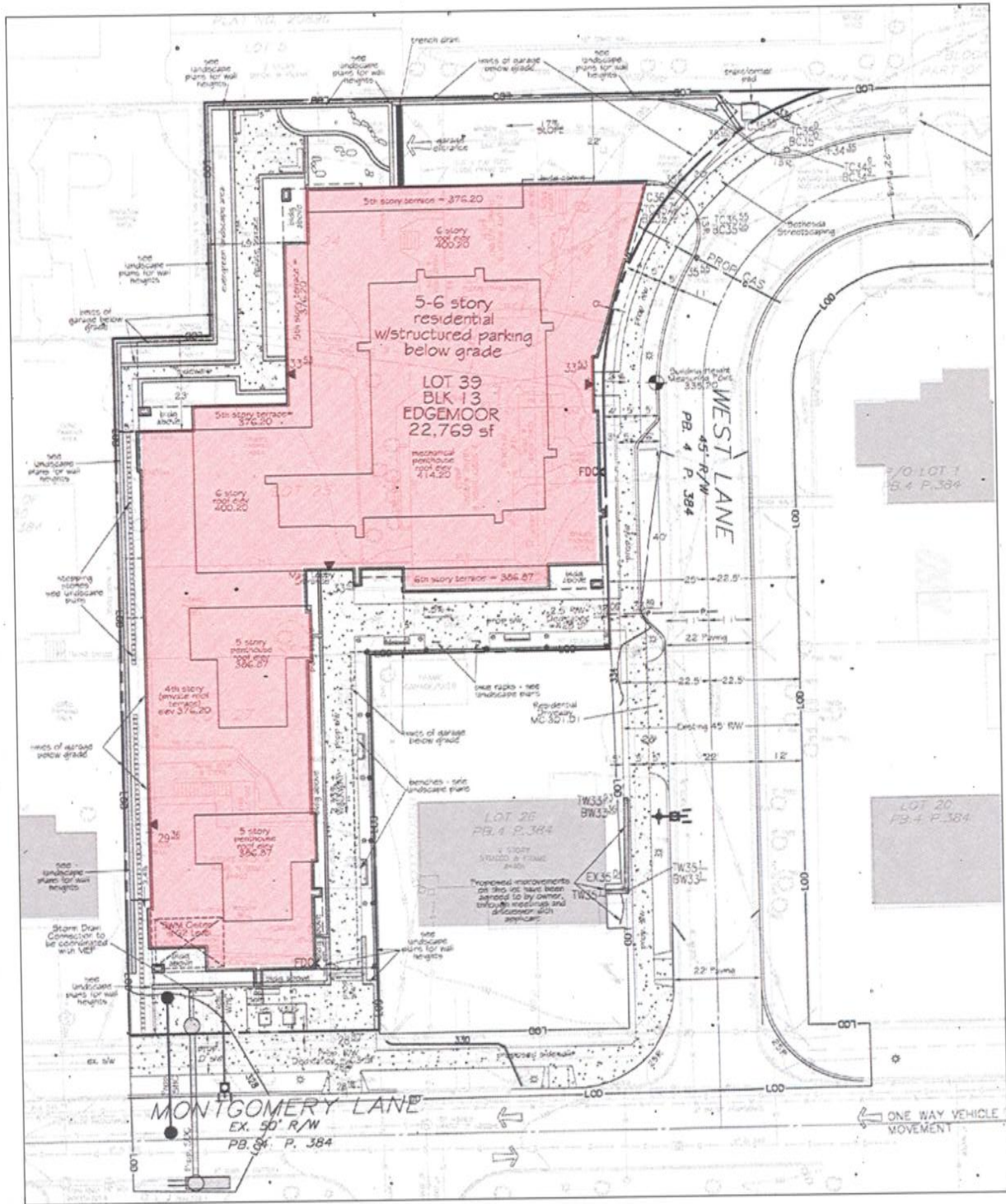
Aerial Photo Looking North

PROJECT DESCRIPTION

Previous Approvals

Zoning/Development Plan

The subject property was rezoned from the R-60 Zone to the TS-R zone by Local Map Amendment G-843. The binding elements for this plan and the Opinion issued by the County Council are appended to this Staff Report.

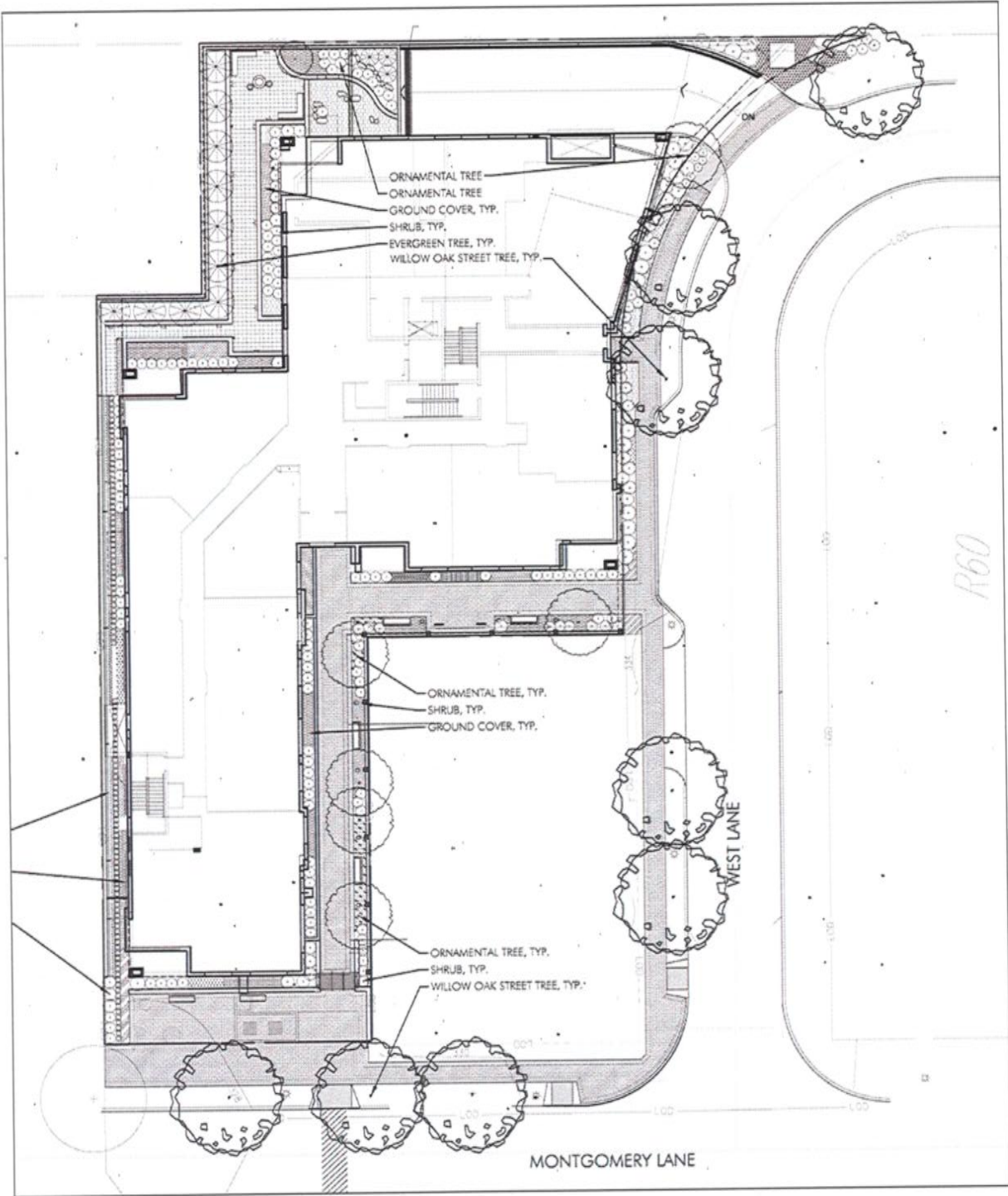


Preliminary/Site Plan

Proposal

The proposed development combines three existing lots, Lots 24, 25, and 27, Block 13, for a six-story apartment building consisting of 48 units, including 6 MPDUs (12.5 percent of the total). The building forms a modified “L” shape wrapping the existing structure at the intersection of Montgomery and West Lanes. While the building has frontage on both streets, the building’s pedestrian entrance is located in the internal corner, accessed via landscaped walkways. A courtyard

for residents' passive recreation is tucked into the back of the property; the interior contains a party room for gatherings. The Applicant proposes a total of 78 parking spaces below grade for the 48 units, with vehicular access for parking off of West Lane. Loading will be provided directly on West Lane via a "lay-by" space.

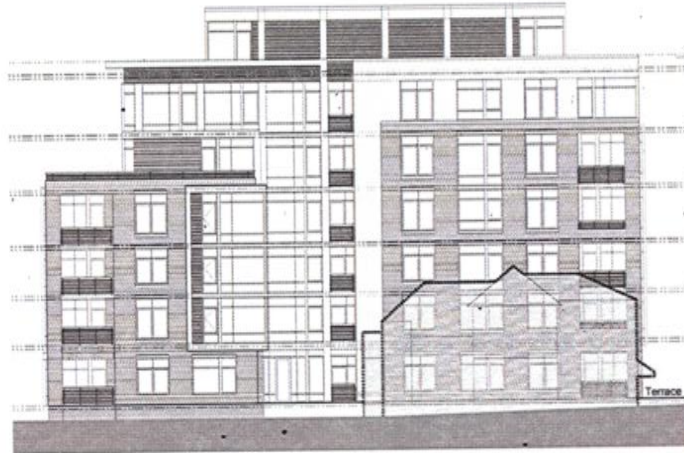


Landscape Plan

Landscaping is provided along the entry walks and along the property boundaries. The back courtyard is primarily paved but also provides plantings along the adjacent property line. The

plantings are a mixture of flowering ground covers and shrubs as well as evergreens and ornamental trees in the more open areas.

The building features an attractive contemporary design with a layered façade of masonry base and glass and steel detailing.



Montgomery Lane Elevation



West Lane Elevation

COMMUNITY OUTREACH

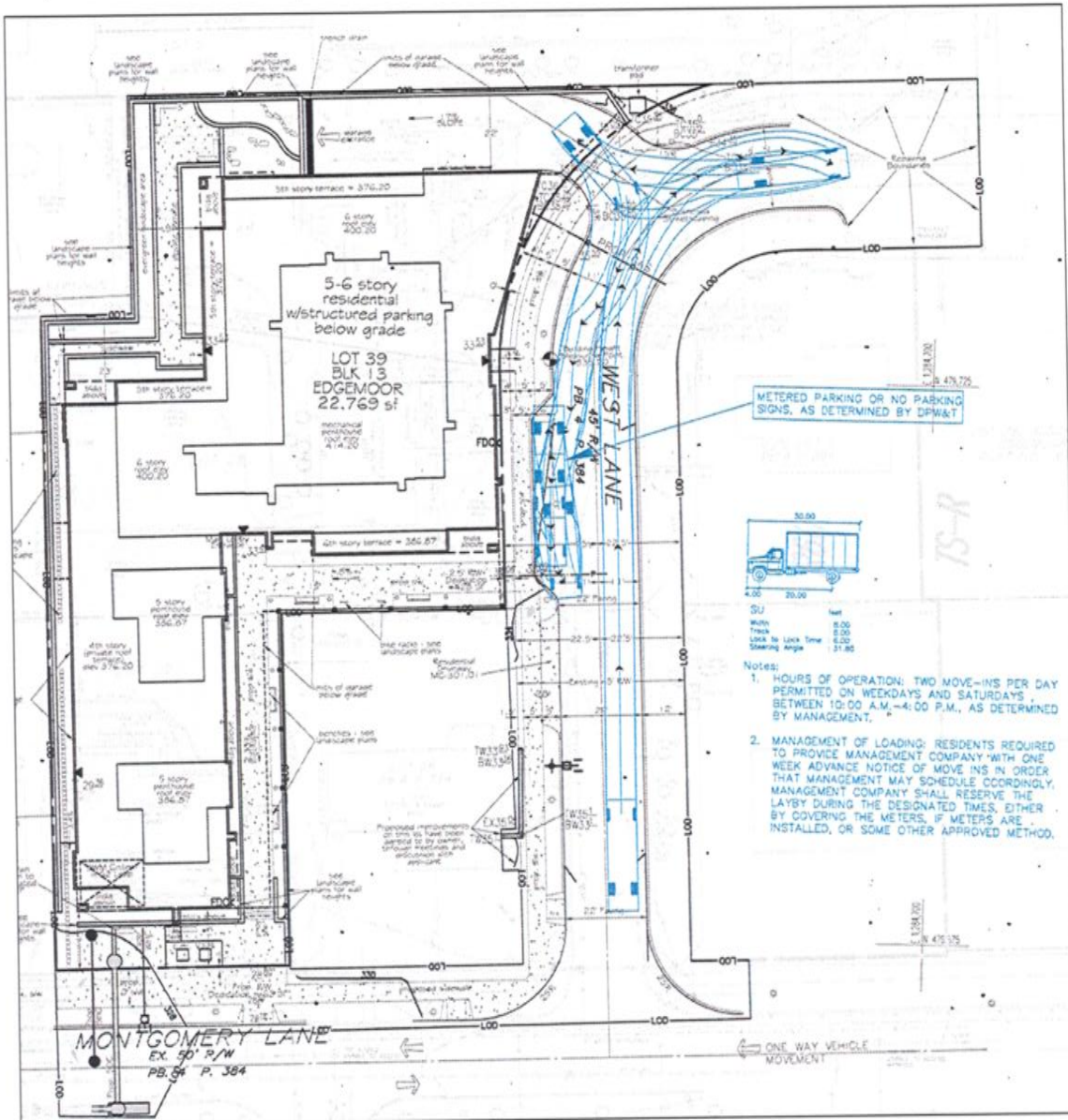
The Applicant has complied with all submission and noticing requirements and staff has not received correspondence from any citizens or community groups as of the date of this report.

ISSUES

During the review of the project, several issues arose which deserve mention.

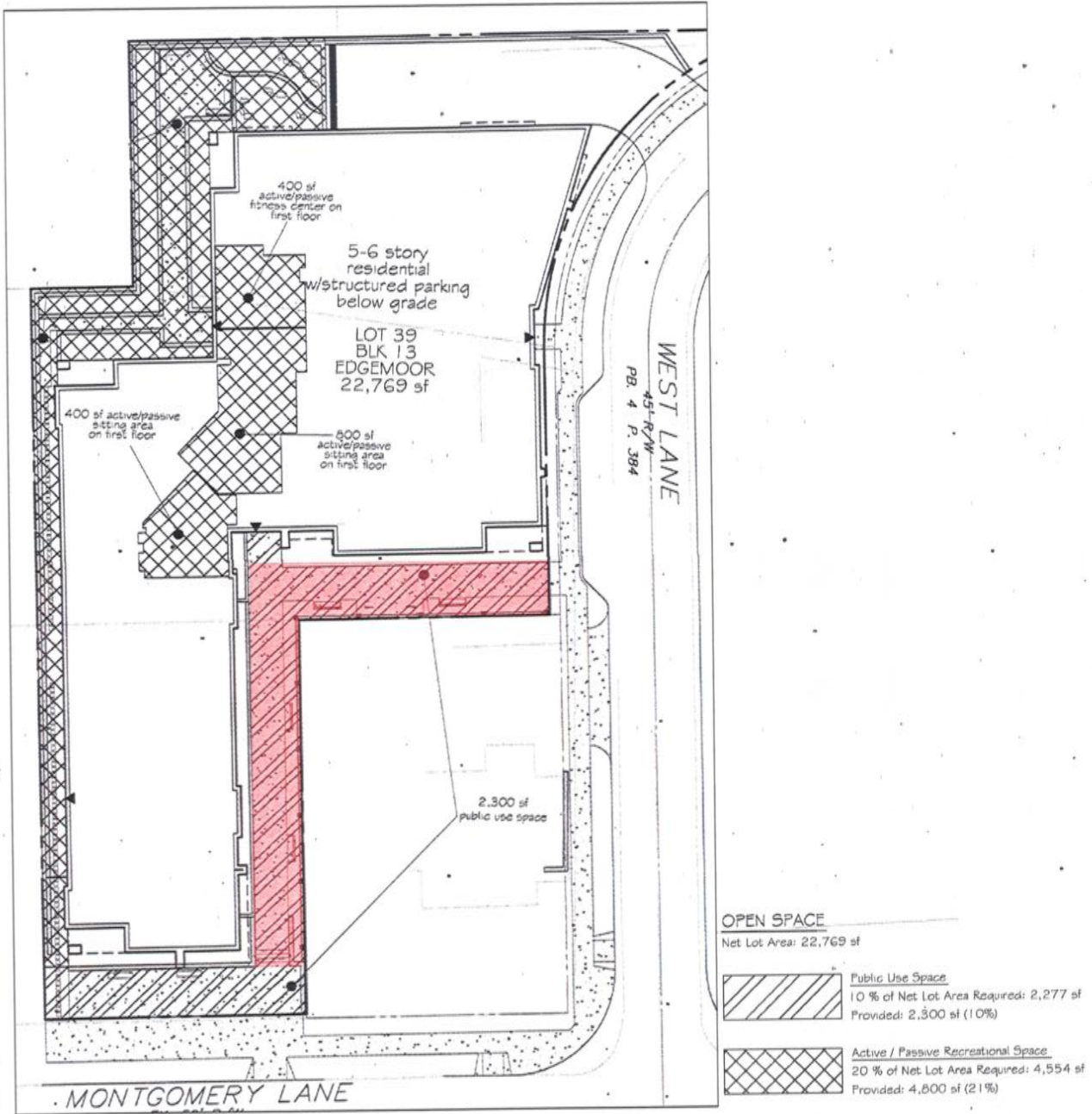
Loading

Given the relatively small lot size (22,769 sf. or 0.52 acres) and density (48 units) for this development, the Applicant proposed not to provide a loading space within the building. Their concern was that the loss of dwelling units necessary to accommodate a loading space was not conducive to the economic feasibility of the project. At DRC, DPWT commented that a loading space would indeed need to be provided within the building. Senior and project staff from M-NCPPC, DPWT, and DPS met several times to reconcile each party's concerns, the ultimate resolution of which is a Loading Plan, prepared by the Applicant and approved by all parties. The Applicant has agreed to require residents of the proposed building to conform to the Loading Plan when moving into or out of the building.



Loading Plan

Public Open Space



Open Space Plan

The TS-R zone requires the Applicant to provide a minimum of ten percent of the net lot area as public open space. As illustrated above, the Applicant is providing the minimum requirement, but the bulk of the space is removed from the street, where pedestrians will be unlikely to know about it, let alone use it. Given the constraints of the site and the need for housing in the Bethesda CBD, especially the six MPDUS included in this project, staff suggested the Applicant balance the residual quality of the Public Use Space with a commensurate Public Amenity proffer. The Applicant has agreed to provide, in addition to the streetscape per the Development Plan, the Bethesda Streetscape along Montgomery and West Lanes, specifically including the diagonal walkway connecting the sidewalks on the northwest quadrant of the intersection of Woodmont Avenue and Montgomery Lane

as well as the provision of Bethesda Streetscape Standard streetlights, including replacement of the non-standard lamps in front of the Edgemoor project, along Montgomery Lane.

SECTION 2: PRELIMINARY PLAN REVIEW

Master Plan

This plan complies with the recommendations of the Bethesda CBD Sector Plan. The site was approved for rezoning to the TS-R Zone in the Bethesda Central Business District (CBD) as recommended in the 1994 Sector Plan. The purpose of the Transit Station Zone and the standard for public facilities and amenities clearly states that development within this Zone is provided a large degree of flexibility regarding development standards but it "must comply substantially to the facilities and amenities recommended by the approved and adopted master or sector plan...provide safe and efficient circulation, adequate public open space and recreation, and insure [sic] compatibility of the development with the surrounding area".

The structure conforms to the 1994 Bethesda CBD Sector Plan recommendation for "high-density low-rise" housing for this area and a height limit of 65 feet. The preliminary plan allows for safe and efficient circulation through proper dedication for West Lane and Montgomery Lane as required by the 1994 Sector Plan, landscaping at the building, a 5-foot wide sidewalk, and appropriate streetscape using the Bethesda streetscape standards. The proposed open space is suitable for the site. The Applicant has improved the design relationship and compatibility with the properties to the west and the northwest with additional setback and a landscape treatment satisfactory to the neighbors that also serves as an attractive amenity for the future residents of the project.

Development Plan Conformance

The proposed preliminary plan complies with the binding elements listed in the Development Plan Amendment G-843. These binding elements are included in the appendix for this report.

Compliance with the Zoning Ordinance and Subdivision Regulations

The lot was reviewed for compliance with the dimensional requirements for the TS-R zone as specified in Chapter 59, the Montgomery County Zoning Ordinance, and found to comply with all applicable provisions. The lot as proposed will meet all the dimensional requirements including, but not limited to, area, frontage, width, height, and setbacks in the TS-R Zone and complies with Chapter 50, the Montgomery County Subdivision Regulations. Details of this review are found in the attached Subdivision Data Table.

Adequate Public Facilities

Roads and Transportation Facilities

Vehicular and Pedestrian Access

Vehicular access to the site is proposed via a garage driveway along the West Lane property frontage. Pedestrian access will be provided via the existing sidewalks along Montgomery Lane and West Lane fronting the property. Montgomery Lane is designated as a business district street with a recommended 52-foot right-of-way and West Lane is designated as a business district street but a right-of-way width is not specified. As stated in the preliminary plan conditions, the Applicant must dedicate 1 foot of right-of-way along the Montgomery Lane property frontage for 26 feet from the

centerline, and the Applicant must also dedicate an additional 2.5 feet along the West Lane property frontage for 25 feet from the centerline. As previously noted, space for loading is provided by a lay-by in the West Lane right-of-way. Roads and pedestrian access will be safe and adequate with the proposed improvements.

The existing sidewalks will be improved to meet the required sidewalk width and handicapped ramps will be added at the Montgomery Lane/West Lane intersection in accordance with the Montgomery County Road Code and the Bethesda streetscape standards. The site is located approximately 950 feet from the Bethesda Metrorail Station. Ride-On route 33 operates along Montgomery Lane. There are no bus routes operating along West Lane. The site is located within the Bethesda Transportation Management District. As a multi-family development with fewer than 25 employees, the Applicant is not required to enter into a Traffic Mitigation Agreement to participate in the Bethesda Transportation Management Organization.

Local Area Transportation Review

The proposed multi-family residential development is expected to generate 14 peak-hour trips within the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.). A traffic study is not required to satisfy LATR because the proposed multi-family development generates less than 30 total peak-hour trips during the weekday morning and evening peak periods.

Policy Area Mobility Review (PAMR)

Under the *FY 2007-2009 Growth Policy*, the PAMR test is required because the preliminary plan was filed after January 1, 2007, and the proposed multi-family development generates over 3 peak-hour trips within the weekday morning and evening peak periods. However, the trips generated by 48 mid-rise apartments are mitigated by being conveniently located near a Metrorail Station as shown in table below:

Weekday Vehicular Peak-Hour Trips	Morning	Evening
Starting Condition (existing density and uses) using Countywide Trip-Generation Rates	20	22
Resultant Traffic Condition (proposed density and uses) using Bethesda CBD Trip-Generation Rates	14	14
Proposed Reduction: Starting Condition minus Resultant Traffic Condition	6	8
Required PAMR 30% Reduction of New Site-Generated Trips, based on Starting Condition	6	7
Proposed Reduction: Starting Condition minus Resultant Traffic Condition	6	8
Number of excess trips to be mitigated	0	-1

Thus PAMR is satisfied simply by the project being located in the Bethesda CBD Policy Area.

Other Public Facilities

Other public facilities and services are available and will be adequate to serve the proposed dwelling units. Schools, police stations, firehouses and health services are currently operating within the standards set by the Growth Policy Resolution currently in effect. Elementary schools in this area are currently operating between 105% and 120% of program capacity and, therefore, the project is subject to a School Facilities Payment. Water and sewer were found to be existing at the site boundaries and adequate to serve the project. MCDPS approved a stormwater management concept on August 3, 2007 that will control runoff from the site. The application has been reviewed by the Montgomery County Fire and Rescue Service who have determined that the Property has appropriate access for fire and rescue vehicles.

Environment

According to the approved Natural Resources Inventory/Forest Stand Delineation Plan there are no forest stands, streams, floodplains, or environmental buffers on the site. There are, however, offsite trees along the property boundaries that should be protected. As noted previously, a Tree Save Plan was required for these trees. The Tree Save Plan must be finalized prior to any clearing or grading of the site and include specific protection measures. This project is exempt from the requirements of the Forest Conservation Law.

The Binding Elements of the Development Plan require the building to achieve LEED Certification.

PRELIMINARY PLAN RECOMMENDATION AND CONDITIONS

Approval of preliminary plan 120080050, pursuant to Chapter 50 of the Montgomery County Code and subject to the following conditions:

1. Approval under this preliminary plan is limited to 1 lot for 48 multi-family dwelling units. 12.5% percent of the dwelling units must be Moderately Priced Dwelling Units (MPDUs).
2. The Applicant must dedicate 2.5 feet of right-of-way along the West Lane property frontage for a total of 25 feet from the centerline.
3. The Applicant must dedicate 1 foot of right-of-way along the Montgomery Lane property frontage for a total of total of 26 feet from the centerline.
4. The Applicant must construct all road improvements within the rights-of-way as shown on the approved preliminary plan to the full width mandated by the master plan and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition.
5. A more detailed Final Tree Save Plan, including critical root zones of affected trees on the adjacent property, must be submitted with the Certified Site Plan. If this plan shows disturbance to more than 1/3 of the critical root zone of these trees, an ISA-certified arborist must prepare and sign the plan, which must include detailed and specific tree protection measures.

6. If by issuance of the building use and occupancy permit the tree protection measures have not adequately protected the trees on the adjacent property, the applicant shall offer the affected property owner the option of removal and replacement of those trees at the Applicant's expense, at a rate of one tree per every tree removed. The replacement trees shall be native canopy trees suitable for urban situations and be a minimum of 4" DBH.
7. The proposed development shall comply with the conditions of the Final Tree Save Plan prior to any demolition, clearing, or grading on the subject property.
8. The sediment control plan must reflect a limit of disturbance no closer to the trees to be protected than that illustrated on the Final Tree Save Plan.
9. The record plat must reflect a public use and access easement over all areas indicated as "Public Open Space" on the preliminary, site and landscape plans as approved by the Planning Board.
10. The record plat must reflect all areas under Homeowners Association ownership, if applicable, and specifically identify stormwater management parcels.
11. No clearing, grading or recordation of plat prior to Certified Site Plan approval.
12. Final location of the building, sidewalks, and amenities to be determined at Site Plan.
13. The Applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS) stormwater management approval dated August 3, 2007, unless amended.
14. The Applicant must comply with the conditions of the Montgomery County Department of Public Works and Transportation (MCDPWT) letter dated May 23, 2008, unless otherwise amended.
15. The Applicant must satisfy provisions for access and improvements as required by MCDPWT prior to recordation of plat.
16. Before any building permit is issued, the applicable School Facilities Payment required by the 2007-2009 Growth Policy must be paid to MCDPS.
17. The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board resolution.
18. All other necessary easements must be shown on the record plat.

SECTION 3: SITE PLAN REVIEW

Master Plan

The Sector Plan enumerates eight Urban Form Principles that detail how new development should maintain and enhance the existing framework.

1. *Focus the highest densities within the Metro Core District to achieve a tightly configured center, while improving transitions to the residential edges.*

The site is at the western edge of the Transit Station Residential District and, in response, the proposed density is much less than the allowable density for the site.

2. *Step down building heights from the Bethesda Metro Center properties to achieve desirable and compatible transitions to adjacent areas.*

At six stories, the height of the building provides a transition between the 10- and 12-story buildings along Woodmont Avenue and the three- to five-story buildings existing or expected along Arlington Boulevard.

3. *Achieve an infill character for new development by dividing large projects into several buildings, which will achieve an urban form with a "fine grain" versus "coarse grain" created by larger, single structures.*

The building massing varies to compliment its neighbors. Along Montgomery Lane, the building is four stories, comparable to City Homes across the street, and moves up to five and then six stories as it progresses into the block towards taller buildings to the north along Woodmont Avenue.

4. *Design new buildings that respond to views and vistas within the CBD to create focal points and landmarks that improve the orientation and strengthen the perception of existing centers.*

This development is not within the CBD, but improves considerably the pedestrian experience along Montgomery and West Lanes.

5. *Treat rooftops as sculptural elements that contribute to the visual interest of the skyline. Where appropriate, consider rooftops as usable outdoor space for recreational or commercial purposes.*

The proposed building has a varied roofscape topping its multi-level massing, providing visual interest on both Montgomery and West Lanes. Further, the Applicant is proposing a green roof for a portion of the building, which has the potential to provide additional visual interest.

6. *Allow a diversity of architectural styles that achieve good building proportions, reduce the sense of bulk, and maintain human scale. Clearly identify the building entrance in the façade design and locate it at street level.*

The proposed building is a well-proportioned contemporary design. The proportions, style, and detailing will maintain the appropriate scale for residents and pedestrians along Montgomery and West Lanes.

7. *Achieve compatibility with nearby residential areas through techniques such as stepped down heights, articulated building walls and façade treatments, and the architectural means designed to minimize building bulk and shadow impacts and create a gradual transition.*

The setbacks and stepped building height ensure compatibility with nearby townhomes, apartments and proposed site plans.

8. *Achieve energy efficiency in the form and design of the building by such means as recessed windows or awnings to shade interiors from direct sunlight.*

As a binding element of the Development Plan, this building will be LEED-Certified, helping to create a resource-efficient building.

Development Standards

The proposed development is designated Transit Station – Residential (TS-R), which was created to provide locations where multiple-family residential development already exists or where such development is recommended by an approved and adopted master plan. The development standards are minimal within the TS-R Zone because these projects are subject to the provisions of a development plan approved by the District Council.

The purpose of the TS-R Zone includes: promoting effective use of transit stations and areas; providing residential and compatible uses within walking distance of transit stations; providing a range of residential densities and price ranges; and providing freedom in building design and site layout that will be harmonious with the surrounding context. The proposed development provides 48 multi-family units, including 6 MPDUs, within two blocks of the Bethesda Metro Station. The building has been designed as a mid-rise apartment building well within the height recommendations of the Sector Plan and steps down as it approaches shorter buildings along Montgomery Lane. The site has been detailed and designed to create a comfortable, functional environment for daily life.

The following data table indicates the proposed development’s compliance with the Zoning Ordinance.

Project Data Table for the TS-R Zone

Development Standard	Permitted/ Required	Approved w/the Binding Elements	Proposed for Approval
Min. Gross Tract Area (square feet)¹	18,000	22,769	22,769
Max. Building Height (feet)	n/a	65 ²	65

¹ Net lot area is 22,769 square feet after previous and proposed dedication.

² Measured from the building height measurement point specified in the Development Plan.

Max. Floor Area Ratio (FAR)	2.5	2.5	2.5
Max. Dwelling Units per Acre	150	93	93
Max. Dwelling Units	78	48	48
Min. Building Setbacks (feet)			
Montgomery Lane	n/a	n/a	15
West Lane	n/a	n/a	0
North property line	n/a	20	22
Side (west property line)	n/a	6	6
Open Space (% of net lot)			
Public Open Space	10	10	10.1
Active/Passive Recreation Space	20	20	21.1
Total	30	30	31.2
Parking Spaces			
	65	75	78

MPDU Calculations

Unit Distribution	One-Bedroom	Two-Bedroom	Total
Total Market Units:	11	31	42
Total MPDUs Provided:	1	5	6
Combined Total	12	36	48

Recreation Calculations

	Tots	Children	Teens	Adults	Seniors
Demand					
High-Rise Units	1.7	1.9	1.9	36.9	22.1
Supply					
5 Picnic/Sitting Areas	5	5	7.5	25	10
Pedestrian System	0.2	0.4	0.4	16.6	9.9
Indoor Community Space	0.2	0.3	0.6	11.1	8.8
Indoor Fitness Facility	0	0.2	0.2	7.4	3.3
Total	5.4	5.9	8.7	60.1	32
Percent of Demand Met	317	311	458	163	145

FINDINGS

1. *The site plan conforms to all non-illustrative elements of the development plan certified by the Hearing Examiner under Section 59-D-1.64 and all binding elements of the approved Zoning Application.*

The proposed development is consistent with the approved Development Plan for Local Map Amendment G-843, regarding building height and setbacks, development density, MPDUs,

public use and recreation space, landscape, building design, dedications, and street improvements.

2. *The Site Plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan meets all of the requirements of the Transit Station – Residential (TS-R) zone as demonstrated in the project Data Table above. There are no height restrictions or setbacks in the TS-R Zone – these were established during the Development Plan and are being retained with this Site Plan application.

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

a. Locations of buildings and structures

The proposed building provides an appropriate mid-density residential use on an optimal site for accessibility to mass transit and neighborhood facilities. The design and layout of the building are compatible with the surrounding buildings in terms of massing, detailing, and height. Both the use and the design elements of the architecture provide an adequate, safe, and efficient building on the subject site.

b. Open Spaces

The plan proposes 10 percent on-site Public Open Space along the frontage of Montgomery Lane and through a walkway connecting the main entrance to Montgomery and West Lanes. Though not ideal, this public open space is complemented by an additional 20% on-site active and passive recreational space provided for residents, including meeting and fitness rooms and an outdoor terrace, as well as voluntary streetscape improvements along West and Montgomery Lanes, including replacing non-Streetscape-Standard streetlights, and providing streetscape for the existing diagonal path between Montgomery Lane and Woodmont Avenue. Each of these features contributes to an improved pedestrian experience that is adequate, safe, and efficient.

c. Landscaping and Lighting

The proposed landscaping on the site consists of traditional foundation plantings along the foundation and entry walks of the building and street trees along Montgomery and West Lanes. The street trees will be installed per the Bethesda Streetscape Plan details for trees within a lawn panel. The shade provided by these trees and the plantings along the pedestrian paths provides an adequate, safe, and efficient environment for residents and passers-by.

The lighting plan consists of a Bethesda streetscape-specified Washington Globe Luminaires on Montgomery and West Lanes. Other site lighting will be full cut-off and will provide adequate, safe, and efficient site illumination.

d. Recreation Facilities

The plan is providing ample recreation facilities through a combination of on-site exterior seating areas, interior fitness and meeting rooms, and an extensive community pedestrian network. The provided facilities are adequate, safe, and efficient.

e. Pedestrian and Vehicular Circulation Systems

Sidewalks along Montgomery and West Lanes will be improved to conform to the Bethesda Streetscape Plan. These sidewalks will further integrate the development into the existing community and provide safe and efficient pedestrian access to the neighborhood circulation system. The pedestrian environment, as a whole, is adequate, safe, and efficient.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The building is compatible with the other existing and proposed town-house and multi-family residential buildings to the north, south, east, and west in terms of massing, scale, detailing, and layout. The setbacks and stepped building height ensure compatibility with nearby townhomes, apartments and proposed site plans.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The subject site plan is exempt from forest conservation requirements.

The proposed storm water management concept consists of on-site water quality via green roof technology and a proprietary, flow-based, structural filter. On-site recharge is not required since this is redevelopment. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

RECOMMENDATION AND CONDITIONS

Approval of 48 multi-family residential dwelling units, including 6 MPDUs (12.5 percent); on one 0.66-acre lot. All site development elements as shown on the site, landscape, and lighting plans stamped by the M-NCPPC on May 5, 2008 are required except as modified by the following conditions:

1. Preliminary Plan Conformance

The proposed development must comply with the conditions of the approved Resolution for preliminary plan 120080050.

2. Development Plan Conformance

The proposed development shall comply with the binding elements listed on the Development Plan for Local Map Amendment G-843.

3. Lighting

The Applicant must ensure that each of the following conditions is met:

- a. All private on-site downlighting fixtures shall be full cut-off fixtures;
- b. Deflectors shall be installed on all uplighting fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties;
- c. Illumination levels, excluding streetscape light fixtures, shall not exceed 0.5 footcandles (fc) at any property line abutting county roads or adjacent residential properties.

4. Loading

In accordance with the requirements of DPWT, by issuance of Use and Occupancy Permit, the Applicant shall incorporate into the condominium documents the following controls which shall govern the loading operations, unless amended by DPWT:

- a. Hours of operation are limited to two move-ins per day, permitted on weekdays and Saturdays, between 10:00 a.m. and 4:00 p.m. as determined by management; and
- b. Residents are required to provide the management company with three days' advance notice of move-ins in order that management may schedule accordingly. Further, Applicant shall require the management company to reserve the layby during the designated move-in times either by covering the meters, if meters are installed, or by providing the appropriate temporary signage.

5. Transportation improvements within the Right of Way

- a. Subject to DPWT approval, the Applicant must provide two DPWT-standard painted crosswalks, one across West Lane in line with the existing Montgomery Lane sidewalks, and a second across Montgomery Lane in extension of the sidewalk on the west side of West Lane. This improvement shall be completed with the streetscape improvements.
- b. Subject to DPWT approval, the Applicant must provide a DPWT-standard stop bar in the southbound side of West Lane.
- c. The Applicant will provide two ramps from the sidewalk to the street along Montgomery Lane and at the intersection of Montgomery and West Lanes:
 - i. across West Lane to connect the in-line sidewalk along the north side of Montgomery Lane;
 - ii. across Montgomery Lane to extend the sidewalk on the west side of West Lane to the south side of Montgomery Lane;
 - iii. by Certified Site Plan, the Applicant will remove from the Site Plan all other pedestrian ramps between the sidewalk and the street, unless specifically requested by DPWT or DPS to provide them;
 - iv. the Applicant shall remove the walkway stub between the sidewalk and the curb in front of Lot 26 as part of the streetscape improvements described in Condition 6;

6. Streetscape

- a. The Applicant must provide the Bethesda Streetscape Standard, as noted, for:
 - i. The west side of West Lane, from the intersection with Montgomery Lane to its terminus at the north end of the site, including the undergrounding of utility lines;
 - ii. The North side of Montgomery Lane, from the intersection with West Lane to the western property boundary, including the undergrounding of utility lines;
 - iii. The diagonal connecting walk in the northwest quadrant of the intersection of Montgomery Lane and Woodmont Avenue, as illustrated on the Site Plan;
- b. In addition to the streetlights provided as part of the Bethesda Standard streetscape described above, the Applicant shall replace the six existing non-standard street lights on the north side of Montgomery Lane, between West Lane and Woodmont Avenue.

7. Tree Planting

The Applicant shall replant trees of an equivalent number of caliper inches, not less than a total of 55 inches, within the Bethesda CBD, to replace two existing mature trees, a 29-inch pin oak and a 26-inch oak, being removed from the site to accommodate this building. The minimum

caliper size of the replacement trees shall be 4 inches. The final location shall be approved by M-NCPPC staff prior to Certified Site Plan.

8. Moderately Priced Dwelling Units (MPDUs)

- a. The proposed development must provide 6 MPDUs (12.5%) on-site in accordance with Chapter 25A of the Montgomery County Code. The Applicant is not receiving a density bonus.
- b. The Applicant must obtain an agreement pertaining to the construction and staging of MPDUs from the Department of Housing and Community Affairs (DHCA) prior to the issuance of any building permits.

9. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated August 3, 2007, unless amended and approved by the Montgomery County Department of Permitting Services.

10. Development Program

The Applicant must construct the proposed development in accordance with Development Program. A Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of the Certified Site Plan. The Development Program shall include a phasing schedule as follows:

- a. Street tree planting, and off-site mitigation tree planting described in site plan Condition 7, must be completed within six months of the issuance of any use and occupancy permits.
- b. Streetscape improvements, seating areas, indoor amenities, and the outdoor terrace, must be completed within six months of the issuance of any use and occupancy permits.
- c. All on-site landscaping and lighting must be completed within six months of the issuance of any use and occupancy permits.
- d. Phasing of pre-construction meetings, dedications, sediment/erosion control, or other features.
- e. Transportation-related improvements shall be completed as the building is completed.

11. Clearing and Grading

Applicant must ensure that there is no clearing or grading of the subject site prior to M-NCPPC approval of the Certified Site Plan.

12. Maintenance

The Applicant shall be responsible for the maintenance of on-site landscaping and recreation facilities.

13. Certified Site Plan

Prior to Certified Site Plan approval the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Minor corrections and clarifications to site details and labeling;
- b. Recreation Facilities Plan demonstrating the indoor recreation facilities' compliance with the M-NCPPC Recreation Guidelines;
- c. A Transportation Improvement Plan;
- d. Development Program, Inspection Schedule, Forest Conservation Exemption Letter, and Site Plan Resolution.

APPENDICES

- A. Preliminary Plan
- B. Subdivision Data Table
- C. Zoning Map Amendment G-843
- D. Development Plan Binding Elements
- E. DPWT Approval Letter
- F. DPS Stormwater Management Concept Approval
- G. Other Reviewing Agency Approvals

Subdivision Data Table

Plan Name: Holladay at Edgemoor				
Plan Number: 120080050				
Zoning: TS-R				
# of Lots: 1				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot	18,000 sq. ft.	22,769 sq. ft. is proposed	EG	5/16/08
Lot Width	n/a	n/a	EG	5/16/08
Lot Frontage	n/a	n/a	EG	5/16/08
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Min. Setbacks				
Front	n/a	15 ft. (Montgomery Lane)	EG	5/16/08
Side	n/a	0 ft. (West Lane)	EG	5/16/08
Rear	n/a	22 ft. (north property line)	EG	5/16/08
Max. Height	65 ft. max. ¹	65 ft.	EG	5/16/08
Min. MPDUs	12.5% min.	12.5%	EG	5/16/08
Max. FAR	2.5	2.5	EG	5/16/08
d.u. per acre	150 d.u. per acre	93 d.u. per acre (48 total)	EG	5/16/08
Open Space	30% Min.	31.18%	EG	5/16/08
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street		Yes	EG	5/16/08
Road dedication and frontage improvements		Yes	Agency Letter	
Environmental Guidelines		N/a	Staff memo	
Forest Conservation		N/a	Staff memo	
Master Plan Compliance		Yes	Staff memo	5/16/08
Stormwater Management		Yes	Agency letter	8/3/07
Water and Sewer (WSSC)		Yes	EG	10/1/07
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	10/1/07
Local Area Traffic Review		N/a	Staff memo	5/18/08
Policy Area Mobility Review		Yes	Staff memo	5/18/08
Transportation Management Agreement		No	Staff memo	5/18/08
School Cluster in Moratorium?		No	EG	5/16/08
School Facilities Payment		Yes	EG	5/16/08
Fire and Rescue		Yes	EG	3/19/08

¹Per Development Plan binding elements.

Resolution No.: 16-246

Introduced: July 10, 2007

Adopted: July 10, 2007

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

By: District Council

**SUBJECT: APPLICATION NO. G-843 FOR AMENDMENT TO THE ZONING ORDINANCE MAP,
Patricia A. Harris, Esquire, Attorney for HOLLADAY WEST LANE , LLC, Applicant,
OPINION AND RESOLUTION ON APPLICATION**

Tax Account Nos. 07-00489478, 07-00487286 and 07-00487275

OPINION

Zoning Application No. G-843, filed on December 5, 2005, requests reclassification from the R-60 (Residential 6,000 square feet) Zone to the TS-R (Transit Station-Residential) Zone of 23,260 square feet of land known as Lots 24, 25 and 27, Block 13 of the Edgemoor Subdivision, and located at 4903 Montgomery Lane and 4831 and 4833 West Lane, Bethesda, Maryland, in the 7th Election District. As required under the TS-R Zone, the application was accompanied by a Development Plan with detailed specifications related to land use, density, development standards and staging. Pursuant to Code § 59-D-1.11, development under the TS-R Zone is permitted only in accordance with a development plan that is approved by the District Council when the property is reclassified to the TS-R Zone.

The Hearing Examiner recommends approval of the development plan on the basis that it conforms with all the requirements of 59-D-1.61 of the Zoning Ordinance. The Hearing Examiner

also recommends approval of the TS-R Zone at this location because the evidence of record establishes that it is a proper use for the comprehensive and systematic development of the County; that the proposed use is capable of accomplishing the purposes of the TS-R Zone; that the proposed development is in substantial compliance with the Sector Plan; and that the proposed development satisfies all the standards and requirements of the TS-R Zone. The Montgomery County Planning Board and its Technical Staff also recommend approval. The District Council agrees with the recommendation of the Technical Staff, the Planning Board and the Hearing Examiner and incorporates herein the Hearing Examiner's original report and recommendation dated February 26, 2007 and his supplemental report and recommendation dated June 21, 2007.

The subject property is located within the Bethesda Chevy-Chase Planning Area and more specifically within the Bethesda CBD Sector Plan area. The property is located 1,000 feet southwest of the Bethesda Metro Station, southwest of the intersection of Wisconsin Avenue with Old Georgetown Road and East-West Highway, and is located within the Bethesda Transit Station Residential District as described in the Bethesda CBD Sector Plan. The site is irregularly shaped and consists of three lots located on the north side of Montgomery Lane and the west side of West Lane in downtown Bethesda. The subject property contains a gross tract area of 28,537 square feet and is currently improved with single-family residential structures used for commercial purposes.

The property possesses about 233 feet in depth and 175 feet in width as measured at its deepest and widest points. The site rises to a high point at its northeast corner at 338 feet above sea level. From this point the property slopes downward in a southwest direction about 4 to 5% to a low point of 328 feet above sea level.

The 1954 Regional District Zoning applied the R-60 Zone to the site. The 1958 County-wide Comprehensive Zoning reaffirmed the R-60 Zone. The 1976 Bethesda CBD Sector Plan recommendations were applied by Section Map Amendment in 1977 and this action reconfirmed the

R-60 Zone for the site. The 1994 comprehensive amendments to the Bethesda CBD Sector Plan were applied by Sectional Map Amendment in 1994, again reconfirming the R-60 Zone.

The 1994 Sector Plan recommends the site for ultimate use under the TS-R Zone. The planning objectives for the area support higher density residential uses near both Metro and retail services. A maximum density of 150 dwelling units per acre and minimum density of 45 dwelling units per acre is the range recommended for the TS-R district in the Sector Plan, except for those lots facing Arlington Road where lower densities are recommended to allow for townhouses.

The District Council determines that the relevant surrounding area for the evaluation of this application include those properties within Bethesda Transit Station Residential District and properties or roads immediately adjacent to the district. This district is defined in the Sector Plan, was recommended by Technical Staff and is consistent with surrounding areas used in the evaluation of other TS-R Zoning applications for this area.

The land use and zoning pattern of this area reflects a predominately residential character, although high rise office uses are located in the eastern portion of the area and retail services are located at the southern edge. The area is composed of a number of multifamily and townhouse projects approved under the TS-R Zone after the adoption of the 1994 Sector Plan. Most of these projects have been developed. The remainder of the district is composed of older garden apartments and single-family structures either retained for residential use or converted to commercial uses by special exceptions.

Located northwest of the site are 22 townhouses built to a three-story height with below grade parking. This project was developed under the TS-R Zone as the Villages of Bethesda, approved under LMA G-720 on October 10, 1995. The Chase high rise is located east of the site along Woodmont Avenue and is developed under the TS-R Zone in two buildings, 90 and 120 feet in height, with a

density of 340 dwelling units. Located further north along Woodmont Avenue is another TS-R Zoning project known as the Christopher, which is developed to a height of 122 feet with 200 dwelling units.

Located to the south along Woodmont Avenue is a 100-foot tall multifamily building in the TS-R Zone known as the Edgemoor high rise. Located southeast of the site is an existing residential building at the corner of West and Montgomery Lanes used as a law office (Wolf, lot 26). Across West Lane from the site are three single-family buildings, one of which is still in residential use (Chipouras, Lot 22).

South of the site is the 29-unit City Homes townhouse project, approved for the TS-R Zone under LMA G-721. This project was approved on February 1, 2000 and is developed with five rows of townhouses perpendicular to Montgomery Lane, with a 55-foot height and three stories. Also on the south side of Montgomery Lane and the east side of Arlington Road is the Edgemoor at Arlington, another project approved under the TS-R Zone, with a 46-foot building height and underground parking.

The western edge of the site is bordered by three single-family structures currently in commercial use, located at the corner of Arlington Road and Montgomery Lane. However, this area was approved for the TS-R Zone on February 27, 2001 under LMA G-779. The future development was approved for 12 dwelling units, 9,100 square feet of office uses and 38 underground parking spaces. The approved building height is 33 feet along Arlington Road and 47 feet at the eastern edge where it abuts the subject property. Access to garage parking is expected to be by way of Montgomery Lane, adjacent to the subject property.

The Applicant proposes to build a multifamily residential building that will provide between 40 and 48 market rate dwelling units and up to six Moderately Priced Dwelling Units (MPDUs). The MPDUs are intended to provide housing for families below the median income. The density range is

proposed to fix the contours of the building so compatibility and other factors can be evaluated. The plan includes flexibility to reduce the number of dwelling units if future market conditions call for larger but fewer units. The overall building envelope will generally remain the same.

The proposed building will be composed of 4-story and 6-story wings. The 4-story wing will contain a pop up penthouse with a private terrace. The 6-story wing will contain a penthouse for mechanical equipment. The 4-story wing will extend along the southern and western portions of the site. The 6-story wing will extend along the northern end of the site. The site configuration is long and narrow and limits the scope of building design. The southern end of the site is only 40 feet wide and is bordered by Montgomery Lane. The building mass projects the 4-story height to Montgomery Lane and will be made up of townhouses. The building height is consistent with development across the street, which reflects townhouses and low-rise structures.

The building height along the northern portion of the site will be 65 feet. The Sector Plan recommends that a 65-foot height is appropriate for this area of Bethesda, with step down in building heights toward the Arlington Road corridor. Setbacks and other amenities will alleviate any compatibility problems with the neighbors.

West Lane will serve as the sole point of vehicular access. A two-level below grade parking garage will be located off West Lane at the northern edge of the site and will provide underground parking spaces. West Lane is a dead end street as it extends along the eastern perimeter of the site. The current paved width of West Lane is variable and reflects an 18 to 19 foot width. The Sector Plan does not specify the desired width of West Lane. Instead, the Technical Staff's Transportation Division recommended that the street have a 50-foot right of way. Its current right of way is 45 feet. The Applicant will dedicate 2 ½ feet and will pave the street to a full width of 22 feet.

The project contains a number of amenities. The building will use masonry materials that are characteristic of buildings in the area. Public use space will amount to 2,364 square feet or 10% of the site. Active and passive recreational space is proposed to occupy 4,600 square feet or 20 % of the site. Enhanced streetscape will be located along Montgomery Lane and West Lane. The streetscape along West Lane will have a 14-foot wide area with 5-foot wide sidewalks, street trees, and brick pavers. Testimony indicated that the southern end of the building will contain a townhouse type façade that will be compatible with development along Montgomery Lane. Montgomery Lane is the more prominent street and its sidewalk area is proposed to range from 7 to 10 feet. The streetscape at this location will also contain a strip of trees.

Testimony suggested that there will be common outdoor and public spaces, roof top terraces and interior community space, and a rear garden at the north end and near West Lane. Testimony also indicated that the top floors of the northern portion of the building will be set back so as to vary the building mass for the adjacent Villages of Bethesda residents. The building is proposed to have a green component that will be subject to a LEED (Leadership in Energy and Environmental Design) Certification process as a green building.

The District Council finds that the revised development plan satisfies the requirements of the § 59-D-1.61 of the Zoning Ordinance. The proposal is in substantial compliance with the use and density recommendations of the Sector Plan and promotes other county plans and policies, particularly the housing policy, which is furthered by the affordable housing component, and the Smart Growth transportation policy, which is furthered by locating higher density residential uses in proximity to metro. The development plan also complies with the requirements of the TS-R Zone and promotes residential enhancement and compatibility in terms of building mass, setbacks and an energy-efficient and environmentally friendly design. The proposed vehicular and pedestrian circulation systems will be safe, adequate and efficient due to the vehicular and pedestrian improvements. The development

also proposes a design that will minimize soil erosion and ensure appropriate natural features through plantings and landscape. The development plan is supported by documents that will adequately and sufficiently provide a method of assuring perpetual maintenance and care for recreational, common, and quasi-public areas through a condominium regime.

The District Council determines that the proposed development would be in conformance with the intent and purpose of the TS-R Zone as found in §§59-C-8.21 and 59-C-8.22. The proposed location is in a Transit Station Development Area, as defined in the Zoning Ordinance. It is also in an area where multiple-family residential development exists and is recommended by the Sector Plan. Moreover, the development's location and density will encourage effective use of Bethesda's transit station development area, will provide a residential use within walking distance of metro, will contribute to the range of densities in the area, will not have detrimental effects on the use or development of adjacent properties or the surrounding neighborhood, and will contribute to providing housing for persons of all economic levels.

The proposed zoning also meets the technical standards of the TS-R Zone. Section 59-C-8.21 prescribes a minimum lot size of 18,000 square feet and the subject property exceeds this minimum. The density is proposed at 2.5 FAR, which is the maximum standard. The proposed density is well below the maximum of 150 dwelling units per acre specified in the zone. The TS-R Zone also requires that 10% of the site be used for public open space and 20% of the site be used for active and passive recreational purposes, which is assured in this case by the textual binding elements.

The evidence of record indicates that the proposed development would have no adverse effects on traffic conditions, schools or public utilities, and would comply with forest conservation and stormwater management regulations.

Accordingly, having carefully weighed the totality of the evidence, the District Council concludes that approval of the requested zoning reclassification would be in the public interest. The

District Council further concludes that the TS-R Zone at the proposed location is proper for the comprehensive and systematic development of the County, is capable of accomplishing the purposes of the TS-R Zone, is in substantial compliance with the Sector Plan and satisfies all the requirements of the TS-R Zone.

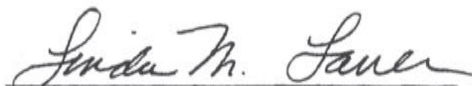
For these reasons and because to approve the instant zoning application will aid in the accomplishment of a coordinated, comprehensive, adjusted, and systematic development of the Maryland-Washington Regional District, the application will be approved in the manner set forth below.

Action

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

The revised development plan submitted as Ex. 85(a) is approved in its current form. Zoning Application No. G-843, requesting reclassification from the R-60 Zone to the TS-R Zone of 23,260 Square feet of land known as Lots 24, 25 and 27, Block 13 in the Edgemoor Subdivision and located at 4903 Montgomery Lane and 4831 and 4833 West Lane, Bethesda, Maryland, in the 7th Election District, is hereby approved in the amount requested subject to the specifications and requirements of the final Development Plan approved by the District Council, Exhibit 85(a); provided that, within 10 days of receipt of the District Council's approval resolution, the Applicant must submit to the Hearing Examiner for certification a reproducible original and three copies of the approved Development Plan, in accordance with §59-D-1.64.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

VICINITY MAP
SCALE - 1" = 2000'

DEVELOPMENT PLAN

G-843

HOLLADAY at EDGEMOOR

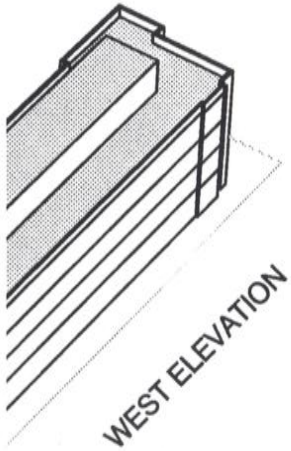
LANDSCAPE ARCHITECT:
STUDIO 39
6416 GROVEDALE DR.
ALEXANDRIA, VA 22310
CONTACT: JOE PLUMPE &
MARK O'HARA
703-719-6500

CIVIL ENGINEER:
VIKA, INC.
20251 CENTURY BLVD.
SUITE 400
GERMANTOWN, MARYLAND
20874
CONTACTS: CHUCK IRISH &
BILL LANDFAIR
301-916-4100

TRAFFIC CONSULTANT
WELLS and ASSOCIATES
170 JENNIFER ROAD
SUITE 260
ANNAPOLIS, MARYLAND
21401
CONTACTS: CHRIS KABATT
703-917-6620

BINDING ELEMENTS:

1. THE BUILDING WILL HAVE A MAXIMUM HEIGHT OF 65 FEET, AS MEASURED FROM THE BUILDING HEIGHT MEASURE POINT ALONG THE WEST LANE TOP OF CURB, WHOSE ELEVATION IS 335.2, AND AS SHOWN ON THE DEVELOPMENT PLAN.
2. THE DEVELOPMENT WILL HAVE A MAXIMUM DENSITY OF 2.5 FAR.
3. THE DEVELOPMENT WILL HAVE A MAXIMUM OF 48 UNITS AND A MINIMUM OF 40 UNITS.
4. THE DEVELOPMENT WILL PROVIDE 12.5 PERCENT OF THE UNITS ULTIMATELY PERMITTED FOR CONSTRUCTION AS MPDUs.
5. THE DEVELOPMENT WILL PROVIDE A MINIMUM OF 10 PERCENT PUBLIC USE SPACE.
6. THE DEVELOPMENT WILL PROVIDE A MINIMUM OF 20 PERCENT ACTIVE / PASSIVE RECREATIONAL SPACE.
7. THE DEVELOPMENT WILL PROVIDE AN EVERGREEN LANDSCAPE SCREEN OF NOT LESS THAN TEN (10) EVERGREEN TREES OF NOT LESS THAN 8 TO 10 FEET TALL AT TIME OF PLANTING TO BE PLANTED ALONG THE NORTHWESTERN PROPERTY LINE TO SERVE AS A LANDSCAPE BUFFER.
8. ANY EXPOSED TERRACE OR RETAINING WALL ALONG THE WESTERN PROPERTY LINE WILL BE IMPROVED WITH SIMILAR MATERIALS AS FACADE OF THE BUILDING.
9. THE DEVELOPMENT WILL BE SET BACK FROM THE NORTHERN PROPERTY LINE A MINIMUM OF 20 FEET EXCLUSIVE OF BAY WINDOWS AND OTHER BUILDING PROJECTIONS.
10. THE WESTERN FACADE OF THE DEVELOPMENT WILL BE LOCATED SIX FEET FROM THE WESTERN PROPERTY LINE, EXCLUSIVE OF BAY WINDOWS AND OTHER BUILDING PROJECTIONS.
11. THE WESTERN FACADE OF THE DEVELOPMENT WILL INCLUDE A MINIMUM OF 20 PERCENT WINDOWS.
12. THE WESTERN FACADE OF THE DEVELOPMENT WILL INCLUDE GREEN SCREENS.
13. THE GARAGE DOOR TO THE BELOW-GRADE PARKING WILL BE PROVIDED UNDERNEATH AND WITHIN THE BUILDING.
14. THE APPLICANT WILL ENTER INTO A CONSTRUCTION AGREEMENT WITH THE VILLAGES OF BETHESDA PRIOR TO THE COMMENCEMENT OF CONSTRUCTION WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO UNDERPINNING PROVISIONS, CRANE SWING PROVISIONS AND AN AGREEMENT TO CONDUCT PRE AND POST CONSTRUCTION EVALUATIONS OF THE GARAGE AND FOUNDATION OF THE VILLAGES OF BETHESDA.
15. ANY FENCE NEEDED ALONG THE WESTERN PROPERTY LINE AS A RESULT OF THE GRADE DIFFERENTIAL WILL BE AN OPEN RAIL DESIGN.
16. ADDITIONAL FAÇADE DETAILING WILL BE PROVIDED ALONG THE WESTERN FAÇADE.
17. APPLICANT WILL DEDICATE 2 1/2 FEET ALONG THE WEST LANE FRONTAGE OF THE PROPERTY AND SUBJECT TO DPWT, DPS AND M-NCPPC REQUIREMENTS WILL PROVIDE AS FOLLOWS: 1' PAVING FROM CENTER LINE TO FACE OF CURB; 5' PLANTING STRIP FROM FACE OF CURB TO SIDEWALK; 5' SIDEWALK; AND 4' BUILDING SETBACK FROM THE PROPERTY LINE.
18. IN CONNECTION WITH THE DEVELOPMENT, APPLICANT SHALL PAVE AND PROVIDE CURB ALONG WEST LANE IN ITS ENTIRETY TO 22 FEET IN WIDTH. THAT PORTION OF WEST LANE IN EXCESS OF 22 FEET AT NORTHEAST TERMINUS SHALL ONLY BE REPAVED TO CURRENT PAVED BOUNDARIES AS DELINEATED ON THE PLAN. PAVING OF SOUTHERN TERMINUS OF WEST LANE TO EXCEED 22 FEET IN WIDTH IN ORDER TO PROVIDE APPROPRIATE INTERSECTION WITH MONTGOMERY LANE, AS DETERMINED BY DPWT. SEE PROPOSED WEST LANE ROAD SECTION, THIS SHEET.
19. DECLARANT AND/OR ITS SUCCESSORS WILL MAINTAIN ON-SITE LANDSCAPING.
20. DEVELOPMENT TO BE LEEDS CERTIFIED. CERTIFICATION TO BE ACHIEVED BY IMPLEMENTATION OF VARIOUS GREEN BUILDING ELEMENTS.



HOLLADAY at EDGEMOOR

LOTS 24, 25 & 27, BLOCK 13
EDGEMOOR

7TH ELECTION DISTRICT, BETHESDA
MONTGOMERY COUNTY, MARYLAND

PROPOSED
2,364 SF
10% OF NET LOT

PROPOSED
4,600 SF
20% OF NET LOT

'LAN

N

HC

DEVELOPMENT PLAN

G-843

LAND USE PLAN

VIKA REVISIONS

- 1. Per Agency Staff Comments 04-19-06
- 2. Per Agency Staff Comments 10-02-06
- 3. Per Agency Staff Comments 10-13-06
- 4. Per ZHE Public Hearing Comments 12-15-06
- 5. Per ZHE Public Hearing Comments 4-16-07

DATE MARCH 31, 2006

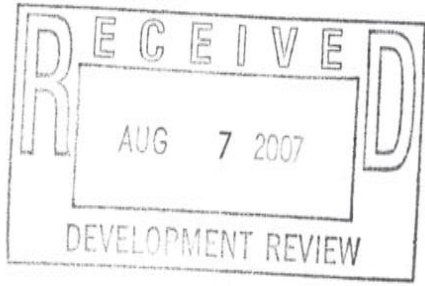
DES.	DWN.
CAI	IPD

SCALE: 1"=20'

PROJECT/FILE NO. 1301 B

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17. APPLICANT WILL DEDICATE 2 1/2 FEET ALONG THE WEST LANE FRONTAGE OF THE PROPERTY AND SUBJECT TO DPWT, DPS AND M-NCPPC REQUIREMENTS WILL PROVIDE AS FOLLOWS: 1' PAVING FROM CENTER LINE TO FACE OF CURB; 5' PLANTING STRIP FROM FACE OF CURB TO SIDEWALK; 5' SIDEWALK; AND 4' BUILDING SETBACK FROM THE PROPERTY LINE.
18. IN CONNECTION WITH THE DEVELOPMENT, APPLICANT SHALL PAVE AND PROVIDE CURB ALONG WEST LANE IN ITS ENTIRETY TO 22 FEET IN WIDTH. THAT PORTION OF WEST LANE IN EXCESS OF 22 FEET AT NORTHEAST TERMINUS SHALL ONLY BE REPAVED TO CURRENT PAVED BOUNDARIES AS DELINEATED ON THE PLAN. PAVING OF SOUTHERN TERMINUS OF WEST LANE TO EXCEED 22 FEET IN WIDTH IN ORDER TO PROVIDE APPROPRIATE INTERSECTION WITH MONTGOMERY LANE, AS DETERMINED BY DPW#T. SEE PROPOSED WEST LANE ROAD SECTION, THIS SHEET.
19. DECLARANT AND/OR ITS SUCCESSORS WILL MAINTAIN ON-SITE LANDSCAPING.
20. DEVELOPMENT TO BE LEEDS CERTIFIED. CERTIFICATION TO BE ACHIEVED BY IMPLEMENTATION OF VARIOUS GREEN BUILDING ELEMENTS.
 - PROVISION OF GREEN BUILDING ELEMENTS SUCH AS PARTIAL SEDUM (GREEN) ROOF, ENERGY STAR APPLIANCES, AND GREEN INTERIOR FINISHES PACKAGE OPTION AND RECYCLED BUILDING MATERIALS.
21. THE FOLLOWING FEATURES WILL FORM THE BASIS FOR THE FINAL DESIGN TO BE DETERMINED AT SITE PLAN:
 - THE NUMBER OF STORIES AND GENERAL MASSING, EXCLUDING BALCONIES AND BAY WINDOW PROJECTIONS, WILL BE AS PROVIDED ON ELEVATIONS AND 3-D DRAWINGS SET FORTH ON DEVELOPMENT PLAN.
 - PREDOMINATELY MASONRY FAÇADE, EXCLUDING ACCENTING DETAILS, WHICH MAY INCLUDE, BUT NOT BE LIMITED TO BRICK, STONE, OR MANUFACTURED STONE, PRECAST OR CERAMIC TILES.
 - LANDSCAPING TO INCLUDE STREET TREES ALONG WEST LANE AND MONTGOMERY LANE IN CONFORMANCE WITH BETHESDA STREETScape PLAN, LANDSCAPING ALONG MEWS, AND GROUND COVER ALONG THE WESTERN PROPERTY LINE.
 - WINDOWS ON ALL FAÇADES.
 - FLAT ROOFS
 - VEHICULAR ACCESS TO BE LOCATED IN NORTHEAST CORNER OF PROPERTY OFF OF WEST LANE.
 - ON-SITE PARKING LOCATED BELOW GRADE.
 - FINAL LOCATION AND CONFIGURATION OF 5TH FLOOR ROOF TOP ACCESS PENTHOUSE TO BE DETERMINED AT SITE PLAN.



PROPOSED
2,364 SF
10% OF NET LOT

PROPOSED
4,600 SF
20% OF NET LOT

LINE (NAD83) #
5 HAMPDEN
4 NAVD29.

AREA OF MINIMAL
MAP (FIRM)
MONTGOMERY

ASSESSMENT MAP

DATED JUNE,

SCHEDULED, A CLASS

PUBLIC WATER
AND SEWER

TO BE
WATER, SEWER,
PROPOSED
SITE PLAN.

STREETScape

OFFICE OF ZONING & ADMINISTRATIVE HEARINGS CERTIFICATION

THIS IS A TRUE COPY OF THE DEVELOPMENT PLAN (EXHIBIT NUMBER: _____),
IN LMA NUMBER _____
APPROVED BY THE DISTRICT COUNCIL ON _____, 20__.

HEARING EXAMINER

DATED: _____, 20__.

05/22/2008 23:46 2407772080

TRAFFIC

PAGE 02/04



DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

May 23, 2008

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-20080050
Holladay at Edgemoor

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 05/20/08. This plan was reviewed by the Development Review Committee at its meeting on October 1, 2007. We recommend approval of the plan subject to the following comments:

- All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.
1. Show/label all existing planimetric and topographic details specifically driveways adjacent and opposite the site as well as existing rights of way on both sides and easements on the preliminary plan.
 2. Necessary dedication for West Lane and Montgomery Lane in accordance with the Master Plan. Montgomery Lane is classified as a "Mixed Street" in the 1994 Approved and Adopted Bethesda Central Business District Sector Plan with a fifty two (52) foot wide right-of-way.
 3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
 4. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
 5. In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision. Sidewalks are to be provided along the site frontages according to CBD standards unless the applicant is able to obtain a waiver from the appropriate government agency.

Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
240-777-6000 • 240-777-6013 TTY • 240-777-6030 FAX
www.montgomerycountymd.gov

Ms. Catherine Conlon
Preliminary Plan No. 1-20080050
Date May 23, 2008
Page 2

6. Curb radii for intersection type driveways should be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site.
7. We support conceptual approval of the applicant's proposed loading plan. The details of the proposed truck unloading/layby area (for moves in and out of the building) will need to be approved prior to the record plat and then be incorporated into the condominium documents. These details will need to include items such as maximum size/type of moving vehicle, procedure to reserve the parking meters (if any meters have been installed), days of the weeks and hours allowed for moves, etc.

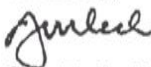
At the permit stage, the applicant will need to coordinate with the Department of Permitting Services (DPS) and our Parking Operations Section to determine if proposed truck unloading/layby area will receive parking meters. Please coordinate with Mr. Jeffrey Reise, Manager of their Planning and Engineering Team; Mr. Reise may be contacted at 240-777-8740.
8. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
9. Relocation of existing utilities to accommodate the required roadway improvements shall be the responsibility of the applicant. Underground existing overhead utilities if required by the Planning Board.
10. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Engineering and Studies Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
11. Trees in the County rights of way - species and spacing to be in accordance with the applicable DPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
12. The applicant will need to execute and record a Declaration of Covenants (for Maintenance and Liability) or enter into an agreement with the Bethesda Urban District for the maintenance of those items.
13. Provide driveway access for the stormwater management facilities per associated DPS guidelines.
14. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - A. Widen West Lane to twenty two (22) feet from Montgomery Lane through the proposed street terminus including grading, paving, curbs and gutters, (west side) sidewalk and handicap ramps, enclosed storm drainage and appurtenances, Bethesda CBD streetscaping (including amended soil panels and underground watering system), and street trees. Provide modified temporary turnaround within the available right-of-way.

Ms. Catherine Conlon
Preliminary Plan No. 1-20080050
Date May 23, 2008
Page 3

- B. Along Montgomery Lane (between the western property line and West Lane), construct sidewalk and handicap ramps, Bethesda CBD streetscaping (including amended soil panels and underground watering system), and street trees. Modifications to the existing enclosed storm drainage may be necessary.
- C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- D. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- E. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Sincerely,



for Sam Farhadi, P.E.
Development Review Group
Traffic Engineering and Operations Section
Division of Operations

m:/subdivision/farhas01/preliminary plans/ 1-20080050, Holladay at Edgemoor, gml revs.doc

Enclosures (1)

cc: Rita Bamberger, Holladay Corporation
Charles Irish/Ian Duke, VIKI Inc.
Patricia A. Harris, Holland & Knight
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Henry Emery; DPS RWPPR
Elza Hisel-McCoy; M-NCPPC DRD
Shahriar Etemadi; M-NCPPC TP
Jeffrey Riese; DPWT POS
Fred Lees; DPWT TEOS
Gregory Leck, DPWT TEOS
Preliminary Plan Folder
Preliminary Plans Note Book



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid Joyner
Director

August 3, 2007

Ms. Randa Khouri, P.E.
Vika, Inc.
20251 Century Boulevard, Suite 400
Germantown, MD 20874

Re: Stormwater Management **CONCEPT** Request
for Holladay at Edgemoor
Preliminary Plan #: Pending
SM File #: 231542
Tract Size/Zone: 0.523 Ac./TSR
Total Concept Area: 0.541 Ac.
Lots/Block: 24, 25 & 27 / 13
Watershed: Little Falls Branch

Dear Ms. Khouri:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control via green roof technology and a proprietary, flow-based, structural filter. Onsite recharge is not required since this is redevelopment. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Underground parking areas must drain to WSSC. Please provide a copy of the mechanical plans that verify that the roof drains to the storm water structure and that the underground garage drains to WSSC.
6. Use MCDPS latest design criteria to design storm water quality structures.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6322.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm CN231542 Holladay at Edgemoor.DWK

cc: C. Conlon
S. Federline
SM File # 231542

QN - Onsite; Acres: 0.523
QL - Onsite/Waived; Acres: 0.438/1.105
Recharge is not provided

APPENDIX G: Other Reviewing Agency Approvals



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

May 20, 2008

MEMORANDUM

TO: Erin Grayson, Planner
Elza Hisel-McCoy, Site Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning

FROM: Ed Axler, Planner/Coordinator EA
Transportation Planning

SUBJECT: Holladay at Edgemoor
Preliminary Plan No. 120080050 and Site Plan No. 820080030
Bethesda Central Business District (CBD) Policy Area

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review for the subject preliminary plan and site plan in downtown Bethesda.

RECOMMENDATIONS

We recommend the following conditions as part of the APF test for transportation requirements related to approval of the subject preliminary plan and site plan:

1. The applicant must limit the proposed development to a maximum of 48 mid-rise apartments.
2. The applicant must provide the required sidewalk width and handicapped ramps at the Montgomery Lane/West Lane intersection in accordance with the Montgomery County Road Code and the Bethesda Streetscaping Plan. The plan for the final design must be approved by the Montgomery County reviewing agencies prior to certification of the site plan.
3. The applicant must provide two inverted-U bike racks within 50 feet from the main public entrance and nine bike lockers in the garage within 50 feet of the elevator. The applicant must coordinate with Transportation Planning staff to determine the ultimate locations of the bike racks and lockers prior to approval of certification of the site plan.

DISCUSSION

Site Location and Access

The subject site is located in the northwest quadrant of the intersection of Montgomery Lane and West Lane. Vehicular access is proposed from West Lane. Pedestrian access is from the existing sidewalks along Montgomery Lane and West Lane fronting the property. The existing sidewalks must be improved as discussed in Recommendation No. 2.

Available Transit Service

The subject site is located approximately within 930 feet of walking distance from the Bethesda Metrorail Station. Ride-On route 33 operates along Montgomery Lane. There are no bus routes operating along West Lane.

Sector-Planned Roadways and Bikeway

In accordance with the *Bethesda CBD Sector Plan*, the sector-planned roadways and bikeway are as follows:

1. Montgomery Lane is designated as a business district street with a recommended 52-foot right-of-way and a bike friendly area.
2. West Lane is designated as a business district street without recommending the right-of-way.

Sector-Planned Transportation Demand Management

The site is located within the Bethesda Transportation Management District. As a multi-family development with fewer than 25 employees, the applicant is not required to enter into a Traffic Mitigation Agreement to participate in the Bethesda Transportation Management Organization.

Local Area Transportation Review (LATR)

The proposed multi-family residential development would generate 14 peak-hour trips within the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.). A traffic study is not required to satisfy LATR because the proposed multi-family development generates less than 30 total peak-hour trips during the weekday morning and evening peak periods.

Policy Area Mobility Review (PAMR)

Under the *FY 2007-2009 Growth Policy*, the PAMR test is required because the preliminary plan was filed after January 1, 2007, and the proposed multi-family development

generates over 3 peak-hour trips within the weekday morning and evening peak periods. However, the trips generated by 48 mid-rise apartments are mitigated by being conveniently located near a Metrorail Station as shown in table below:

Weekday Vehicular Peak-Hour Trips	
Morning	Evening
1. Starting Condition using Countywide Trip-Generation Rates	
20	22
2. Resultant Traffic Condition using Bethesda CBD Trip-Generation Rates	
14	14
3. Reduction: Starting Condition (1) minus Resultant Traffic Condition (2)	
6	8
4. PAMR 30% Required Reduction of New Site-Generated Trips (1)	
6	7
5. Excess No. of Vehicular Trips Reduced over the PAMR Requirement (4)	
0	1

Thus PAMR is satisfied simply by being located in the Bethesda CBD Policy Area.

EA:tc

cc: Judy Daniel
Chuck Kines

mmo to Grayson Sloan re Edgemoor Phase IV 120070720 820070230



FIRE MARSHAL COMMENTS

— **DATE:** MARCH 19, 2008
TO: IAN DUKE, VIKI
FROM: MARIE LABAW
— **RE:** HOLLADAY @ EDGEMOOR 120080050

PLAN APPROVED.

1. Review based only upon information contained on the plan submitted **03-13-08**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

cc: Department of Permitting Services

MNCPPC-MC

**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FOREST CONSERVATION RECOMMENDATIONS**

TO: Inspector staff, Development Review Division

SUBJECT: Project Name Holiday At Edgemoor Date Recd 11/18/05 NRI/FSD # 4-06094E

The above-referenced plan has been reviewed by the Environmental Planning Division to determine the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law). A determination has been made that the plan qualifies for the following exemption:

EXEMPTION:

Small Property

Activity occurring on a tract less than or equal to 1 acre in size where activity will not result in the clearing of more than 30,000 square feet of existing forest, or any specimen or champion trees, and reforestation requirements would be less than 10,000 square feet.

Note: *Tree Save Plan, including preservation and/or replanting of individual trees is required in lieu of a FCP where trees are impacted. Forest within any priority area on-site must be preserved.*

NOTE: *Per section 22A-6(b) of the Forest Conservation Law, Tree Save Plans may be substituted for Forest Conservation Plans on properties where the proposed development is exempt from Forest Conservation except that it involves clearing of specimen or champion trees.*

A forest conservation plan exemption is granted with the following conditions:

- 1- This property is subject to a Tree Save Plan to be completed at the time of the preliminary plan review.
- 2- Tree protection measures are required as shown on the approved the Tree Save Plan.
- 3- MNCPPC Inspector must be contacted for pre-construction inspection of tree protection measures and authorization to begin any tree clearing.

This property is not within a Special Protection Area*.

* Properties within a Special Protection Area (SPA) may be required to submit a Preliminary Water Quality Plan. Contact Leo Galanko at MCDPS for information regarding the requirements (240-777-6242).

Comments _____

Signature: 
Josh Penn, Environmental Planning

Date: ²⁹11/22/05 (Revised)
JP

cc: Bill Landfair, for the applicant (Fax 301-916-2262)

COMMUNITY-BASED PLANNING DIVISION FINAL REFFERAL

Project Name Holladay at Edgemoor
Plan Type and Number(s) Site Plan/Preliminary Plan 820080030 120080050
Planning Board Date June 5, 2008
Site Location Bethesda CBD, Edgemoor Lane
Zone/Overlay Zone TSR
Master/Sector Plan Area Bethesda CBD
Name/Date of Review by CBP Staff Judy Daniel, May 16, 2008

Community Concerns:

1. Public Use Space
2. Design and landscaping relationship to adjoining residential structures

Is plan consistent with Master Plan recommendations? (circle one) **YES** NO PARTIALLY

If yes, explain how the plan is consistent with the objectives of the Master Plan and cite page references (attach additional explanation, if needed):

1. The site was approved for rezoning to the TS-R Zone in the Bethesda Central Business District (CBD) as recommended in the 1994 Sector Plan. The proposed development will replace single-family homes used for offices with a multi-family mid-rise structure.
2. The structure conforms to the 1994 Bethesda CBD Sector Plan recommendation for "high-density low-rise" housing for this area and a height limit of 65 feet.
3. The Applicant will dedicate 25 feet from the center line of West Lane as required by the 1994 Sector Plan and to develop the right-of-way with landscaping at the building, a five foot wide sidewalk, and appropriate streetscape using the Bethesda streetscape template.
4. The Applicant has improved the design relationship and compatibility with the properties to the west and the northwest with additional setback and a landscape treatment satisfactory to the neighbors that also serves as an attractive amenity for the future residents of the project.
5. The Applicant will also provide additional landscape and lighting details in accord with the Bethesda Streetscape for West and Montgomery Lane.
6. The proposed public use space is acceptable for this awkwardly configured site.
7. The proposal is in conformance with these elements in the Sector Plan.

Recommendation (circle one): **APPROVAL** DENIAL APPROVAL WITH THE FOLLOWING CONDITIONS: