I. INTRODUCTION

ZMA Development, LLC (the “Applicant”) is the owner or contract purchaser of eight properties, commonly known as 4816 Moorland Lane, 4820 Moorland Lane, 4910 Moorland Lane, 7505 Arlington Road, 7507 Arlington Road, 7509 Arlington Road, 7511 Arlington Road, and 4905 Edgemoor Lane (collectively, the “Property”), located on the southeast corner of the intersection of Arlington Road and Moorland Lane, wrapping to the south to comprise the entire eastern frontage of Arlington Road between Moorland and Edgemoor Lanes, in downtown Bethesda. The Property is comprised of 80,381 square feet of gross tract area, which is the basis for density calculation attributable to the Property as described herein. The northern part of the Property (including the three Moorland Lane parcels and 7507-7511 Arlington Road) is zoned CR-2.25, C-0.5, R-2.25, H-60, while 7505 Arlington Road is zoned CR-2.0, C-0.25, R-2.0, H-60, and the southernmost parcel comprising the Property (4905 Edgemoor Road) is zoned CR-1.0, C-0.25, R-1.0, H-60. The Property is subject to and mapped within the Bethesda Overlay Zone (“BOZ”), pursuant to the Bethesda Downtown Sector Plan Sectional Map Amendment (H-122; Council Resolution No. 18-895), adopted by the Montgomery County Council (the “County Council”) on September 19, 2017. The Property is located in the area described as the “Arlington North District” in the Bethesda Downtown Sector Plan, as adopted by the County Council on May 25, 2017 (the “Sector Plan”).

On November 30, 2017, the Montgomery County Planning Board (the “Planning Board”) issued Resolution MCPB No. 17-108 (the “Resolution”), approving Sketch Plan No. 320180050 (the “Sketch Plan”) for the redevelopment of the Property with a maximum of 257,675 square feet of residential development, including an allocation of Bethesda Overlay Zone density of up to 172,708 square feet. The Applicant is now submitting an application for site plan approval (the “Site Plan”) under the optional method of development in the CR Zone in accordance with Section 7.3.4 of Chapter 59 (the “Zoning Ordinance”) of the Montgomery County Code, 2004, as amended (the “County Code”), concurrently with an application for preliminary plan approval
(the “Preliminary Plan”) pursuant to Chapter 50 of the County Code (the “Subdivision Regulations”). (Collectively, the Site Plan and Preliminary Plan are referred to as the “Applications”). With these Applications, the Applicant proposes to develop the Property in conformance with the approved Sketch Plan. Specifically, the Applications propose a high quality residential project with up to 235 multi-family residential units (including 15% moderately priced dwelling units, or “MPDUs”){1}, as well as private underground parking, private amenities, and public amenities and public benefit points (the “Project”). As described in detail below, the Project will vastly improve the eastern frontage of Arlington Road at a scale that is befitting of a site that serves as a transition between the Bethesda Metro Station and high-rise development immediately to the east, and the Bethesda Elementary School across Arlington Road and residences located beyond to the west. The Project will transform the significantly underutilized Property with a high-quality building and meaningful pedestrian and public improvements.

II. THE PROPERTY AND SURROUNDING AREA

The Property is located on the west side of downtown Bethesda, anchored on Moorland Lane, wrapping around the corner to stretch along the eastern frontage of Arlington Road and around the corner along Edgemoor Lane to the south. The Property is located in the northern end of what the Sector Plan identifies as the Arlington North District. The current improvements along this frontage of Moorland Lane and Arlington Road (which are generally commercial/office uses located in former single-family homes) are significantly aging and approaching the point of functional obsolescence, having been constructed in the 1920s and 1930s, and are an anomaly given their location within such close proximity to numerous transit options. The Bethesda Metro Station is located to the east of the Property, and is less than a five-minute walk (just over 1,000 feet) away. Within the subject block (bound by Moorland Lane to the north, Arlington Road to the west, Edgemoor Lane to the south, and Woodmont Avenue to the east), the dominant use is high-rise residential, with older single-family dwellings that have since been converted to office uses located on the Property itself. In this sense, the character of the uses on the Property

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1 Final unit count and unit mix, as well as number of parking spaces required and to be provided, will be reflected on the certified site plan.
is completely out of alignment with recent development in the block, and given the aging and functionally obsolete buildings comprising the Property, it is ripe for redevelopment that is more compatible with adjacent and nearby uses.

The Property is directly adjacent to The Christopher condominium to the east, which stands at approximately 145 feet tall (zoned for up to 150 feet). Also to the east of the Property are the Edgemont apartments, which stand at approximately 85 feet, and have been rezoned to allow 90 feet in height as recommended by the Sector Plan. The Edgemont also plans a significant expansion further to the east, onto property located at the corner of Woodmont Avenue and Edgemoor Lane that was rezoned to allow 150 feet in height, as recommended by the Sector Plan. In this sense, the Arlington North District is a transition area that consists mainly of high-rise buildings which step down from the taller buildings surrounding the Metro station and on Wisconsin Avenue, where Bethesda building heights and densities are greatest. While both the existing and planned development in the Arlington North District is significantly more intensive than the Project, the proposed mid-rise building will ease the transition between the single-family residential neighborhoods beyond Bethesda Elementary School to the west and the vastly taller development surrounding the Property and running east to Woodmont and then Wisconsin Avenues.

For broader context, the area west of the Property beyond Arlington Road and Bethesda Elementary School is comprised of lower-density residential neighborhoods. The large open space provided by the School and its ballfields (a depth of over 200 feet from the western edge of Arlington Road to the nearest single-family home) provides a significant buffer between the residential neighborhoods which lie farther west and outside of the Sector Plan’s planning area, the Property, and the four-lane Arlington Road. To the north, the Woodmont Triangle District is an eclectic, mixed-use area that balances high-rise residential development with smaller-scale retail and arts amenities. East of the Arlington North District, downtown Bethesda’s Wisconsin Avenue Corridor lies on either side of downtown Bethesda’s main arterial road – Wisconsin Avenue – along which the Bethesda Metro Station and downtown Bethesda’s tallest buildings are located.
III. **The Project**

The proposed redevelopment of the Property will be located on one new subdivision lot of record (consisting of approximately 55,646 square feet of net lot area). As noted, the Applications propose to develop the Property with a multi-family residential building consisting of up to 235 units (including 15% MPDUs), as well as private underground parking (anticipated to be one-and-a-half levels), private amenities, and public amenities and public benefit points. There are no non-residential uses proposed for the Project, as it was recognized by the Applicant, as well as the Maryland-National Capital Park and Planning Commission (“M-NCPPC”), Montgomery County Planning Board (the “Planning Board”), and the County Council throughout their consideration of the Sector Plan that the Property is not an appropriate place for non-residential uses at this time.

The Applicant proposes to utilize the BOZ density provisions of Section 59-4.9.2.C.2 of the Zoning Ordinance in order to allocate gross floor area from BOZ density to the Project and fill out the permitted height for the Property (as described below). Further, 68,270 square feet of allocable development rights were previously transferred from the Property to the developer of the adjacent Christopher condominium in 1988. This prior allocation of density has been netted out of ZOM’s current density calculation for the Property. Under its current zoning, density attributable to the Property is 153,237 square feet. Netting out the 68,270 square feet of prior density allocation leaves 84,967 square feet of density on the Property. The Project proposes 257,675 gross square feet of development. Thus the Applicant plans to allocate 172,708 square feet of gross floor area from BOZ density in order to fill the height limit of 60 feet and the proposed building envelope. The density previously allocated to the neighboring property as well as the BOZ density to be allocated is reflected on the Preliminary Plan and Site Plan and FAR Analysis included therein.

The building height measuring point for the Project is located in the center of the Moorland Lane frontage, as shown on the Site Plan. Pursuant to Section 59-4.1.7.C.2.a of the Zoning Ordinance, “for a corner lot or a lot extending through from street to street (as is this Property), height is measured from the curb grade opposite the middle of the building façade along either right-of-way.” In practice, M-NCPPC Staff has allowed an applicant to pick from which right-of-way
building height is measured for a corner or through lot. Moorland Lane serves as the front of the building because both the main residential lobby, as well as the only vehicular entrance, are located along Moorland Lane. Thus, in this case, the Applicant has chosen the Moorland Lane right-of-way for the building height measuring point. Section 59-4.1.7.C.2.a further provides that in general building height “is measured from the level of approved curb grade opposite the middle of the front of a building.”

Indeed, and as discussed in further detail below, the Sector Plan specifically recommends improving access, mobility, and pedestrian safety along Arlington Road. There are currently four curb cuts along Arlington Road serving the Property. The Applicant proposes to close every single one of these, instead anchoring the building’s front face and main lobby on Moorland Lane. In meetings with M-NCPPC Staff as well as the Montgomery County Department of Transportation (“MCDOT”), all have bolstered this decision in noting that no vehicular access should be allowed from Arlington Road. Further, the depth of the Property is far too narrow along the Edgemoor Lane frontage (only approximately 85 feet after dedication) in order to provide for either a main residential lobby or vehicular entrance, yet alone both. For all of these reasons, the front of the building, for both pedestrians and vehicles, is appropriately established on Moorland Lane, and based upon the provisions of Section 59-4.1.7.C.2.a of the Zoning Ordinance, the building height measuring point is identified at this location.

As noted, all vehicular access to the Project will be from Moorland Lane, allowing the frontages along Arlington Road and Edgemoor Lane to remain fully pedestrian in nature. Per direction from MCDOT, the vehicular access (parking and loading) has been located as far east on Moorland Lane as possible to maximize the distance between the Arlington Road/Moorland Lane intersection and the vehicular access points into the Project. The entrance to the underground parking garage will be located along Moorland Lane at the eastern edge of the Property, with the loading and service access just to the west and adjacent to the vehicular access for the garage. All of the parking for the Project is proposed to be located on one and one half levels underground. The main residential entrance for pedestrians is also from Moorland Lane, closer to the corner of Arlington Road and Moorland Lane. To provide convenient access to the Bethesda Metro Station and neighborhood amenities to the south, there is a secondary residential
entrance for pedestrians from the Edgemoor Lane frontage. Also, as described in further detail below, there will be direct individual entrances into ground-level residential units along the southern end of the Project, from both the Arlington Road and eastern frontages.

**Proposed Architecture**

Fundamentally, the Project seeks harmony with its site and neighborhood context through proportion and architectural character. In response to site specific conditions and the Property’s position within downtown Bethesda, the building is broken down into two distinct, recognizable parts – a concept which drives the building plan and massing. As described below, these two building parts and façades, each with their own recognizable identities, are natural and intuitive when seeking balance in the Project’s proportion and character, within the context of the surrounding neighborhoods and greater downtown Bethesda.

Located in the Arlington North District of the downtown Bethesda planning area, the Property is perfectly positioned to be an excellent example of crafted, transitional architecture intended to both (1) bridge the downtown urban core to the east with the single-family neighborhoods to the west, and (2) connect the building’s future residents with the Metrorail system and downtown Bethesda’s primary corridor. As a collection of former single-family homes, primarily now used for commercial purposes, the site provides a continuous frontage along Moorland Lane, Arlington Road, and Edgemoor Lane, but has a circuitous eastern Property line abutting the neighboring properties. This unique geometry informs the plan, massing, and circulation such that the building solution forms itself along the three street edges, while nestling into the site and the zigzagging eastern Property line.

In converting the site from individual lots and single-family structures into a single multi-family residential development, six existing curb cuts and an inhospitable pedestrian experience will be transformed into a safe, inviting pedestrian streetscape running the lengths of the Property’s right-of-way frontages. In addition to the streetscape transformation, the design introduces a continuous neighborhood connection along the eastern frontage of the building from Moorland Lane through to Edgemoor Lane. This is envisioned as a modest walkway, integrated with stormwater management design, open and available to residents, neighbors, and the community. The new building will also have residential stoops along the southern portion of the walkway,
which will reinforce the residential character of the Arlington North District, support public safety, and provide quick and easy access to Metro for those residents abutting the walkway.

Building massing responds to the unique site conditions outlined above. This natural response of the building to the site sets up a mid-block massing distinction between the northern and southern portions, which directly lends itself to breaking down the block into two distinct architectural identities. The wider, northern portion of the site allows for two comfortable residential courtyards on Arlington Road and presents a continuous façade on Moorland Lane. The Moorland Lane frontage will include the building’s main residential lobby and focal point, as well as the building’s only parking entrance and loading bay. A third residential courtyard on the northeast side of the site allows for an expansion of the walkway green space adjacent to the path and the neighboring (Christopher Condominium’s) pool terrace.

Along the southern portion of the site, the Property narrows significantly and massing responds accordingly, with an additional layer of repeating, grounded bays. This cadence of the bays responds to and reflects the nature of the townhouses across the street on Edgemoor Lane. The site also slopes gently seven feet downhill from Moorland Lane to Edgemoor Lane. As an alternative to exposing the basement level and parking garage at the southern end of the site, the ground floor and garage level heights have been shifted, mid-block, to allow for a more appropriate residential character at the highly visible intersection of Arlington Road and Edgemoor Lane. In keeping with the proposed 60-foot building height limit along Arlington Road and responding to the natural slope of the site, the top (sixth) floor of the southern portion is setback at a 1:1 ratio from the right-of-way. In doing so, the top level reads as a “penthouse” level atop the southern façade, adding an additional layer while also reducing the overall bulk, mass, and height of the southern portion. Nearly all of the units on the southern portion of the building will have sidewalk access via residential stoops, and a small transit lobby is located on the Edgemoor Lane frontage, providing residents with both nearer access to Metro and direct access to a below-grade bicycle room via elevator.

As a natural result of the site-responsive design described above, the building creates a mid-block massing distinction between the northern and southern elements. Fortunately, this distinction lends itself to breaking down the block into two readily distinguishable elements,
each with their own architectural identities. That is, the building’s response to the site and particularly its meandering eastern Property line and narrowing southern Property line, also directly leads to appropriate massing articulation along Arlington Road. The southern façade treatment will be in harmony with the northern façade in tectonics and nature of materials, yet distinct in color, texture, and arrangement, all as described below. The rhythm of the courtyards and recessed stoops woven into these bifurcated elements completes the Project’s massing solution for a unique site opportunity.

Within the north to south massing described above, the Project envisions two distinct building façades, together informed by the Bethesda Downtown Plan Design Guidelines (the “Design Guidelines”). The northern façade is organized around the Moorland Lane frontage and the courtyards along Arlington Road, and is envisioned as a classic contemporary residential address, centered on a two-story residential lobby, expressed through a crafted two-level masonry frame opening complete with glass canopy. The wall is organized around a five-story/50-foot crafted masonry wall, set to a 1-2-2 vertical modulation of framed windows, punctuated at the lobby by a 2-1-2 intervention. The facade is crowned by an elegantly articulated glass and metal panel sixth floor, distinguished by lanterns also of metal and glass which terminate and highlight the facade. This sixth floor is defined by a gentle plane change and undulating six-foot corner terrace setbacks to coincide with the internal living arrangements. Horizontally, the five-story masonry wall is divided into three well-proportioned segments divided by glass and metal panel hyphens. In addition to proportioning the larger wall, these hyphens add both additional color and texture to the tapestry of the wall. Each of these smaller, individual segments houses a distinct ground floor purpose, from garage and loading to lobby and leasing.

Internally, the building’s address and lobby, which will be fashioned like a boutique hotel, are in the prime center segment on Moorland Lane. The building’s leasing and amenities are grounded to the western segment extending to the Arlington Road corner. The parking garage entrance and internal loading bay are positioned on the northeast corner segment of the facade along Moorland Lane. The location of the garage entrance and service bay were decided upon in close collaboration with MCDOT. The parking garage entry and ramp set up a logical and efficient
garage layout in the levels below, and the service and loading bay is strategically positioned to serve maintenance, move-ins, and regular trash pickup without disrupting daily traffic on Arlington Road.

As stated previously, the building’s sixth floor is envisioned as a crown, which completes the proportional formation of the formal Moorland Lane facade. Like actual crowns, this floor is designed to be articulated and seen. In this case, the crown is designed with metal panel and glass, with proportional 6-foot corner setbacks and inline stepbacks of varying depths and width sections, thus providing ample relief and outdoor life on terraces for the residences. These shallower stepbacks may seem a variation from the strict letter of the Design Guidelines, which suggest a deeper 15 to 20-foot step back above 50 feet in height on designated streets types such as Moorland Lane. However, due to the following considerations, the design better meets the intents of the Guidelines, without directly following the specific numerical distance recommendations. Given (1) the very limited maximum height of the building at 60 feet (only ten feet of the building sits above the stepback elevation), and (2) proportional and compositional considerations, the design intends to celebrate the crown through articulated features such as the glass lanterns while simultaneously integrating an ample six-foot corner terrace stepback, all of which rests atop and is the visible vertical termination of the facade. Setting the building back 15 to 20 feet would negate the impact of the crown and render it invisible, thus resulting in a less attractive proportion and unfinished composition.

Such large stepbacks may have more resonance and meaning when designed on taller buildings, but within six stories, particularly on this site, visually losing an entire floor along one facade face would result in an awkward, compromised, and disproportionate composition. Particularly, in this case, the northern portion of the building sits on a prime corner at Arlington Road and Moorland Lane, and is intended to be elegant and distinguished, a goal toward which the continuous sixth floor crown plays a pivotal role. Furthermore, the Design Guidelines do not call for a stepback on Arlington Road. As a result, the deliberate and prescribed carving away in an imbalanced manner would result in a lopsided and confused building crown along a primary building facade and corner.
As the northern facade turns the corner down Arlington Road, the two courtyards, described earlier, establish a series of three well-proportioned repetitive facade pavilions that set an elegant visual rhythm of wall and void. The pavilion facades are composed of a system of devices, complete with terraces and balconies for outdoor living and bay windows for views up and down Arlington Road. The façade is deliberately composed, layered, and articulated through these devices to create a distinct yet playful edifice of varying heights, plane changes, and material transitions. Pairs of projecting glass and metal bay windows hang from the fifth to the second floor, establishing a quick and steady beat on the face of the wider facade pavilions. In order to provide these bay windows, the three pavilion facades are pulled back away from the new Arlington Road right-of-way, thus increasing and enhancing the public realm below, in addition to creating a distinct façade plane from the southern facade. The corners of the northern facade, carved out by recessed balconies, are framed by crafted, masonry openings. The 1-2-2 composition of masonry wall language on Moorland Lane is continued down Arlington Road. The same metal panel and glass hyphen system is used along the wall and also within the inside corners of the courtyard voids to continue the proportional segmentation of masonry walls. The sixth floor metal panel and glass crown continues down the articulated facade, weaving in and out of the courtyards, while popping up and highlighting elegant corner lanterns positioned above the four-story pairs of hanging bay windows. This playful elegance sets up a distinguished rhythm, paired with the warm, well-crafted, five-story masonry wall below, to simultaneously fulfill the role of friendly neighbor and refined urban contemporary.

The southern façade, organized by the rhythm of the four grounded brick and glass bays, turns the corner of Edgemoor Lane, thus presenting an elegant and slightly narrow symmetrical façade. As the façade gently descends along Arlington Road, the southern façade identity provides the opportunity for individual ground floor units, with townhouse-style residential stoops, tailored to meet the grade along the exposed first level of the garage. These stoops will occur, where possible, along both Arlington Road and the walkway along the eastern frontage of the building. Meanwhile above, the top floor of the southern portion of the building is set back at a 1:1 ratio. Through this move, the top floor reads as a “penthouse” level, which reduces the overall building bulk and height while also allowing private residential terraces at the upper
level. Centered at the base of the southern (Edgemoor Lane) facade will be the small transit and bicycle lobby.

The wall of the southern facade is composed of two alternating components: the grounded bay and the wall. The grounded bay is arranged with a five-level/50-foot masonry and glass projection capped by a two-foot stepback. This stepback allows for a massing change, as well as creating a one-level attic story punctuated by large glass openings and capped by a “Bris Soleil”. Above this stepback is the sixth floor which reads to the street level observer as a “penthouse.” This grounded bay has a 3-2-1 vertical arrangement, which is a noticeably different vertical arrangement from the northern facade. The wall, between the bays, spaces the bays as well as creates the language for turning the corner. This wall is arranged in a 1-1-1-3 vertical arrangement. Combined together, the 3-2-1 and 1-1-1-3 arrangements act as harmonic notes marching down towards Edgemoor Lane. As the southern facade turns the corner, a handsome symmetrical facade is composed by a deliberate double-grounded bay. Again this double bay projects four feet, ascends vertically in a 3-2-1 fashion, and sets back to the one-story attic punctuated by large glass openings and capped by a “Bris Soleil”. Again here, the sixth floor sets back and reads as a “penthouse”. This geometric configuration also allows for the corners to be symmetrical with corner glass on the upper four levels, creating a lightening effect upon the building.

The design keeps with the intent of the Design Guidelines by providing a stepback above the bays at 50 feet and a 1:1 ratio setback above an elevation of 60 feet. The intention for this southern facade is to allow the rhythm of the bays to run downhill, turn the corner, and present an elegant, slender facade on the southern end of the site. The design, as presented, offers an urban set piece acting as “bridge” in welcoming the residential neighbors from the west to downtown Bethesda, as well as “connector” in greeting the building’s residents from their daily metro commute.

Atop the building will sit an urban oasis complete with swimming pool and deck, locker rooms, sun and shade terraces, and green and vegetated roofs which both enhance the rooftop environment and screen the required mechanical equipment from the residents and adjacent
neighbors. A series of covered terraces, sunshades, and trellises will be provided for the residents of this community for socializing, relaxing, outdoor cooking, and dining.

**Proposed Public Use Space and Streetscape and Landscape Concept**

The consolidation and redevelopment of the various parcels in this block provide a unique opportunity to create a pedestrian friendly environment across from Bethesda Elementary School and around the block. As noted above, the site has extensive street frontage along the three street edges of Moorland Lane, Arlington Road, and Edgemoor Lane. The main strategy for the design of the streetscape is to provide for a residentially oriented streetscape in a pedestrian friendly manner. The new streetscape replaces existing concrete sidewalks with continuous Bethesda brick sidewalks bookended by tree planting strips and a green building frontage along the proposed multi-family residential building. New LED lighting with the Washington Globe standard fixture will provide even lighting levels for safety.

The proposed streetscape along Moorland Lane has a cross-section which can be broken down as follows: a five-foot continuous tree planting strip with street trees; six-foot continuous sidewalk; and a frontage green zone adjacent to the building varying in width from approximately four to five feet. This portion of the streetscape connects to the building’s main lobby. The existing curb cuts along the frontage are being consolidated at the eastern edge of the Property to provide access to the garage and loading bays.

The proposed streetscape along Arlington Road moves the five-foot existing sidewalk located directly next to the eight-inch curb back behind a continuous five-foot green tree planting strip. The brick sidewalk itself is six feet wide, adhering to the Bethesda streetscape standard, and is appropriate to the residential character of the Property and surrounding area. All four existing curb cuts will be removed, creating an uninterrupted treatment along the entire frontage. The Arlington Road cross-section can be broken-down as follows: a five-foot continuous tree planting strip with street trees; six-foot continuous sidewalk; a frontage green zone adjacent to the building varying in width from approximately 9 to 11 feet; and wider building frontage setbacks at intermittent courtyards of approximately 30 feet in the northern section and four to eight feet in the southern portion.
As noted, the northern portion of the Arlington Road streetscape includes intermittent building setbacks creating lush green courtyards. In front of the courtyards the sidewalk connects to two special seating nooks covered by an arbor structure, providing pedestrians with an opportunity for seating and social interaction. The southern part of the streetscape is additionally activated with individual unit entrances located just off the sidewalk, creating movement in and out of the building as well as interest and activity for the streetscape.

The streetscape along Edgemoor Lane moves the five-foot existing sidewalk located directly next to an eight-inch curb back behind a five- to six-foot wide continuous green tree planting strip. The sidewalk will be a six-foot wide brick sidewalk adhering to the Bethesda streetscape standard. The wide existing curb cut will be removed and a sidewalk connection to the unit terraces is provided at the eastern edge. The Edgemoor Lane cross-section can be broken down as follows: a five-foot continuous tree planting strip with street trees; six-foot continuous sidewalk; and a frontage green zone adjacent to the building varying in width from approximately four to eight feet. This portion of the streetscape also connects to the transit lobby at the southern end of the building.

Along the Property’s eastern side, the design creates a space that will provide additional areas for the residents’ enjoyment. Almost the entire building frontage along this edge will be planted with green that borders the sidewalk. A small stone dust sidewalk will provide residents with a place to walk their dogs along the bioretention area planters. The sidewalk also serves to provide access to the rear amenity courtyard located at the lower level immediately outside the clubroom. Midway, a stairway is introduced to mitigate the change in grades along the length of the site and building levels. At the southern end of this area a paved sidewalk allows residents to gain access to their units. The resident unit entries are lushly planted and have small patios with seating walls.

A variety of enclosure conditions define the relationship of the eastern edge walkway to the neighboring uses. The northern portion of the walkway is adjacent to The Christopher condominium pool deck and recreational area (to the east). Along the southern portion the walkway is adjacent to green and recreational areas, with only the southernmost edge adjacent to The Edgemont apartments’ garage ramp (to the east). Along its entire length, the walkway and
terrace spaces will be overlooked by residents of the buildings surrounding it – The Christopher, The Edgemont, and the new residents of the Project – providing eyes on the space and increasing safety.

The Project rooftop will include large areas of unoccupied space being treated with extensive green roof, as well as limited occupied areas including outdoor terrace areas as well as a pool amenity deck. The occupied space will include a pool with a sunning deck, seating nodes, and grilling areas. Mechanical equipment space on the rooftop will be screened by panels, planters, and layered plantings on mounds. Amenity components of the rooftop are designed as a series of rooms to accommodate relatively small groups of people for social interaction, grilling, and enjoyment of the views and open air. In addition, a swimming pool and associated deck will be built up on top of the roof slab, and will be screened by planters on the east, providing a visual buffer from west-looking neighbors and creating a lush vegetated backdrop.

**Green Features and Stormwater Management**
In the existing condition stormwater from the Property enters the public storm drain system with minimal quality treatment. A very small portion of the parking lot on the Property drains to an on-site water quality system which provides minimal water quality and does not meet current State and local requirements for treatment of stormwater. The Project will implement State and local design criteria for Environmental Site Design to the Maximum Extent Practicable (ESD to the MEP) by providing green roofs and planter boxes. Although in post-development there will be a slight increase in impervious area from the pre-development condition, implementation of the proposed stormwater management strategies will provide stormwater quality by reducing pollutants in the runoff, and stormwater quantity control by retaining and slowing down additional flow from the post-development condition so that the pipe capacity of the existing storm drain system is maintained.

In addition and as discussed further below, the Project proposes energy conservation and generation features, a recycling facility plan, vegetated roof, and the purchase of building lot termination (“BLT”) easements, all of which will be part of the “public benefits” package required in order to construct the full incentive density permitted under the CR Zone optional method of development. Through implementation of “ESD to the MEP” and the other
environmental features noted, the Project will be a significant improvement over the existing conditions on the Property.

**BOZ Density**

As stated above, the Applicant proposes to utilize the BOZ density provisions of Section 59-4.9.2.C.2 of the Zoning Ordinance in order to allocate gross floor area from BOZ density to the Project and fill out the permitted height for the Property. Further, 68,270 square feet of allocable development rights were previously transferred from the Property to the developer of the adjacent Christopher condominium in 1988. This prior allocation of density has been netted out of ZOM’s current density calculation for the Property. Under its current zoning, density attributable to the Property is 153,237 square feet. Netting out the 68,270 square feet of prior density allocation leaves 84,967 square feet of density on the Property. The Project includes 257,675 gross square feet of development. Thus the Applicant plans to allocate 172,708 square feet of gross floor area from BOZ density in order to fill the height limit of 60 feet and the proposed building envelope. The density previously allocated to the neighboring property as well as the BOZ density to be allocated is reflected on the Preliminary Plan and Site Plan and FAR Analysis included therein.

**IV. FINDINGS REQUIRED FOR APPROVAL OF THE SITE PLAN APPLICATION**

Section 59-7.3.4.E of the Zoning Ordinance states the findings that the Planning Board must make in approving a site plan application. The following statements analyze how the proposed Project fulfills these findings:

1. The proposed development satisfies any previous approval that applies to the site. (59-7.3.4.E.2.a.)

The Site Plan complies with the conditions of the Sketch Plan approval, as follows:

   A. **Binding Elements.** The following site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance except as modified by the conditions below:

      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 are illustrative.*

The Sketch Plan allows a residential building of up to 257,675 total square feet for up to 235 dwelling units, on 80,381 gross square feet of land. The Project includes an allocation of BOZ density of up to 172,708 square feet. The Applications are consistent with the approved density and building height. The locations of the proposed new lot, public use space, and vehicular access points are consistent with that approved by the Sketch Plan. Finally, the Site Plan incorporates the public benefits proffered at Sketch Plan, all as explained in detail below.

**B. Conditions.** This approval is subject to the following conditions:

1. **Density**
   
The Sketch Plan is limited to a maximum of 257,675 square feet of total development, exclusive of 68,270 square feet previously transferred to the Christopher Condominium and including an allocation of up to 172,708 square feet of Bethesda Overlay Zone density, on the Subject Property for up to 235 dwelling units. The maximum number of dwelling units will be determined at Preliminary Plan.

   As noted above, the Preliminary Plan and Site Plan conform to the limitation on total density set forth in the Sketch Plan approval. More specifically, the Applications propose up to 257,675 square feet of residential development (for up to 235 multi-family residential units), and an allocation of 172,708 square feet of BOZ density.

2. **Height**
   
The development is limited to a maximum height of 60 feet, as specified in the Zoning Ordinance.

   As described in this Justification Statement and in the plans and materials enclosed with the Applications, the Project conforms to the height limit set forth in the Sketch Plan approval.

3. **Incentive Density**
   
The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.1. Total points must equal at least 100 and be chosen from at least four 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. Connectivity and Mobility, achieved through minimum parking;
b. **Diversity of Uses and Activities**, achieved through dwelling unit mix, enhanced accessibility for the disabled;

c. **Quality of Building and Site Design**, achieved through exceptional design, public art, and structured parking; and

d. **Protection and Enhancement of the Natural Environment**, achieved through building lot termination, energy conservation and generation, recycling facility plan, and a vegetated roof.

As detailed below, the Applications contain a Public Benefit Points Analysis outlining conformity with this condition of the Resolution. Specifically, the Project will provide greater than the minimum 100 public benefit points required through project elements related to the benefit categories listed above, and as described in the Sketch Plan approval. All public benefits comply with the requirements of Division 59-4.7 and the CR Zone Incentive Density Implementation Guidelines.

4. **Building Design**

   a. **On the Arlington Road façade**, the Applicant must step back the building above the sixth floor at a height-to-step-back ratio of 1:1.

   b. **The Applicant must submit their architectural design concept to the Design Advisory Panel prior to submittal of Site Plan.**

As reflected in the architectural elevations and perspectives included with the Applications, the Project conforms with the required building stepback along Arlington Road. The Applicant will submit its architectural design concept to the Design Advisory Panel concurrent with filing of these Applications with M-NCPPC, for the Panel’s consideration prior to the Planning Board’s public hearing on the Applications.

5. **Open Space**

   The Applicant must provide a minimum of 5,565 square feet (10 percent of the Site) of public open space off-site per section 59.6.3.6.C of the Zoning Ordinance.

The Applicant will comply with this requirement. It is the Applicant’s understanding that M-NCPPC Staff is still working through internal policies related to purchase of off-site public open space for projects located in Bethesda, and thus the Applicant will continue to work with M-NCPPC Staff, for resolution of this issue prior to the Planning Board’s public hearing on the Applications.

6. **Park Impact Payment (PIP)**
At the time of Site Plan, the Applicant must identify the amount of BOZ density being purchased and allocated to the Site.

As noted, the Applications propose purchase of 172,708 square feet of BOZ density.

7. Streetscape
The Applicant must install the Bethesda Streetscape Standard along the Site Frontage, including the undergrounding of utilities.

The Site Plan provides for the upgrading of the site frontages in accordance with the Bethesda Streetscape Standards, including the undergrounding of utilities.

8. Bicycle Facilities
The Applicant must coordinate with the Montgomery County Department of Transportation to participate in the implementation of master planned bicycle facilities along the project frontages, including:
   a. Separated bicycle lanes on Arlington Road, and
   b. Separated bicycle lanes on Edgemoor Lane.

The Applicant is coordinating with MCDOT to participate in the implementation of master planned bicycle facilities along the Project frontages. The Applications propose the required dedication along Arlington Road (no additional right-of-way dedication is required or necessary along either Edgemoor Lane or Moorland Lane), allowing for future construction of the separated bicycle lanes by others.

9. Building Lot Terminations (BLTs)
Prior to release of any building permit, the Applicant must provide proof of purchase and/or payment of the required BLTs.

The Applicant will comply with this condition prior to the release of any building permit.

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

The Site Plan proposes up to 235 multi-family residential units of which 15% will be MPDUs. The MPDUs will be consistent with the provisions of Chapter 25A of the County Code.

11. 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, as appropriate:
a. Fire and Rescue access and facility details;

Included with the Applications is a Fire Department Access Plan reflecting the proposed fire and rescue access details. The Applicant has been working with the Office of the Fire Marshal to ensure all fire and rescue access and facility requirements are satisfied, and will continue this coordination throughout the review process.

b. Streetscape details;

Details of the streetscape improvements are described above and reflected on the plans included with the Applications.

c. Provide details and cross sections showing appropriate soil volumes associated with the new plantings per the Sector Plan;

Proposed soil volumes are reflected on the plans included with the Applications.

d. Provide a tree-save plan addressing any impacts to the neighboring trees;

A Tree Save Forest Conservation Plan has been prepared and included with the Applications.

e. Demonstration of how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements;

The public benefits proposed and how they comply with the Zoning Ordinance and Incentive Density Implementation Guideline requirements is described in detail below.

f. Address the SITES & LEED recommendations of the Sector Plan, specifically related to energy efficiency and building design features;

The Applicant’s consultants are currently in the process of preparing a detailed energy study, which will be included with the Applications within the next several weeks. The Applicant is also discussing LEED Certified equivalency rating with applicable consultants, and will continue to work on this as the Project evolves through the detailed design process toward permitting.

g. Noise analysis;

A Phase I Noise Analysis, prepared by Phoenix Noise & Vibration and dated February 20, 2018, is included with the Applications.

h. Necessary public right-of-way dedication;
The Applications propose the required dedication along Arlington Road (no additional right-of-way dedication is required or necessary along either Edgemoor Lane or Moorland Lane).

i. **Transportation Impact Study and ADA evaluation within 500 feet of the site;**

A Local Area Transportation Review, prepared by Wells + Associates and dated February 21, 2018, is included with the Applications. Pursuant to an email from M-NCPPC Staff dated December 20, 2017, a pedestrian adequacy test will not be required as peak-hour pedestrian trips are estimated to be 45, below the 50-trip threshold.

j. **Written coordination with the adjacent Christopher Condominium building demonstrating good faith effort to consolidate the vehicular access point within the existing Christopher driveway on Moorland Lane;**

An easement recorded in the Land Records (a copy of which was provided to M-NCPPC Staff at the time of Sketch Plan) prevents the use of the existing Christopher driveway by the Project without the Christopher’s agreement. The Applicant has been engaged in discussions with The Christopher condominium regarding the Project for over two years, including having recently resolved the private litigation between the Applicant and The Christopher. From the outset of these discussions, The Christopher has been very clear that they will not permit the Project access from the existing Christopher driveway. As part of the resolution of the private litigation, the Applicant and The Christopher entered into a Density Transfer Agreement and Covenant Real (recorded at Liber 55312, folio 371) explicitly preventing use of The Christopher driveway for access to the Project (see paragraphs 5 and 6).

k. **Traffic Mitigation Agreement to participate in the Bethesda Transportation Demand Management District and achieve the Sector Plan 55% NADMS goal;**

A draft Traffic Mitigation Agreement is enclosed. The Applicant is continuing to coordinate with MCDOT Staff to refine the specific obligations under and details of this Agreement.

l. **SWM concept approval (and subsequent plan) which also address the Bethesda Downtown Plan recommendations regarding SWM.**

The stormwater management concept plan was submitted to the Montgomery County Department of Permitting Services (“MCDPS”) on September 18, 2018, and the second
submission addressing MCDPS comments was made on January 9, 2018. The Applicant will continue coordinating with MCDPS on this review and approval.

  m. Coordination with MCDOT in accordance with that agency’s letter, dated November 20, 2017.

The Applicant has been coordinating with the Montgomery County Department of Transportation (“MCDOT”) regarding the Project since prior to submittal of the Sketch Plan, and will continue these efforts during review of the Applications.

2. The proposed development satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014. (Section 59-7.3.4.E.2.b.)

This Section is inapplicable, as Section 59-7.7.1.B.5 only applies until a property is subject to a sectional map amendment (“SMA”) that implements a master plan approved after October 30, 2014 and the property obtains approval for development under the SMA-approved zoning. The Property was rezoned pursuant to the Bethesda Downtown Plan SMA in Fall 2017 (the SMA was adopted on September 19, 2017), and this Application is being filed pursuant to and will be approved by the Planning Board pursuant to the SMA’s rezoning of the Property.

3. The proposed development satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment. (Section 59-7.3.4.E.2.c.)

This Section is inapplicable, as Section 59-7.7.1.B.5 only applies until a property is subject to an SMA that implements a master plan approved after October 30, 2014 and the property obtains approval for development under the SMA-approved zoning. The Property was rezoned pursuant to the Bethesda Downtown Plan SMA in Fall 2017 (the SMA was adopted on September 19, 2017), and this Application is being filed pursuant to and will be approved by the Planning Board pursuant to the SMA’s rezoning.

4. The proposed development satisfies applicable use standards, development standards, and general requirements under this Chapter. (Section 59-7.3.4.E.2.d.)

The Project satisfies the applicable use standards, development standards, and general requirements of Chapter 59 of the Zoning Ordinance.
A. **Use Standards**

Section 59-3.1.6 of the Zoning Ordinance lists the uses that are permitted in the CR Zone. The Project proposes multi-family residential units, which are permitted in the CR Zone.

B. **Development Standards for Optional Method Development in the CR Zone**

Section 59-4.5.4.B of the Zoning Ordinance lists the development standards for development under the optional method in the CR Zone. The Site Plan meets all of these development standards, as described below and delineated in the development standards chart:

<table>
<thead>
<tr>
<th>Development Standard</th>
<th>Permitted/Required per the Zoning Ordinance</th>
<th>Approved by Sketch Plan</th>
<th>Proposed for Preliminary and Site Plan Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Tract Area (GTA)</td>
<td>N/A</td>
<td>80,381.00 sf</td>
<td>80,381.00 sf</td>
</tr>
<tr>
<td>Maximum Density (CR)</td>
<td>See FAR analysis above</td>
<td>257,675 sf</td>
<td>257,675 sf</td>
</tr>
<tr>
<td>Maximum Non-Residential Density (C)</td>
<td>257,675 sf</td>
<td>257,675 sf</td>
<td>257,675 sf</td>
</tr>
<tr>
<td>Maximum Residential Density (R)</td>
<td>0 sf</td>
<td>0 sf</td>
<td>0 sf</td>
</tr>
<tr>
<td>Maximum Building Height (H)</td>
<td>60 feet</td>
<td>60 feet</td>
<td>60 feet</td>
</tr>
<tr>
<td>Open Space</td>
<td>10% of net lot area</td>
<td>10% of net tract area</td>
<td>10% of net tract area</td>
</tr>
<tr>
<td>Vehicle Parking²</td>
<td>Min. 1 sp/unit, max. 1 sp/studio, 1.25 sp/1BR, 1.5 sp/2BR</td>
<td>TBD at Site Plan</td>
<td>202 spaces, including 4 motorcycle, 2 electric vehicle, and 6 handicap spaces</td>
</tr>
<tr>
<td>Bicycle Parking</td>
<td>Min. 0.5 sp/unit, max. 100 sp</td>
<td>TBD at Site Plan</td>
<td>115 (8 short-term, 107 long-term)</td>
</tr>
</tbody>
</table>

1. **Open space.**

Per the Sketch Plan approval, the Applicant will provide a minimum of 5,565 square feet (10 percent of the net tract area) of public open space off-site per Section 59-6.3.6.C of the Zoning Ordinance. It is the Applicant’s understanding that M-NCPPC Staff is still working through internal policies related to purchase of off-site public open space for projects located in Bethesda, and thus the Applicant will continue to work with M-NCPPC Staff, for resolution of this issue prior to the Planning Board’s public hearing on the Applications.

2. **Lot, density, and height.**

² Additional adjustments to required minimum number of parking spaces pursuant to Section 59-6.2.3.H of the Zoning Ordinance are permitted and are reflected on the Site Plan.
The Property is mapped within the BOZ and the Project utilizes the optional method of development. The Applicant proposes to utilize the BOZ density provisions of Section 59-4.9.2.C.2 of the Zoning Ordinance in order to allocate gross floor area from BOZ density to the Project and fill out the permitted height for the Property. Further, 68,270 square feet of allocable development rights were previously transferred from the Property to the developer of the adjacent Christopher condominium in 1988. This prior allocation of density has been netted out of the Applicant’s density calculation for the Property. Under its current zoning, density attributable to the Property is 153,237 square feet. Netting out the 68,270 square feet of prior density allocation leaves 84,967 square feet of density on the Property. The Project proposes 257,675 gross square feet of development. Thus the Applicant plans to allocate 172,708 square feet of gross floor area from BOZ density in order to fill the height limit of 60 feet and the proposed building envelope. The development rights previously allocated as well as the BOZ density to be allocated are reflected on the Preliminary Plan and Site Plan applications and the FAR Analysis included therein.

The Preliminary Plan proposes to consolidate the existing eight lots composing the Property into one new record lot comprised of 55,646 net square feet. The Project adheres to the height limit established for the Property under its zoning as well as under the Sketch Plan approval.

3. Placement.

On the eastern side of the Property, the building angles southeast along an existing angled curb line, which forms the western edge of The Christopher condominium’s access circle. While approximately half of the access circle is within the Project Property, that area cannot be used for the Project under the terms of a certain easement. Within the access circle, the Project property line turns southwest, and then turns again west and then south creating a circuitous eastern Property line between the Project and the buildings to the east.

For a majority of this eastern Property line, the Project building is held back approximately 15 feet. At the closest, The Christopher is approximately five feet away from this Property line, setting up a 20-foot separation distance between the Project building and The Christopher at that one corner. Beyond this point, both buildings fall away from each other, increasing the distance,
with separation at the widest point being approximately 95 feet. Moving south along the eastern Property line, the building generally maintains the 15-foot offset clearance from the eastern Property line as the line extends past the Edgemont apartment’s terrace wall and garage wall (both of which are less than one story).

As noted, the Project proposes generous sidewalks along the Moorland Lane, Arlington Road, and Edgemoor Lane frontages.

4. **Form.**

Section 59-4.5.4.B.4 provides that form standards are established by the site plan approval process and must address, at a minimum, transparency, blank walls, and active entrances. The Project fully complies with this Section. Significant glass features at the ground-floor level along Moorland Lane add transparency and support activating features of this frontage, specifically the main pedestrian entrance into the Project. The southern end of the Project is further activated by individual ground floor units along Arlington Road, with townhouse-style residential stoops, tailored to meet the grade, where possible, along the exposed first level of the garage. There will also be individual entrances from the southern end of the eastern façade, adjacent to the walkway. In this manner, there are no blank walls proposed in the Project; this is truly a four-sided Project.

C. **General Requirements for Optional Method Development in the CR Zone**

Section 59-4.5.4.A of the Zoning Ordinance lists the general requirements for development under the optional method in the CR Zone. The Site Plan meets all of these general requirements, as follows:

1. **Procedure for approval.**

Section 59-4.5.4.A.1 of the Zoning Ordinance requires a site plan to be approved under Section 7.3.4 for any development on a property with an approved sketch plan. This Site Plan application and the accompanying materials are being submitted pursuant to this requirement.

2. **Public benefit points and categories.**

The Application contains a Public Benefit Points Analysis outlining how this optional method development Project will provide the following significant public benefits in order to realize the
maximum permitted density on the Property. The Project is anticipated to provide in excess of the minimum 100 public benefit points required, as outlined in the Public Benefit Points Analysis included with the Application. All public benefits comply with the specifications prescribed by the CR Zone Incentive Density Implementation Guidelines, as discussed below.

(i) Connectivity and mobility.

- **Minimum parking.** The Project will provide fewer than the maximum number of parking spaces permitted under the Zoning Ordinance. The Applicant anticipates achieving 20 points in this public benefit category.³

(ii) Diversity of uses and activities.

- **Dwelling unit mix.** The current proposed unit mix is not eligible for this public benefit category. However, unit mix is continuing to evolve, and the Project may again be eligible for this category at some point during the review process on the Applications. At this time, however, the Applicant anticipates achieving 0 points in this public benefit category.

- **Enhanced accessibility for the disabled.** The Project proposes to provide at least 7% of units in satisfaction of ANSI A117.1 Residential Type A standards. The Applicant anticipates achieving 20 points in this public benefit category.

(iii) Quality building and site design.

- **Exceptional design.**

The Project’s massing response is formed from its unique site dimensions and topography. From this massing, two distinct building characters are defined and articulated, thus breaking down a potentially block-long building into two well-proportioned and individual distinct

³ Zoning Text Amendment 16-20 (Bethesda Overlay Zone) increased the maximum number of public benefit points that can be achieved in the minimum parking category from 10 to 20. However, the CR Zone Incentive Density Implementation Guidelines only provide a formula based on a maximum of 10 points. The Applicant believes the formula referenced above should be adjusted to use a multiplier of 20, rather than 10, per the adopted Zoning Text Amendment. This resubmission contains the formula and points based upon a multiplier of 20. However, M-NCPPC Staff has advised that the exact formula to be used is under review.
building forms. The design is compact, yet provides many unique place-making spaces and forms along its edge, thus integrating the architecture and landscape design in a sympathetic and elegant way. Through this integration, the enhanced public space will provide an extremely pleasurable, desirable, and memorable place to live in and near.

The building will be constructed in Type 1A, concrete frame construction, which is a more substantial and expensive method of construction given the relatively limited maximum building height of 60 feet. Many buildings in this market that are less than 85 feet in height are utilizing Type 3A and 5A wood construction over a one-story, concrete podium. The type of construction being utilized for this Project will allow unique features including building terracing, a rooftop deck and pool, and extensive and intensive rooftop vegetation.

The Project satisfies the following “exceptional design” public benefit point criteria for 10 points in this public benefit category:

*The design provides innovative solutions in response to the immediate context:* The building is designed to be an innovative solution to a key transitional site within the Arlington North District. While transforming eight single-family residential lots into a single-use multi-family development, the building embraces its role as a transitional set piece within its immediate dual context. It is both an urban edge building abutting the urban core to the east, and a friendly neighbor to the low-density residential neighborhood to the west. The façade, split into smaller north and south identities, is enriched by a melodic movement of shifting heights and changing planes, including 40-foot bay windows, 50-foot terraces, prominent window lanterns, and elegant, crafted projected bays. At the southern end, a 1:1 setback is provided to reduce the overall mass and maintain the perceived height of 60 feet on the downhill side of the site. Through these elegantly designed elements and playful massing and arrangement, the building presents itself as a crafted, transitional piece of architecture. The building exceeds its dual obligation envisioned by the Sector Plan, as one large enough to complement and fit as a terraced bridge to Bethesda’s downtown urban core, yet artfully deconstructed through richly crafted devices and articulation connecting it to the single-family neighborhoods to the west.
**L&B 6721484v2/10489.0002

Creates a sense of place and serves as a landmark: The Project achieves a sense of place through its urbane and sophisticated relationship to the site and enhanced public realm. This radical transformation of the site’s existing harsh street frontage to a safe and leafy canopy, paired with the building’s richly detailed wall, courtyards, and gentle recesses, will vastly improve and freshen the pedestrian experience around the site. Further, the two distinct façade identities, informed by the site’s shape and topography, seek to form an intuitive and natural balance with the setting via proportion and architectural character. The identity of the northern portion of the building holds the northern portion of the site, while also addressing the Bethesda Elementary School ballfields, with its intimate garden courts and articulated pavilions crowned with glass and panel lanterns. The identity of the southern portion of the building, organized by the rhythm of the four grounded brick and glass bays, turns the corner of Edgemoor Lane and presents a symmetrical façade to the south. This slender yet articulated façade greets all travelers from points south and presents an urbane and handsome transition to points north or to the Bethesda Metro Station two blocks east.

Enhances the public realm in a distinct and original manner: As has been described, the Project will vastly improve the pedestrian experience around the site. This new public realm wraps from Moorland Lane, along the entire east side of Arlington Road, then back east towards the Metro on Edgemoor Lane. Enhancements include: (1) respectful transition to adjacent properties; (2) introduction of residential lobbies on Moorland and Edgemoor Lanes; (3) two enhanced landscaped courtyards along Arlington Road; and (4) tailored residential stoops on the southern façade identity. In addition to the enhanced pedestrian experience along the Project’s three right-of-way frontages, the Project further enhances the public realm by introducing a modest pedestrian connection from Moorland Lane to Edgemoor Lane, along the eastern side of the site.

Introduces materials, forms or building methods unique to the immediate vicinity or applied in a unique way: In fulfilling its dual role of “bridge” and “connector” through its two façade identities, the architecture introduces familiar forms and materials applied in artful and unique ways, thus heightening the level of architectural language in Bethesda. Through careful proportioning, crafted masonry detailing, distinctive crowning with alluring metal and glass
lanterns, tailored setbacks and stoops, decorative metal bays, and well-defined and articulated attic stories, the building is both warm and familiar, like an old friendly neighbor, bridging to the western residential neighborhoods, as well as elegant, distinguished, and inviting as an urban retreat, connected by mere steps to Bethesda’s surging urban core.

Integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements: The building intends to integrate low-impact development methods into the overall design primarily through the following three ways: (1) extensive and intensive green roofs which both enhance the rooftop environment and screen all the required mechanical equipment from the residents and adjacent neighbors; (2) opportunities for stormwater management ESD facilities adjacent to the building along the meandering eastern pedestrian path; and (3) two enhanced landscaped courtyards along Arlington Road which provide both relief of the façade length as well as additional intensive green roofs and tree canopy as these courtyards sit upon the garage below.

- Public art. The Applicant is committed to using works of art to enhance both the design of its projects and the visual experience of its residents and the community at large. Working with a team of local artists, the Applicant will commission a series of sculptures to be placed at strategic points along the Project’s exterior. The works will be inspired by region’s history and natural surroundings. Through this endeavor, Applicant and artists will enhance the visual and cultural aesthetic of the block. The Applicant anticipates achieving 15 points in this public benefit category. The proposed public art is further detailed in the Applicant’s submission to the Art Review Panel, concurrently submitted with these Applications.

- Structured parking. The Project will provide structured parking, with all of the Project’s parking spaces to be provided in a below-ground parking garage, thus achieving 20 points in this public benefit category.

(iv) Protection and enhancement of the natural environment.

- Building lot termination. The Project will include purchase of Building Lot Termination (BLT) easements for 4.66 public benefit points.
**Energy conservation and generation.** The Project is being designed to exceed the energy efficiency standards for new buildings by 10%, through such features as a highly efficient mechanical system, energy efficient lighting, and low-flow plumbing fixtures. The Applicant’s consultants are currently in the process of preparing a detailed energy study, which will be included with the Applications within the next several weeks. The Applicant anticipates achieving 10 points in this public benefit category.

**Recycling facility plan.** The Applicant proposes a recycling facility plan that will exceed what is already required under County regulations. The Applicant proposes to include a recycling chute (similar to a building’s trash chute, but for recycling materials). The Applicant also plans to contract with a service for pick-up of cooking oil for recycling and food scraps for composting at the building. Finally, the Applicant will include a paper shredder in the building. Frequently people do not recycle paper due to concerns of security and identify theft; shredding facilities will encourage residents to recycle more than they otherwise would. The Applicant anticipates achieving 10 points in this public benefit category.

**Vegetated roof.** The Project will include installation of a vegetated roof with a soil depth of at least eight inches covering at least 33 percent of the building’s roof, excluding space for mechanical equipment, thus achieving 15 points in this public benefit category. The vegetated roof will be intensively planted with habitat providing native plant species that will create an environmental benefit in addition to the treatment of stormwater. Additionally large areas of the vegetated roof will have a soil depth greater than eight inches for treatment of stormwater and will be planted with native trees and shrubs adding to the diversity of habitat. (Note green roofs installed for treatment of stormwater only need to
be “extensively” planted with plant species that most likely will not be native, and provide little or none habitat creation and or species diversity.)

3. **Building type.**

The Project proposes an “Apartment Building” as defined in Section 59-4.1.5. Section 59-4.5.4.A.3 of the Zoning Ordinance notes that all building types allowed under Section 59-4.1.6 are allowed in the CR Zone under optional method development, and Section 59-4.1.6 permits Apartment Buildings.

4. **Compatibility standards.**

Section 59-4.1.8.A of the Zoning Ordinance contains setback compatibility standards, and Section 59-4.1.8.B contains height compatibility standards. However, Section 59-4.1.8.A only applies to CR-zoned property that abuts a property in an Agricultural, Rural Residential, or Residential zone that is vacant or improved with an agricultural or residential use, and that proposes development of an apartment, multi-use, or general building type. Here, while the Property confronts property located in an Agricultural, Rural Residential, or Residential zone (Bethesda Elementary School), it is improved with an institutional use – not an agricultural or residential use. Section 59-4.1.8.B applies to property that abuts or confronts a property in an Agricultural, Rural Residential, or Residential zone that is vacant or improved with an agricultural or residential use, and that proposes any building type in a CR, Employment, Industrial, or Floating zone. Again, while the Property confronts Bethesda Elementary School, which is located in a Residential zone, that property is improved with an institutional use. Therefore, the compatibility standards are not applicable to the Property or Project.

D. **General Development Requirements**

Article 59-6 of the Zoning Ordinance lists general development requirements. The Site Plan meets all of these requirements, as follows:

1. **Site Access (Division 59-6.1)**

All vehicular access to the Project will be from Moorland Lane, allowing the frontage along Arlington Road to remain pedestrian in nature. The entrance to the underground and structured parking will be located along Moorland Lane, with the loading and service access immediately adjacent to the west. All of the parking for the Project is proposed to be located underground,
and the Applicant anticipates that there will be one-and-a-half levels of parking (with numbers of parking spaces, bike storage spaces, and loading spaces required and to be provided to be reflected on the certified site plan). The main residential entrance for pedestrians is from Moorland Lane, with a secondary entrance along Edgemoor Lane and entrances into individual units along the southern end of the Project from both Arlington Road and the pedestrian pathway on the east. These entrances will activate the Arlington Road and Edgemoor Lane frontages as well as the walkway, and will further pedestrian activity in this area of the Arlington North District.

2. **Parking, Queuing, and Loading (Division 59-6.2)**
The Site Plan provides for all parking underground in one-and-a-half levels, including 202 vehicular parking spaces (with 4 motorcycle, 2 electric vehicle, and 6 handicap spaces), 115 bike storage spaces, and one (1) loading space (with final number of spaces to be provided to be reflected on the certified site plan). As discussed above, all vehicular access to the Project will be from Moorland Lane, allowing the frontage along Arlington Road to remain pedestrian in nature. The entrance to the underground and structured parking will be located along Moorland Lane, with the loading and service access immediately adjacent to the west.

3. **Open Space and Recreation (Division 59-6.3)**
Per the Sketch Plan approval, the Applicant will provide a minimum of 5,565 square feet (10 percent of the net tract area) of public open space off-site per Section 59-6.3.6.C of the Zoning Ordinance. It is the Applicant’s understanding that M-NCPPC Staff is still working through internal policies related to purchase of off-site public open space for projects located in Bethesda, and thus the Applicant will continue to work with M-NCPPC Staff, for resolution of this issue prior to the Planning Board’s public hearing on the Applications. Adequate recreation facilities will be provided at and/or nearby the Project.

4. **General Landscaping and Outdoor Lighting (Division 59-6.4)**
Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for residents and visitors to the Project. The Project will include streetscaping along all three frontages, with widened sidewalks, street trees, and lighting, all as described above. Sidewalk elements will include planter strips, sidewalks, and
street trees, and LED lighting. Additionally, several small landscaped recesses along Arlington Road will provide an opportunity for pedestrians to pause and rest as they make their way north or south. The Project also includes landscaping and lighting on the rooftop in order to provide an attractive outdoor environment for use by the residents of the Project.

5. **Screening Requirements (Division 59-6.5)**
Division 59-6.5 of the Zoning Ordinance only applies to standard method development, and thus is not applicable to this optional method Project.

6. **Outdoor Display and Storage (Division 59-6.6)**
This Division is inapplicable because the Project does not propose any outside display or storage.

7. **Signs (Division 6.7)**
The Applicant will obtain all necessary approvals for signage at the Project from MCDPS.

5. The proposed development satisfies the applicable requirements of: (i) Chapter 19, Erosion, Sediment Control, and Stormwater Management; and (ii) Chapter 22A, Forest Conservation. (Section 59-7.3.4.E.2.e.)
The Applicant will provide sediment and erosion control and water quality treatment for stormwater as required by County laws, rules, and regulations. The stormwater management concept plan was submitted to MCDPS on September 18, 2018, demonstrating environmental site design to the maximum extent practicable. The second submission addressing MCDPS comments was made on January 9, 2018. The Applicant will continue to coordinate with MCDPS on all required sediment and erosion control and stormwater management approvals as the entitlement process progresses.

All applicable requirements for forest conservation under Chapter 22A are satisfied. Under Section 22A-5(s) and as confirmed in a letter from M-NCPPC dated July 12, 2017, the Project is exempt from the forest conservation requirements (but plantings will be provided throughout the Project, as detailed above).
6. The proposed development provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities. (Section 59-7.3.4.E.2.f.)

All vehicular access to the Project will be from Moorland Lane, allowing the frontage along Arlington Road to remain pedestrian in nature. The entrance to the underground and structured parking will be located along Moorland Lane, with the loading and service access immediately adjacent to the west. All of the parking for the Project is proposed to be located underground. The main residential entrance for pedestrians is from Moorland Lane, with a secondary entrance along Edgemoor Lane and entrances into individual units along the southern end of the Project from both Arlington Road and the pedestrian pathway on the east. These entrances will activate the Arlington Road and Edgemoor Lane frontages as well as the walkway, and will further pedestrian activity in this area of the Arlington North District. Streetscape improvements are proposed along all three Property frontages and, per the Sketch Plan approval, the Applicant will provide a minimum of 5,565 square feet (10 percent of the net tract area) of public open space off-site per Section 59-6.3.6.C of the Zoning Ordinance.

The Project proposes redevelopment of high-quality design that provides significant housing amenities, and fulfils the Sector Plan’s vision for the Arlington North District and downtown Bethesda. The Project is designed to be less tall and intensive than existing nearby buildings in the Arlington North District and the adjacent Wisconsin Avenue Corridor, providing high-quality architecture, improved streetscape, and housing while simultaneously creating a transition to lower-density single use development to the west. The Project will replace existing aging buildings in significant disrepair with a vibrant multi-family residential project, also providing vital sidewalk and pedestrian improvements.

7. The proposed development substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan. (Section 59-7.3.4.E.2.g.)

The Property lies within the area identified in the Sector Plan as the Arlington North District. The Project conforms to the goals, recommendations, and design objectives provided generally by the Sector Plan, as well as specific to the Arlington North District and Property, as follows:

General goals and objectives of the Sector Plan:
• Economic competitiveness, based on new development, public amenities, and proximity to public transit to attract businesses and visitors throughout the region, and foster entrepreneurship and innovation. (p. 6)

The Project proposes to transform a number of underutilized sites with new development within a quarter-mile of the Bethesda Metro Station. Increasing the available housing stock and mix of housing types within downtown Bethesda will help make the area more livable for a workforce critical to attracting new businesses. Additional housing will also add residents to support existing and future retailers in Bethesda Row, Woodmont Triangle, and throughout downtown Bethesda.

• Take best advantage of existing and planned transit, including Metrorail, Purple Line right rail, bus rapid transit (BRT) and bus. (p. 8)

As noted above, the Project is located within a quarter-mile of Metrorail, including the existing bus stations located there and the future Purple Line and Bus Rapid Transit stations, and is designed with residents’ access to the Bethesda station in mind. Residents leaving the main lobby can easily head east on Moorland Lane toward Metro, or use the walkway along the east side of the Project to reach Edgemoo Lane, leading to Metro.

• Promote a diversified mix of housing options in the Downtown through mixed-use and multi-unit residential zoned development. (p. 8)

The project proposes to add up to 235 multi-family residential units across a mix of unit sizes and housing styles. Specifically, the Project will add studios, one-bedroom, two-bedroom, and three-bedroom units, with many of these units part of a multifamily building with centralized access through a main lobby, and others offered in a multi-family style suggestive of city townhomes. This diversified mix of housing will help meet the Sector Plan goal of significantly increasing housing stock in an area zoned for multi-unit development near the primary transit hub of downtown Bethesda.

• On private property, provide a minimum of 35 percent green cover, which may include either singularly or a combination of the following: intensive green roof (6 inches or deeper) on 35 percent of rooftop; tree canopy cover on 35 percent of landscape; or a combination of tree canopy and intensive green roof for a total green cover of 35 percent or greater. (If on-site energy generation requires the use of either the roof or open space, accommodations
The Project provides at least 35 percent green cover, as reflected on the Green Cover Exhibit.

- When practical, incorporate vegetation into stormwater management facilities. (p. 16)

The Project will provide both stormwater quantity and quality treatment by implementing State and local design criteria for Environmental Site Design to the Maximum Extent Practicable (ESD to the MEP), through green roof, planter boxes, and other ESD practices as practicable for the Project.

- Prioritize street tree planting along existing and proposed bicycle networks, creating green corridors. (p. 16)

Separated bike lanes are required pursuant to the Sector Plan along Arlington Road and Edgemoor Lane. Street trees are planned for all three Project street frontages – Arlington Road and Moorland and Edgemoor Lanes. The addition of these trees will help achieve the Sector Plan goal of creating green corridors along bicycle networks.

- Balance development with transitions to single-unit residential neighborhoods surrounding the Sector Plan area in residential and edge districts, such as Battery Lane, Arlington North, South Bethesda and Eastern Greenway. (p. 18)

The Project has been designed with this goal specifically in mind. The 60-foot height limit and building design ensure that the Project will contribute to the transition from high-rises to the east, to the residential scale along Arlington Road, and further west to single-family residences. Variation in the western face of the building, including recessed courtyards breaking up the massing of the northern part of the building and a townhouse-style design to the narrower south, with intermittent shallow step down entrances to individual units, creates a rhythm suited to a residential street. Playful articulation along the stepped back top floor and roof further contribute to a residential scale, detailed with outdoor living spaces and changes in materials. Landscaping and a much improved streetscape with six-foot sidewalks, planting strips, and benches will also support the transitional, residential scale of the Project architecture.

Goals specific to the Arlington North District and/or the Property:
• Retain residential scale along Arlington Road as a transition between the urban core and suburban neighborhoods. (p. 138)

As discussed immediately above, the Project has been designed with the specific goal of transitioning the building scale from the high-rise development immediately adjacent to the east, to a 60-foot height limit at the Property, and the Bethesda Elementary School and single-family residences to the west and beyond. The streetscape and site landscaping will further support the residential character of the Project along Arlington Road.

• Improve access, mobility and pedestrian safety along Arlington Road. (p. 138)

The streetscape along Arlington Road will be greatly improved. Existing conditions leave pedestrians and other travelers facing sidewalks in a poor state and daunting options for mobility along this major Bethesda street. There are currently four curb cuts along the Property’s Arlington Road frontage, and the Project will close up all of these existing curb cuts. Sidewalk elements will include planter strips, sidewalks, and street trees. Additionally, several small landscaped recesses along Arlington Road will provide an opportunity for pedestrians to pause and rest as they make their way north or south. Finally, the townhouse-style multifamily units along the southern end of the Project’s Arlington Road frontage and the southern end of the walkway include individual entrances to each unit, increasing residents’ interaction with a lively and safe streetscape.

• Promote redevelopment opportunities for under-utilized sites such as single-unit homes. (p. 138)

As noted above, the existing conditions at the Property are primarily characterized by precisely the underutilized sites that drive this Sector Plan goal for the Arlington North District. The single-family residential properties, currently being used as professional offices and other commercial sites, provide an excellent opportunity for redevelopment which supports other Sector Plan goals such as an increase in overall housing stock and mix of housing choices.

• Limit commercial and retail uses to preserve residential urban village character. (p. 138)

The Project does not propose any commercial or retail uses.
• *Limit height of new development along Arlington Road to a maximum of 60 feet.* (p. 138)

The proposed height of the Project is 60 feet. As discussed above, the building height measuring point for the Project is correctly located in the center of the Moorland Lane frontage, as shown on the Site Plan. Based upon this correct location, the building is 60 feet in height, as recommended by the Sector Plan and permitted under the Property’s zoning. That said, the Applicant has revised the project to address the Sector Plan guidance that height of new development Arlington Road should be limited to 60 feet. The Property falls in grade from north to south – a feature that is beyond the Applicant’s control. However, the design of the building has been revised from its original apportionment to reduce the building massing along the southern portion of the site and create a lower perceived building height. In order to create a more context-sensitive project, the Applicant has “stopped” the garage midway between Moorland Lane and Edgemoor Lane, and allowed the fall of the land to expose residential units on the downhill side, southern end of the project. This allows for a six-story appearance despite the slope of the Property. The plans have shifted the mass of the southern façade down one story and setback the top floor at a 1:1 ratio from the right-of-way in order to present it visually as a “penthouse”. In this tried and true formula, the southern portion of the building will now present itself as lower in height despite the property slope toward Edgemoor Lane.

• *Improve bike connectivity along Arlington Road and Edgemoor Lane.* (p. 140)

As noted above, the Sector Plan calls for separated bike lanes along Arlington Road and Edgemoor Lane, and the Project will accommodate this important component of the streetscape by dedicating the additional right-of-way needed for these improvements (with the bikeway improvements themselves to be constructed by the County at a future time).

• *Maintain the majority of heights as currently allowed, except the intermittent R-60 properties with a 35-foot maximum height. These R-60 properties should align with surrounding allowable heights and transition from high-rise buildings along Woodmont Avenue to low- to mid-rise buildings along Arlington Road.* (p. 140)
This Sector Plan recommendation is inapplicable, as the Sector Plan recommends rezoning of the one lot that is part of the Property and currently zoned R-60 (7505 Arlington Road), to CR-2.0, C-0.25, R-2.0, H-60.

8. The proposed development will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage. (Section 59-7.3.4.E.2.h.).

The Project will be served by adequate public facilities. The Property is located in the Bethesda-Chevy Chase school cluster, and this cluster has adequate capacity at all school levels (Bethesda Elementary, Westland Middle, and Bethesda - Chevy Chase High) to serve the future residents of the Project pursuant to the FY2018 Annual School Test. As discussed in detail in the Local Area Transportation Review, prepared by Wells + Associates and dated February 21, 2018, adequate public road and transportation facilities exist to serve the Project. Pursuant to the 2016 Subdivision Staging Policy, “[t]he Planning Board and staff must consider the programmed services to be adequate for facilities such as police stations, firehouses, and health clinics unless there is evidence that a local area problem will be generated”. There is no evidence of a local area problem, and thus the Property will be adequately served by police and fire protection. The Property is classified in the W-1 water category and S-1 sewer category, and therefore adequate public water and sewer facilities exist to serve the Project.

9. On a property in a Rural Residential or Residential zone, the proposed development is compatible with the character of the residential neighborhood. (Section 59-7.3.4.E.2.i.) This requirement is not applicable, as the Property is not located in a Rural Residential or Residential zone.

10. On a property in all other zones, the proposed development is compatible with existing and approved or pending adjacent development. (Section 59-7.3.4.E.2.j.) As described in detail above, the Project proposes a building that compatible in height and scale with the existing and pending nearby development in the Arlington North District of the Sector
Plan, including the immediately adjacent properties. Existing and proposed projects directly east of the site include much taller buildings than proposed for the Property. Consistent with the Sector Plan vision for lower heights moving away from Wisconsin Avenue, the proposed development serves as a transition project consistent with the east to west shift from more intensive, commercial and mixed-use development along the Wisconsin Avenue Corridor, to lower-scale development of a more residential character toward the western side of the Sector Plan area. A 1:1 stepback above the sixth floor at the southern end of the building façade along Arlington Road further reduces perceived height of the building along this western side.

V. FINDINGS REQUIRED FOR APPROVAL OF THE PRELIMINARY PLAN APPLICATION

In order to approve a preliminary plan of subdivision, pursuant to Section 50-4.2.D of the Subdivision Regulations, the Planning Board must make certain findings. The Preliminary Plan application satisfies the findings that the Planning Board must make, as follows:

1. **The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.**

This Preliminary Plan application proposes consolidation of the eight existing lots comprising the Property into one record lot to allow development of Project.

2. **The preliminary plan substantially conforms to the master plan.**

As described in detail above, the Project substantially conforms to the Sector Plan recommendations for the Arlington North District and the Property specifically.

3. **Public facilities will be adequate to support and service the area of the subdivision.**

As described above in detail above, all public facilities will be adequate to support and service the Project.

4. **All Forest Conservation Law, Chapter 22A requirements are satisfied.**

All applicable requirements for forest conservation under Chapter 22A are satisfied. Under Section 22A-5(s) and, as confirmed in a letter dated from M-NCPPC dated July 12, 2017, the Project is exempt from forest conservation requirements (but plantings will be provided throughout the Project, as detailed above).
5. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.

The Applicant will provide sediment and erosion control and water quality treatment for stormwater as required by County laws, rules, and regulations. The stormwater management concept plan was submitted to MCDPS on September 18, 2018, demonstrating environmental site design to the maximum extent practicable. The second submission addressing MCDPS comments was made on January 9, 2018. The Applicant will continue to coordinate with MCDPS on all required sediment and erosion control and stormwater management approvals as the entitlement process progresses.

VI. CONCLUSION

The Applicant respectfully requests that the Planning Board grant approval of the Applications, thereby allowing the construction of this optional method residential development Project in the CR Zone. As explained above and in the plans submitted with the Applications, the Project satisfies all of the findings that the Planning Board must make in approving the Preliminary Plan and Site Plan. Given its proximity to transit but the very aging nature of most of the existing structures on the Property, the Project will provide additional housing options proximate to transit, at an appropriate scale given its location in the Arlington North District, and represents a significant upgrade to both the buildings on the Property as well as the pedestrian experience along the Property’s frontages.