



The Claiborne Sketch Plan No. 320170030

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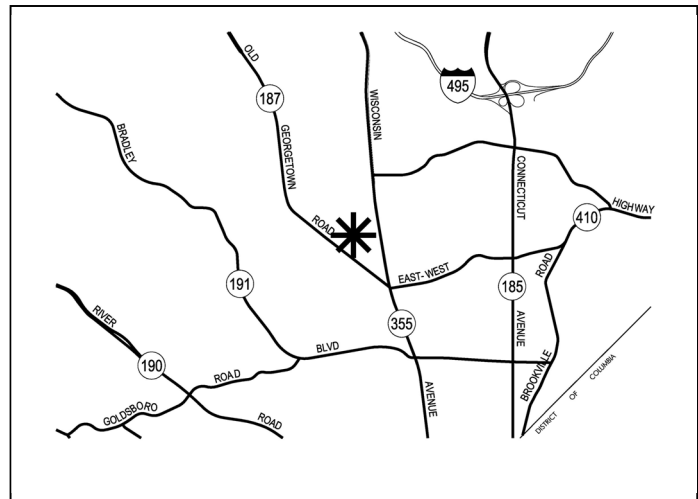
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Completed: 10/28/2016

Description

- Construction of a mixed-use project of up to 76,000 total square feet, including up to 73,200 square feet of residential development for up to 58 units and up to 2,800 square feet of non-residential uses; project includes a density transfer;
- Current use: one-story restaurant;
- Located in the east quadrant of the intersection of Auburn Avenue and Norfolk Avenue;
- 0.30 gross acres zoned CR 3.0, C 1.0, R 2.75, H 90T in the 2006 *Woodmont Triangle Amendment* to the 1994 *Bethesda CBD Sector Plan*;
- Applicant: 4820, LLC
- Acceptance date: August 1, 2016



Summary

- Staff recommends approval of the Claiborne Sketch Plan with conditions and adoption of the Resolution.
- Sketch Plan includes a density transfer.
- The proposed development will redevelop the site with a mixed-use building including 15% moderately priced dwelling units, structured parking, a vegetated roof and a cool roof.
- The 90-day Sketch Plan schedule was extended for a period up to 30-days by the Planning Director pursuant to Section 59.7.3.3.C of the Zoning Ordinance.

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SECTION 1: RECOMMENDATION AND CONDITIONS

Staff recommends approval of the Claiborne Sketch Plan No. 320170030, for a mixed-use building of up to 76,000 total square feet including up to 73,200 square feet of residential development for up to 58 dwelling units, and up to 2,800 square feet of non-residential uses on 0.30 acres, zoned CR 3.0, C 1.0, R 2.75, H 90T. The following site development elements shown on the Sketch Plan stamped "Received" by the M-NCPPC on September 21, 2016, are binding under Section 59.7.3.3.F:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements of the Sketch Plan are illustrative and subject to refinement at the time of Site Plan.

This approval is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum of 76,000 square feet of total development on the Subject Property. The final distribution of density between residential and non-residential units, and the maximum number of dwelling units will be determined at Preliminary Plan.

2. Density Transfer

Prior to record plat approval, the Applicant must state the gross square footage taken from any lot with reduced density in an instrument approved by the M-NCPPC Office of the General Counsel and must record the instrument in the Montgomery County Land Records. The residential density to be transferred under this Sketch Plan is measured in gross square feet and will total approximately 23,975 square feet. Final allocation of density will be determined at the time of Site Plan. The Sending Properties will transfer and retain the following square feet of development potential based on the existing zoning:

- a. 4830 Cordell Avenue will be transferring 6,221 SF of residential density and retaining 6,829 SF of density.
- b. 5004 Cordell Avenue will be transferring 2,349 SF of residential density and retaining 3,919 SF of density.
- c. 5001 Wilson Avenue will be transferring 10,164 SF of residential density and retaining 7,455 SF of density.
- d. 5027 Wilson Avenue will be transferring 5,241 SF of residential density and retaining 3,771 SF of density.

3. Height

The development is limited to a maximum height of 110 feet, as measured from the building height measuring point.

4. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. The CR Zone requires properties taking advantage of FAR Averaging to exceed the minimum public benefit points otherwise required in Section 59.4.5.4.A.2 by 50%. Total points

must equal at least 150 and be chosen from at least three¹ categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

- a. Transit Proximity, achieved through location within 2,500 feet of the Bethesda Metro Station;
- b. Connectivity and Mobility, achieved through minimum parking, streetscape improvements, and way-finding;
- c. Diversity of Uses and Activities, achieved through affordable housing;
- d. Quality of Building and Site Design, achieved through architectural elevations, exceptional design, and structured parking; and
- e. Protection and Enhancement of the Natural Environment, achieved through building lot terminations, cool roof, vegetated roof, energy conservation and generation, and a recycling facility plan.

5. Building Design

On the Norfolk Avenue façade, the Applicant must step back the building above the fourth floor a minimum of 10 feet over a least 70 percent of the façade.

6. Streetscape

The Applicant must install the Bethesda Streetscape Standard along both Auburn Avenue, along the Site Frontage, and Norfolk Avenue, between Auburn Avenue and Del Ray Avenue.

7. Building Lot Terminations (BLTs)

Prior to release of any building permit, the Applicant must provide proof of purchase and/or payment for the required BLTs.

8. Moderately Priced Dwelling Units (MPDUs)

The Applicant must provide a minimum of 15% of the total units as Moderately Priced Dwelling Units on the Subject Property. The development must provide MPDUs in accordance with Chapter 25A.

9. Future Coordination for Preliminary and Site Plan

In addition to any other requirements for Preliminary Plans under Chapter 50 and Site Plans under Chapter 59, the following must be addressed when filing a Preliminary or Site Plan:

- a. Fire and Rescue access and facility details;
- b. Streetscape details;
- c. Demonstration of how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements;
- d. Architectural façade step back;
- e. Consideration of building-to-street interface to maximize activation and safety;
- f. Focus on energy efficiency in building design features;
- g. Noise analysis;
- h. Dedication along Auburn Avenue and Norfolk Avenue; and
- i. Coordination with adjacent property owners regarding rooftop treatment and mechanical equipment
- j. Traffic Mitigation Agreement

¹ Section 59.4.7.3.D.6.a.v. states that a project providing a minimum of 15% MPDUs is permitted to provide one less benefit category than required under Section 59.4.5.4.A.2.

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

Subject Property

The subject site (Subject Property or Property) consists of an assemblage of properties in the “Woodmont” subdivision, located on the east corner of the Auburn Avenue/ Norfolk Avenue intersection in the Woodmont Triangle area of the Bethesda Central Business District (CBD). The Property has a tract area of approximately 0.30 acres, or 13,100 square feet. In addition to the Property, this Application comprises the following sites for purposes of FAR averaging, as permitted by Section 4.5.2.B of the Zoning Ordinance: 4830 Cordell Avenue, 5004 Cordell Avenue, 5001 Wilson Avenue, and 5027 Wilson Avenue. With the addition of these properties, for purposes of FAR averaging, this Sketch Plan application has a total tract area of 0.90 acres.

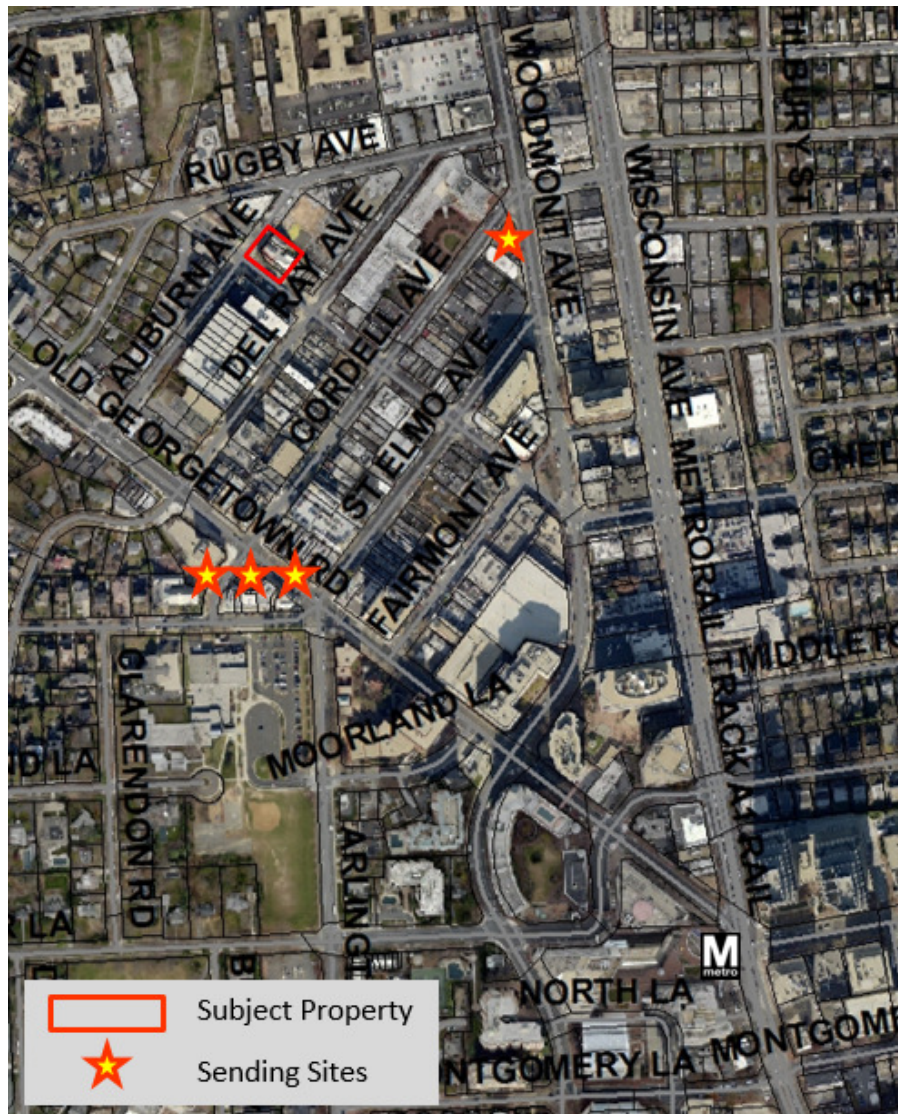


Figure 1-Aerial View

The Property is within the area encompassed by the *Woodmont Triangle Amendment* to the *Bethesda CBD Sector Plan* (the Woodmont Triangle Amendment or Sector Plan Amendment). The Property is located within one ½ mile of the Bethesda Metro Station and falls within the Bethesda Parking Lot District (PLD).

Site Analysis

The Property currently is improved with a vacant one-story building containing commercial uses (e.g. the former “Steamers” restaurant), with frontage on both Auburn Avenue and Norfolk Avenue. The Sending Properties are currently improved with various low-rise commercial uses. The site contains no forest, streams, wetlands, or environmental buffers. There are no known rare, threatened, or endangered species on site; there are no 100-year floodplains, stream buffers, or wetlands on site. There are no historic properties on site.

Surrounding Uses

The Property is surrounded by a mix of commercial, office, retail and residential uses in the CR-5.0, C-1.0, R-5.0, H-145T and CR-3.0, C-1.0, R-2.75, H-90T zones. Directly to the south of the Property, along Norfolk Avenue, is a series of single story retail establishments that include restaurants and beauty salons. Directly to the northeast of the Property, along Auburn Avenue, is a recently constructed 17-story multi-family residential apartment building, known as the Gallery (formerly “Woodmont Central” Site Plan 820110020), approved for a maximum of 455 residential dwelling units and 81,107 square feet of office use, and up to 30,295 square feet of retail uses.

SECTION 3: PROJECT DESCRIPTION

Density Averaging

Per Section 4.5.2.B of the Zoning Ordinance – FAR Averaging for Commercial/Residential Zones, and consistent with the recommendations of the *Woodmont Triangle Amendment*, the Applicant proposes to transfer a total of 23,975 square feet of residential density to the Subject Property from Sending Properties via the FAR averaging provisions of the Zoning Ordinance (Attachment A). All Sending Properties will retain sufficient commercial density to cover the existing development, as conditioned above. Furthermore, all properties covered by this Application will conform to the maximum FAR limits allowed under the particular Commercial/ Residential Zone.

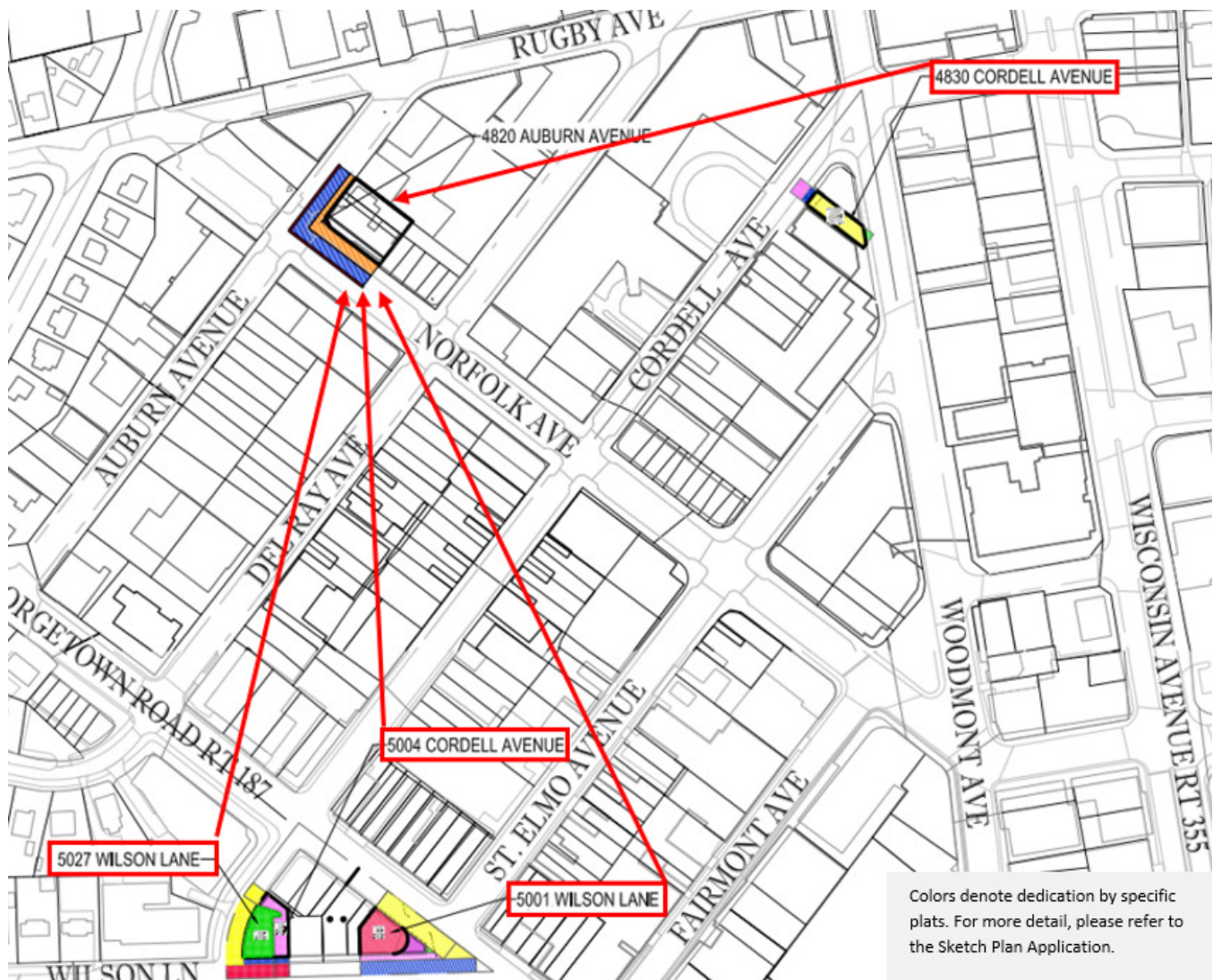


Figure 2-FAR Averaging/Sending Sites

Proposal

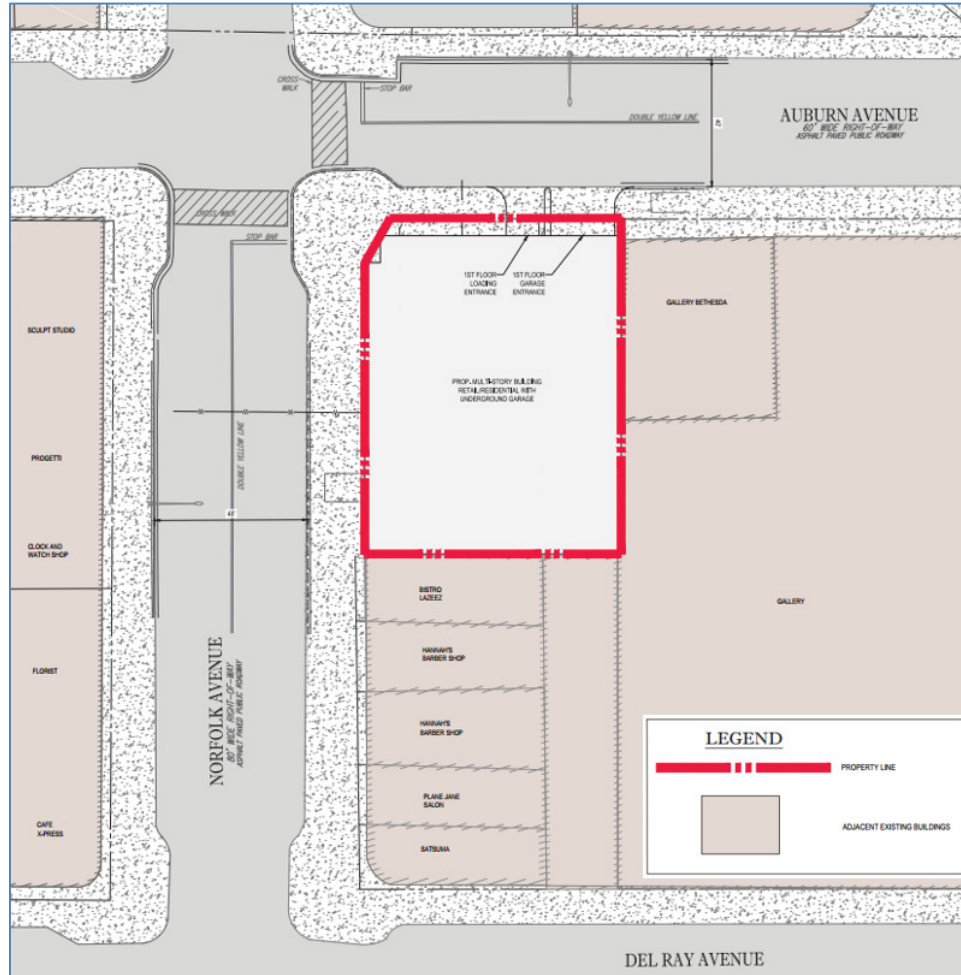


Figure 3-Proposed Sketch Plan

Uses and Density

The Sketch Plan application (Project) proposes to redevelop the Property with up to a maximum of 76,000 gross square feet of development, including 73,200 square feet of residential uses for up to 58 multi-family units and up to 2,800 square feet of non-residential development, in an 11-story mixed use building. The Project also includes 15% Moderately Priced Dwelling Units (MPDUs). Because the zoning for the Property includes a "T", to accommodate the 15% MPDUs Section 4.5.2.C of the Zoning Ordinance allows increased building height, in this case from 90 feet to up to 110 feet.

Although the Applicant's MPDU calculation is consistent with the County Code, Staff notes that for the proposed 58 units, 12.5 percent yields a minimum MPDU requirement of 8 units (rounded up from 7.25 units), with no residential density bonus. The Applicant is proposing to provide 9 MPDUs, an increase of one unit above the required 12.5 percent quantity. With the relatively modest number of total dwelling units (58), 9 MPDUs is equivalent to 15.5 percent of the total number of units (15.0 percent of 58 is 8.7, which rounds to 9 units). This additional MPDU affords the Applicant a 22 percent residential density bonus because the ninth MPDU corresponds to 15 percent of the total units. However, because of rounding, the equivalent number of MPDUs

would also be provided at 13.9 percent of the 58 proposed units (8.2 units rounds up to 9 units), which would yield a residential density bonus of 14 percent, rather than 22 percent.

Buildings

The Project has been designed to respond to the pedestrian/ transit oriented and urban nature of the Woodmont Triangle area. The base of the building has been set back from both Auburn Avenue and Norfolk Avenue to provide a 15'-wide wide sidewalk and will include a tower step-back above the four-story base to reduce the perceived mass of the upper stories.

At the pedestrian level, the façades are a mixture of glass and masonry, in order to provide ample transparency into the ground floor uses and to activate the street. The massing of the Project has been arranged to maximize both street frontages.



Figure 4- Illustrative Claiborne Elevation (Auburn Avenue)



Figure 5- Illustrative Claiborne Elevation (Norfolk Avenue)

Environment

Forest Conservation

This Application is not subject to the Chapter 22A, Montgomery County Forest Conservation Law at the Sketch Plan stage. The Forest Conservation Law will be applicable to the project at the time of Preliminary Plan submission. However, an exemption from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(1) has already been confirmed through Forest Conservation exemption application 42017006E because the proposed activity occurs on a tract less than 1.5 net acres with no existing forest, or existing specimen or champion tree, and the afforestation requirements are not in excess of 10,000 square feet. (Attachment B)

Noise

The project proposes residential units to be built within the CBD, however at this time it remains unclear if the application is subject to the noise regulations associated with residential development. If either Auburn Avenue or Norfolk Avenue have 5,000 or more vehicles, average daily traffic (ADT), a noise analysis is needed at time of Preliminary Plan submission. Therefore, at the Preliminary Plan stage, the applicant will either need to provide the traffic counts determining that the noise regulations don't apply or submit the noise analysis as applicable.

Stormwater Management

A Stormwater Management Concept Plan is not required at the time of Sketch Plan. Submission of the concept to the Department of Permitting Services (DPS) and approval will be required at the time of Preliminary Plan.

Transportation

Access and Circulation

Pedestrian access to the site will be from the established sidewalk network and will be enhanced by streetscape improvements along both Auburn Avenue, along the Site Frontage, and Norfolk Avenue, between Auburn Avenue and Del Ray Avenue, consistent with the current Bethesda Streetscape Standards.

Vehicular access to the Property is proposed directly from Auburn Avenue through a consolidated garage access point and loading bay at the north corner of the site. Resident vehicular parking is proposed to be contained within a structured below-grade garage containing approximately 16 parking spaces. The final number of automobile and bicycle parking spaces will be determined at Site Plan based on the number of residential dwelling units. Pedestrian and bicycle access to the Property will be provided along both Auburn Avenue and Norfolk Avenue (Figure 6).

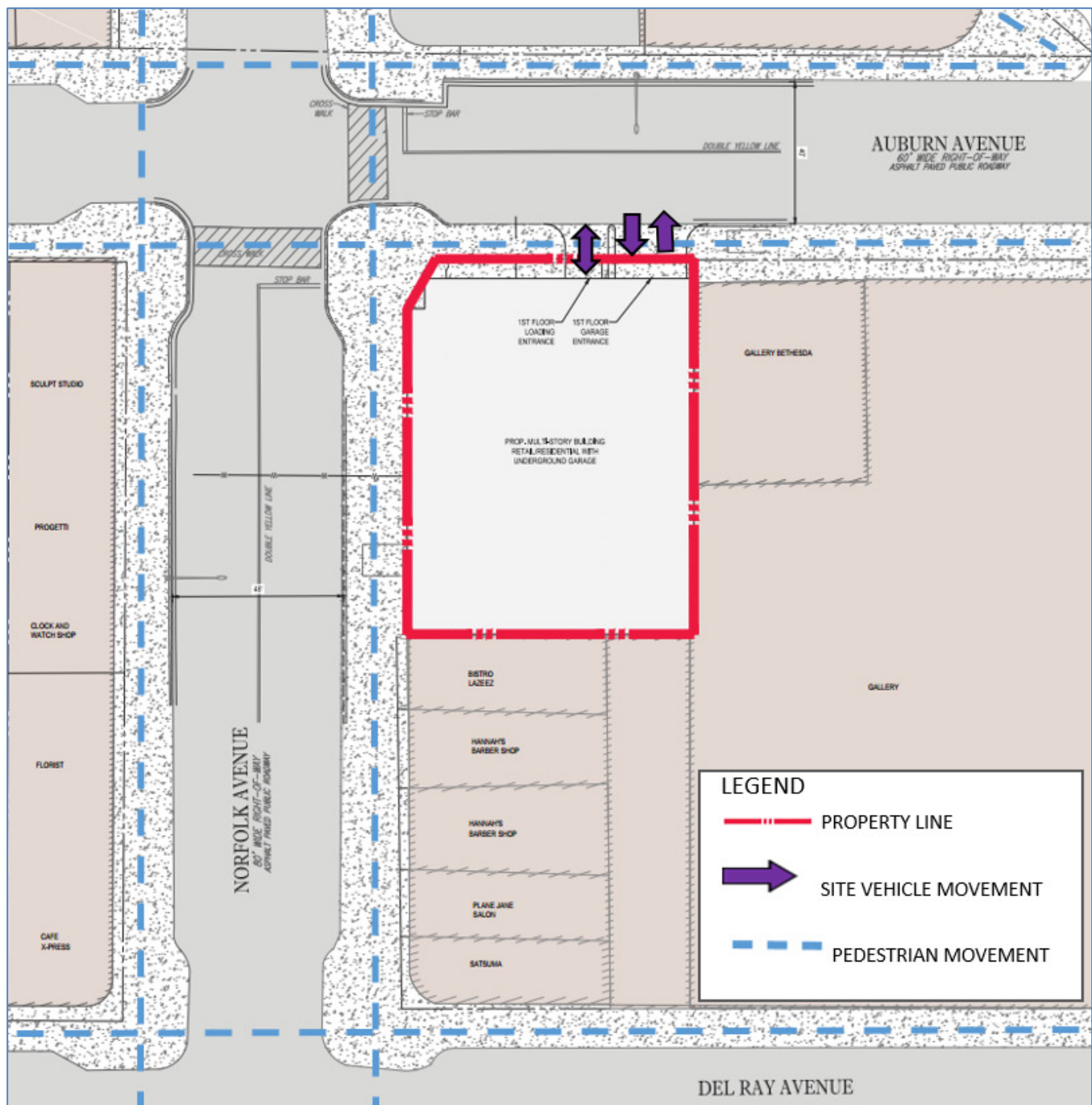


Figure 6-Pedestrian and Vehicular Circulation

Transit Connectivity

The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station (located approximately 0.5 mile, or 2,500 feet to the south of the site), Metrobus, RideOn, the Bethesda Circulator and future Purple Line. Specific transit routes near the Site include:

1. RideOn Bus Routes 29, 30, 32, 34, 36, 47, 70
2. WMATA Metrobus Routes J2, J3, J4, J7, and J9

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 1994 *Bethesda CBD Sector Plan* and 2005 *Countywide Bikeways Functional Master Plan* have the following master plan facilities along property frontage:

1. Auburn Avenue, along the northwest site frontage, as a Business District Street with a minimum right-of-way width of 60 feet.
2. Norfolk Avenue, along the southwest site frontage, as a Business District street with a minimum right-of-way width of 80'.

Sector-Planned Transportation Demand Management

As a mixed-use project within the Bethesda Transportation Management District (TMD), the development is required to enter into a Traffic Mitigation Agreement (TMAG) with the Planning Board and Montgomery County Department of Transportation (MCDOT) to participate in the Bethesda TMD. The specific criteria requiring a TMAG are as follows: 25 or more employees. Specific details will be determined during subsequent review.

Adequate Public Facilities

Adequate Public Facilities (APF) review will be conducted at the time of Preliminary Plan. Although the Application does not require a formal APF transportation review at Sketch Plan, Staff is including the following preliminary analysis of traffic impacts. The proposed development is estimated to generate 16 net new morning peak-hour trips and 8 fewer evening peak-hour trips (Table 1). As a result of the estimated transportation impact, the Project satisfies the Local Area Transportation Review requirement with a traffic exemption statement. Staff notes that although the Site does not currently have any parking onsite, the trip generation estimate assumes that a certain number of vehicular trips are associated with the existing use and those trips will terminate/originate at nearby publicly accessible parking garages and/or public on-street parking. Staff further notes that the existing trip generation credit is not necessary for the project to remain below the 30 vehicular trip threshold necessary to mandate a traffic impact study.

Table 1: Claiborne Trip Generation

Trip Generation	Morning Peak Hour			Evening Peak Hour		
	In	Out	Total	In	Out	Total
Existing						
4,449 SF Quality Restaurant	2	2	4	23	11	34
Proposed						
2,800 SF General Retail	1	1	2	4	4	8
58 High Rise Apartments	4	14	18	12	6	18
Proposed Subtotal	5	15	20	16	10	26
Net New Trip Total	3	13	16	(7)	(1)	(8)

Source: Wells & Associates. Traffic Statement, dated September 19, 2016.

Transportation Policy Area Review (TPAR)

The Applicant must satisfy the transportation policy area review component of the Adequate Public Facilities test as part of the Preliminary Plan review associated with the Project. This test is currently under review by the County Council and is expected to be updated by the end of the current calendar year.

Under the current (2012-2016) Subdivision Staging Policy, projects within the Bethesda CBD Policy Area, are exempt from both the roadway and transit tests set forth in the 2012-2016 *Subdivision Staging Policy's*

Transportation Policy Area Review. If the Project were evaluated under the current TPAR standard, the Applicant would not be required to make a payment to satisfy the TPAR requirement.

Community Outreach

On June 15, 2016, the Applicant held a pre-submittal public meeting at the Bethesda-Chevy Chase Regional Services Center and the Applicant has complied with all submittal and noticing requirements. Staff has received one piece of correspondence in the form of a letter from the Donohoe Companies, Inc., dated October 27, 2016 (Attachment E). That letter articulates four points of concern for Donohoe, owner of the adjacent Gallery Bethesda building, that include: 1) setback of the Auburn Avenue first floor façade, 2) extension of the Del Ray Avenue streetscape improvements to complete the Del Ray Avenue block, 3) rooftop design treatment and mechanical equipment, and 4) treatment of the garage and loading entrances. Each of these points raises valid concerns and will be evaluated at the time of Site Plan.

SECTION 4: PROJECT ANALYSIS AND FINDINGS

The purpose of a Sketch Plan is to identify general land uses, development intensity, and public benefits for the optional method of development in the CR, CRT, EOF or LSC Zones. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, heights and anticipated uses, the locations of open and public use spaces, the general circulation patterns for all modes of transportation, an estimated range of peak hour trips and relationships between existing or proposed adjacent buildings and rights-of-way. Details of the proposed development are determined during Preliminary and Site Plan review. Section 59.7.3.3.E of the Zoning Ordinance states: "To approve a Sketch Plan the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at site plan. The Sketch Plan must:"

1. *meet the objectives, general requirements, and standards of this Chapter;*

The Sketch Plan meets the development standards of Section 59.4.5.4, as shown in the Data Table below:

Table 2: Data Table

Project Data Table				
Zone	CR	C	R	H
Subject Property	3.00	1.00	2.75	90T
4830 Cordell Avenue	5.00	1.00	5.0	145T
	CRT	C	R	H
5001 Wilson Avenue	2.25	1.5	0.75	35
5027 Wilson Avenue	2.25	1.5	0.75	35
5004 Cordell Avenue	2.25	1.5	0.75	35

DEVELOPMENT STANDARD (59.4.5.4)	PERMITTED/REQUIRED		PROPOSED	
Tract Area	SF	Acres	SF	Acres
Subject Property	n/a	n/a	13,100	0.30
4830 Cordell Avenue	n/a	n/a	2,610	0.06
5001 Wilson Avenue	n/a	n/a	13,552	0.31
5027 Wilson Avenue	n/a	n/a	6,988	0.16
5004 Cordell Avenue	n/a	n/a	3,133	0.07
Total	n/a	n/a	39,383	0.90
Dedications	SF	Acres	SF	Acres
Subject Property	n/a	n/a	4,756	0.11
4830 Cordell Avenue	n/a	n/a	171	0.00
5001 Wilson Avenue	n/a	n/a	10,039	0.23
5027 Wilson Avenue	n/a	n/a	4,048	0.09
5004 Cordell Avenue	n/a	n/a	1,351	0.03
Total	n/a	n/a	20,365	0.46
Site Area	SF	Acres	SF	Acres
Subject Property	n/a	n/a	8,344	0.19
4830 Cordell Avenue	n/a	n/a	2,439	0.06
5001 Wilson Avenue	n/a	n/a	3,513	0.08
5027 Wilson Avenue	n/a	n/a	2,940	0.07
5004 Cordell Avenue	n/a	n/a	1,782	0.04
Total	n/a	n/a	19,018	0.44

DEVELOPMENT STANDARD (59.4.5.4)	PERMITTED/REQUIRED		PROPOSED	
Total Density (maximum)	SF	FAR	SF	FAR
Subject Property	39,300	3.0	38,825	2.96
4830 Cordell Avenue	13,050	5.0	6,221*	2.38
5001 Wilson Avenue	30,492	2.75	10,164 *	0.75 *
5027 Wilson Avenue	15,723	2.75	5,241 *	0.75 *
5004 Cordell Avenue	7,049	2.75	2,349 *	0.75 *
22% Bonus w/15% MPDUs	13,200	n/a	13,200	n/a
Total	118,814	n/a	76,000	5.8
Total Commercial Density (maximum)	SF	FAR	SF	FAR
Subject Property	13,100	1.0	2,800	0.21
4830 Cordell Avenue	n/a	n/a	n/a	n/a
5001 Wilson Avenue	n/a	n/a	n/a	n/a
5027 Wilson Avenue	n/a	n/a	n/a	n/a
5004 Cordell Avenue	n/a	n/a	n/a	n/a
Total	13,100	n/a	2,800	0.21
Total Residential Density (maximum)	SF	FAR	SF	FAR
Subject Property	36,025	2.75	36,025	2.75
4830 Cordell Avenue	13,050	5.0	6,221	2.38
5001 Wilson Avenue	10,164	0.75	10,164	0.75
5027 Wilson Avenue	5,241	0.75	5,241	0.75
5004 Cordell Avenue	2,349	0.75	2,349	0.75
22% Bonus w/15% MPDUs	13,200	n/a	13,200	n/a
Total	80,029	n/a	73,200	5.59
Height (maximum)	Feet	Feet		
Subject Property	110 ¹		110	
4830 Cordell Avenue	145		As existing	
5001 Wilson Avenue	35		As existing	
5027 Wilson Avenue	35		As existing	
5004 Cordell Avenue	35		As existing	
Setbacks - All Properties (minimum)	Feet	Feet		
Street	n/a		TBD Site Plan	TBD Site Plan
Side	n/a		TBD Site Plan	TBD Site Plan
Public Open Space (minimum)	SF	Acres	SF	Acres
Subject Property	0	0	425	0

* These figures represent only the density proposed to be transferred from the “sending sites” to the Subject Property.

¹Height allowed by Sector Plan if Project provides at least 15% MPDUs. The Project meets the height requirements contained in Section 4.5.2.C Zoning Ordinance for properties zoned CR with a height designation of "T". The "T" designation permits even greater heights on the Subject Property, but the height is limited to 110 feet per the *Woodmont Triangle Amendment*.

Density Transfer

Section 59.4.5.2.B.3 of the Zoning Ordinance provides that density may be averaged over two or more non-contiguous properties in the CR Zone if:

- a. *Each provision under Section 4.5.2.B.2 is satisfied, including:*
- i. *The properties are under the same site plan or Sketch Plan; and, if a Sketch Plan is required, the density averaging must be shown on the Sketch Plan;*

All Sending and Receiving Properties are encompassed by this Sketch Plan Application.

- ii. *The resulting properties are created by the same preliminary subdivision plan or satisfy a phasing plan established by an approved Sketch Plan;*

All Sending and Receiving Properties are included in this Application and will satisfy the phasing plan approved as part of the Sketch Plan. The Sending Properties also will be referenced in the forthcoming Preliminary Plan application. The Project will be constructed in one phase.

- iii. *The maximum total, nonresidential, and residential FAR limits apply to the entire development, not to individual properties;*

As shown on the Sketch Plan Data Summary Table, the density of development on the combined lots does not exceed the total density permitted on separate lots. The entire development, including the Sending Properties and the Subject Property, is limited to a total FAR of 5.80, with a maximum non-residential FAR of 0.21 and residential FAR of 5.58, determined by the final mix and density bonus approved at Site Plan.

- iv. *The total allowed maximum density on a resulting property that is abutting or confronting a property in an Agricultural, Rural Residential, or Residential Detached zone that is vacant or improved with an agricultural or residential use, does not exceed that allowed by the property's zone; and*

This provision is not applicable, as the Property does not abut or confront a property in an Agricultural, Rural Residential, or Residential Detached zone that is vacant or improved with an agricultural or residential use.

- v. *Public benefits are required to be provided under any phasing element of an approved Sketch Plan.*

The Project will be developed in one phase and will provide adequate public benefits.

- b. *The properties are within ¼ mile of each other or in a designated master-planned density transfer area;*

The Sending and Receiving Properties are located within ¼ mile of each other and are located within the 2006 Woodmont Triangle Amendment to the 1994 Bethesda CBD Sector Plan, a designated density transfer area.

- c. *The minimum public benefit points required under Section 4.5.4.A.2 are exceeded by at least 50%; and*

The Project will exceed the minimum public benefit points otherwise required by at least 50%.

- d. *The applicable master plan does not specifically prohibit the averaging of density between non-contiguous properties.*

The *Woodmont Triangle Amendment* specifically encourages the averaging of density between non-contiguous properties, within the Woodmont Triangle area and while some of the sending properties are outside the sector plan amendment, the document does not prohibit density transfer between properties.

The Sketch Plan conforms to the intent of the CR zone as described below.

- a) *Implement the recommendations of applicable master plans.*

The Project substantially conforms to the recommendations for the Property included in the *Woodmont Triangle Amendment* to the *Bethesda CBD Sector Plan*. The Property is designated as Block 15, which is recommended for a FAR of 3.0 (not including the MPDU bonus density) and MPDU bonus height up to 110 feet.¹ The Property is located in the area of the Woodmont Triangle that is closest to the Battery Lane Urban Park. The Property also is within the area designated as a Density Transfer Area. Specifically, the Project furthers the following goals as outlined in the *Woodmont Triangle Amendment*:

- *Housing – Provide opportunities to increase the supply of housing to serve a variety of income levels.*

The Project will provide approximately 58 units, containing diverse housing opportunities by including a variety of market-rate unit sizes and layouts and 15% MPDUs to facilitate the availability of new housing, in a range of types and rents, within walking distance of the Metro.

- *Small-scale Retail – Provide opportunities to retain existing businesses and expand opportunities for new businesses.*

Through the use of density averaging, the Sending Properties will remain as existing small-scale developments, while simultaneously allowing for the development of a larger mixed-use project on the Property. Both the retention of small scale development and density transfer are occurring in accordance with the Sector Plan. Additionally, the Project also will provide street activating uses, such as ground-floor retail on both Auburn Avenue and Norfolk Avenue.

- *Safe and Attractive Streets – Focus on improving the safety and character of the existing streets.*

The Project will provide streetscape improvements along Auburn Avenue and Norfolk Avenue per the current Bethesda Streetscape Standards

- *Public Amenities – Increase flexibility in providing the public use space through optional method of development by allowing off-site and on-site fulfillment of this requirement, and by identifying a list of priority public amenities.*

The *Woodmont Triangle Amendment* lists priority public use space and amenities for the Woodmont Triangle area, which include streetscape improvements. The Project will provide streetscape improvements along its frontage as well as the remainder of the Norfolk Avenue block to Del Ray Avenue.

The Project is in general conformance with the *Woodmont Triangle Amendment*.

- b) *Target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses.*

The Project will redevelop the existing low-density commercial site with a higher-density mixed-use building with underground parking to maximize residential development in close proximity to the Metro. The Project proposes ground-floor retail uses, upper level residential units, and residential amenity space. The Project meets the objective of this finding.

- c) *Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The Project encourages such development by proposing market-rate residential units in a variety of unit types as well as 15% MPDUs, offering housing opportunities for a range of incomes proximate to the numerous transit options of downtown Bethesda. The proposed non-residential uses (retail) on the ground floor provide commercial services for the residents and surrounding neighborhood. The Project facilitates all modes of transit – pedestrian, bicycle, and vehicular – proximate to the Metro and bus service by improving the streetscape. The Project does not propose any parking between the building and the street frontages.

Although the Applicant's MPDU calculation is consistent with the County Code, Staff notes that for the proposed 58 units, 12.5 percent yields a minimum MPDU requirement of 8 units (rounded up from 7.25 units), with no residential density bonus. The Applicant is proposing to provide 9 MPDUs, an increase of one unit above the required 12.5 percent quantity. With the relatively modest number of total dwelling units (58), 9 MPDUs is equivalent to 15.5 percent of the total number of units (15.0 percent of 58 is 8.7, which rounds to 9 units). This additional MPDU affords the Applicant a 22 percent residential density bonus because the ninth MPDU corresponds to 15 percent of the total units. However, because of rounding, the equivalent number of MPDUs would also be provided at 13.9 percent of the 58 proposed units (8.2 units rounds up to 9 units), which would yield a residential density bonus of 14 percent, rather than 22 percent.

- d) *Allows a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.*

The Project will provide a mix of uses on-site, including new residential development and ground floor retail for small-scale business opportunities with a building height of 110 feet, as allowed in the CR-3.0, C-1.0, R-2.75, H-90T zone. The *Woodmont Triangle Amendment* encourages the transfer of density to retain the smaller-scale commercial and retail developments, while simultaneously allowing for the development of larger mixed-use projects in the Woodmont Triangle area. Through the use of density averaging, the Sending Properties will remain as existing small-scale developments, while simultaneously allowing for the development of a larger mixed-use project on the Property. The height and densities proposed by the Project are compatible with the desired character of the Woodmont Triangle area.

- e) *Integrate an appropriate balance of employment and housing opportunities.*

As recommended in the *Woodmont Triangle Amendment*, the Project provides new residential development through a variety of housing options with both market-rate units and MPDUs in an array of unit sizes that will support the existing retail and non-residential development in the Woodmont Triangle area. The Project also provides new ground-floor retail on the ground level to create a mixed-use development.

- f) *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

The Project will provide the required public benefits from a minimum of four categories to achieve the desired incentive density above the standard method limit and will exceed the minimum public benefit points by at least 50%, as required for density averaging.

2. *substantially conform with the recommendations of the applicable master plan;*

As discussed in Finding 1.a. above, the Project substantially conforms to recommendations of the *Woodmont Triangle Amendment* to the *Bethesda CBD Sector Plan*. The Project will increase the supply of housing to serve a variety of income levels, provide opportunities to retain existing businesses and expand opportunities for new businesses, and provide streetscape improvements that improve the safety and character of the existing streets.

3. *satisfy any development plan or schematic development plan in effect on October 29, 2014;*

The Sketch Plan is not subject to a development plan or schematic development plan.

4. *achieve compatible internal and external relationships between existing and pending nearby development;*

As conditioned, the building design is compatible in height and scale with the existing and pending nearby development in the Woodmont Triangle area. The Project achieves compatibility with the building heights and the street edge already established by existing buildings adjacent to the Property. At the time the Site Plan is reviewed, the Applicant must provide a step-back of 10-feet over 70% of the building façade to maintain the appearance of a lower scale street wall along Norfolk Avenue and provide a continuous streetscape character for this primary pedestrian link between Veteran's Park and Battery Lane Urban Park.

From a compatibility perspective, the tower step back is necessary to comply with the goals of the Woodmont Triangle Sector Plan Amendment, maintain compatibility with the low-rise scale and main street character, and enhance pedestrian comfort. Staff notes that the Woodmont Triangle Sector Plan Amendment clearly highlights Norfolk Avenue as the main street for the Woodmont Triangle District and states that buildings should be stepped back along this street. The step-back is especially important because Norfolk Avenue is primarily framed by one to two-story small retail structures that add visual interest and human-scaled details through the use of fine-grained and varied storefronts. A substantial tower step back is necessary to maintain the appearance of a lower scale street wall along Norfolk Avenue and provide a continuous streetscape character for this primary pedestrian link between Veteran's Park and Battery Lane Urban Park.

5. *provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading;*

The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. The Project appropriately locates activating pedestrian uses along the Norfolk Avenue frontage. Vehicular access and loading will be from Auburn Avenue.

6. *propose an outline of public benefits that supports the requested incentive density and is appropriate for the specific community;*

The Application includes public benefits that address the general incentive and density considerations required by Section 59.4.7.1.B. The public benefits:

- a. Take into consideration "the recommendations of the applicable master plan" by providing the diversity of housing, providing opportunities to retain existing businesses and expanding opportunities for new businesses, and connectivity improvements;
- b. Meet "the CR Zone Incentive Density Implementation Guidelines" by providing the proper calculations and criteria for each public benefit;
- c. Meet "any design guidelines adopted for the applicable master plan area" by providing streetscape improvements along Auburn Avenue and Norfolk Avenue, which will create an inviting pedestrian environment that will activate the street and support the ground-floor retail included as part of the Project;
- d. Are appropriate for "the size and configuration of the site" by improving the existing configuration of aging existing buildings and providing structured parking;
- e. Adequately address "the relationship of the site to adjacent properties" by designing the building at an appropriate scale for the surroundings with heights that complements the existing character of the area;
- f. Consider "the presence or lack of similar public benefits nearby" through the provision of affordable housing, environmental benefits, pedestrian connections, all of which are currently needed in this area; and
- g. Provide "enhancements beyond the elements listed in an individual public benefit that increase public access to, or enjoyment of, the benefit" which will be developed and assessed during Preliminary and Site Plan reviews.

For the proposed development, the zoning code requires 150 points in three categories. Although at the time of sketch plan review only the categories need be approved, Table 3 shows both the categories and points for the public benefits recommended at sketch plan to demonstrate the project's ability to meet the requirement to provide sufficient benefit points.

Table 3: Public Benefits

Public Benefits Calculations			
Public Benefit	Incentive Density Points		
	Max Allowed	Requested	Recommended
59.4.7.3B: Transit Proximity			
¼ to ½ Mile from Transit	30	30	30
59.4.7.3C: Connectivity and Mobility			
Minimum Parking	10	5	5
Streetscape Improvements	20	20	20
Way-Finding	10	5	5
59.4.7.3D: Diversity of Uses and Activities			
Affordable Housing	No limit	38	38
59.4.7.3E: Quality of Building and Site Design			
Architectural Elevations	20	10	10
Exceptional Design	10	5	5
Structured Parking	20	20	20
59.4.7.3F: Protection and Enhancement of the Natural Environment			
BLTs	30	1.4	1.4
Cool Roof	10	10	10
Energy Conservation and Generation	15	5	5
Vegetated Roof	15	7.5	7.5
Recycling Facility Plan	10	7.5	7.5
TOTAL			164

Transit Proximity

The Property is located within one ½ mile of the Bethesda Metro Station, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance. Staff supports 30 points as suggested in the *2012 Commercial/Residential Zones Incentive Density Implementation Guidelines* (CR Guidelines).

Connectivity and Mobility

Minimum Parking: The Applicant requests 5 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing the maximum allowable number of on-site spaces to 10 points for providing no more than the minimum numbers of spaces on site. Final determination will be made at Site Plan and Staff supports granting 5 points at this time.

Streetscape Improvements: The Applicant requests 20 points for proposed streetscape improvements along the remainder of Norfolk Avenue to Del Ray Avenue in addition to the required streetscape improvements along the property frontage. Staff supports granting 20 points in this public benefit category.

Way-Finding: The Applicant requests 5 points for providing wayfinding signs within the Woodmont Triangle area. Such wayfinding is envisioned to help orient pedestrians and bicyclists toward transit facilities and other public amenities. Staff supports granting 5 points in this public benefit category.

Diversity of Uses and Activities

Affordable Housing: The Applicant requests 38 points for providing 15% of the multi-family units as MPDUs. The incentive density points for MPDUs are calculated as a percentage of the total number of dwelling units (assuming 58 multi-family units). The Applicant's initial estimate of providing 9 MPDUs yields 38 points. Final number of MPDU units to be determined at Site Plan. Staff supports the Applicant's request.

Quality of Building and Site Design

Architectural Elevations: The Applicant requests 10 points for providing a building that contains a masonry base and contemporary façade above the fourth floor. This design treatment is intended to help relate the building to on the rest of the block as well as the pedestrian realm and provide a step back above this base. Staff supports the Applicant's request for 10 points if the step back is substantial enough to provide the horizontal datum line above the four-story base. Further details and refinement to be provided at the time of Site Plan.

Exceptional Design: The Applicant requests 5 points for building or site design that enhances the character of a setting. Per the CR Guidelines, incentive density of 5 points is appropriate for development that meets at least four of the guideline criteria. The Applicant asserts that the Project provides innovative solutions in response to the immediate context; creates a sense of place and serves as a landmark; enhances the public realm in a distinct and original manner; introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way; uses design solutions to make compact infill development living and shopping environments more pleasurable and desirable; and integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, and heights. Staff supports the Applicant's request at this time with further details and refinement to be provided at the time of Site Plan.

Structured Parking: The Applicant requests 20 points for providing structured parking in a below-grade parking structure. Staff supports this request.

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT): The Applicant requests 1.4 points for the purchase of BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. Staff supports 1.4 points for this benefit at this time.

Energy Conservation and Generation: The Applicant requests 5 points for providing a project that exceeds the energy efficiency standards for new buildings by 2.5% through high efficiency mechanical, electrical, and plumbing systems. Further refinement will be determined at the time of Site Plan and Staff supports 5 points for this benefit at this time.

Cool Roof: The Applicant requests 10 points for providing a cool roof with a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum of SRI of 25 for slopes above 2:12, for a site less than 1 acre in size, thus achieving 10 points in this public benefit category. The final layout is determined at the time of Site Plan and Staff supports 10 points for this benefit at this time.

Vegetated Roof: The Applicant requests 7.5 points for providing vegetated roofs with a soil depth of at least 4 inches and covering at least 33% of the total roof excluding space for mechanical equipment. The CR Guidelines recommend 7.5 points for development that meets the Zoning Ordinance requirements; with additional points granted if other criteria are met, including: greater coverage, greater soil depth, plant

species that provide habitat and native plant species. At the time of Site Plan, the Applicant will provide additional details on meeting the vegetated roof criteria. Staff supports the Applicant's request at this time.

Recycling Facility Plan: The Applicant requests 7.5 points for providing a recycling facility plan. The final details of this plan will be determined at the time of Site Plan and Staff supports 7.5 points for this benefit at this time.

7. *establish a feasible and appropriate provisional phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The Project will be built in one phase.

CONCLUSION

The Sketch Plan application satisfies the findings under Section 59.4.5.4 of the Zoning Ordinance and substantially conforms to the recommendations of the Bethesda CBD Sector Plan area. Therefore, Staff recommends approval of the Sketch Plan with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. FAR Averaging
- B. Forest Conservation Exemption
- C. Sketch Plan
- D. Agency Letters
- E. Correspondence