

driveway is designed with lighted bollards, planters, pavers, and pole lights to separate pedestrian and vehicular traffic. This raised vehicle area is designed to slow through traffic and to prioritize the pedestrian movements in this zone.

The through-block connection north of the east-west private driveway will be constructed as part of Phase 2. This northern portion of the through-block connection will consist of a central plaza along Banneker Avenue that will serve as a gateway to the mixed-use development to the north and is intended for more active use. This plaza design has an amphitheater and serves as a space for gathering, performing, casual seating and relaxing. The edge of the plaza will have stairs, seat walls, movable tables and chairs, which will provide a variety of seating opportunities. The 12-foot grade change also serves as an opportunity to showcase the stormwater management practices on site via stepped walls and scuppers. The flexible design of this plaza area allows for a variety of programming to occur, such as seasonal markets and other outdoor events. The full details of this open space will be reviewed as part of a future Site Plan Amendment Application for Phase 2.

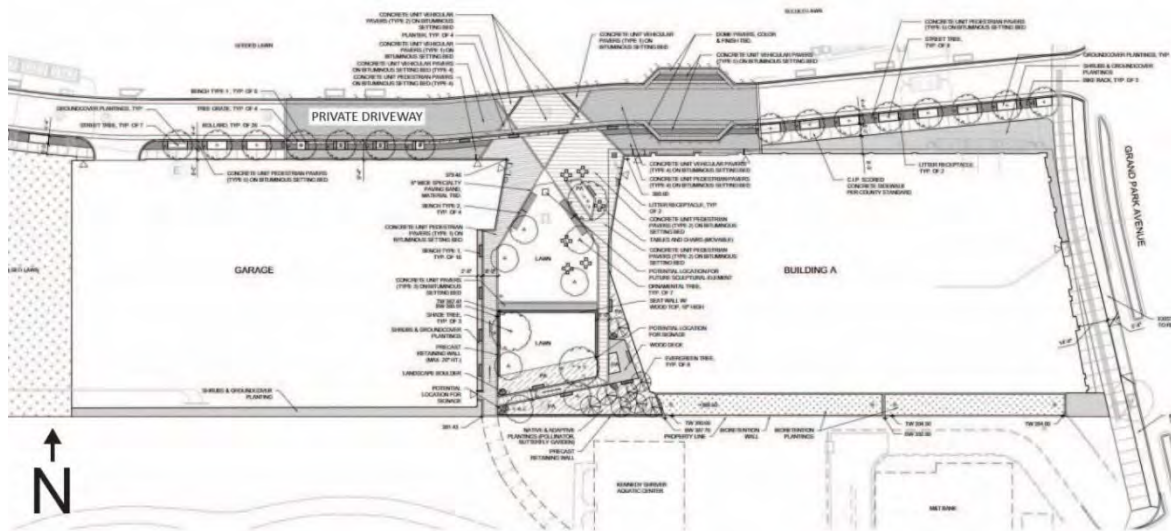


Figure 11 – Through-block Connection Phase 1 Landscape Plan

TRANSPORTATION

Vehicular access to the Property is primarily proposed through a private driveway that connects Old Georgetown Road and Grand Park Avenue and that connects to the proposed garage. Future Building C’s loading bay will be accessed via the private driveway. The private driveway will also include a vehicle layby area between Building A and Building B. Additionally, there are two loading bays proposed that have separate access points. The first serves Building A and is accessed from Grand Park Avenue. The second will serve future Building B and is accessed from Banneker Avenue.

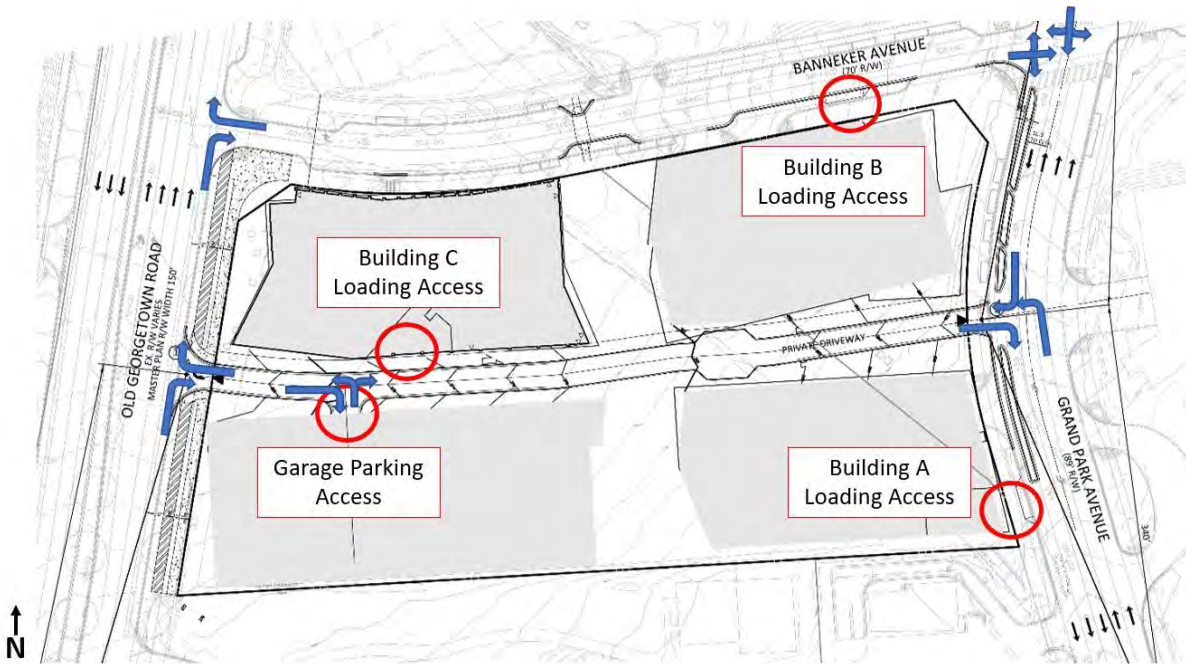


Figure 12 - Vehicle Loading and Access Locations

The private driveway is designed as a two-lane roadway with 10-foot-wide travel lanes in each direction. At the center of the site where the road intersects with the proposed through-block connection, it will function as a pedestrian focused street with a flush curb design and a plaza on each side.

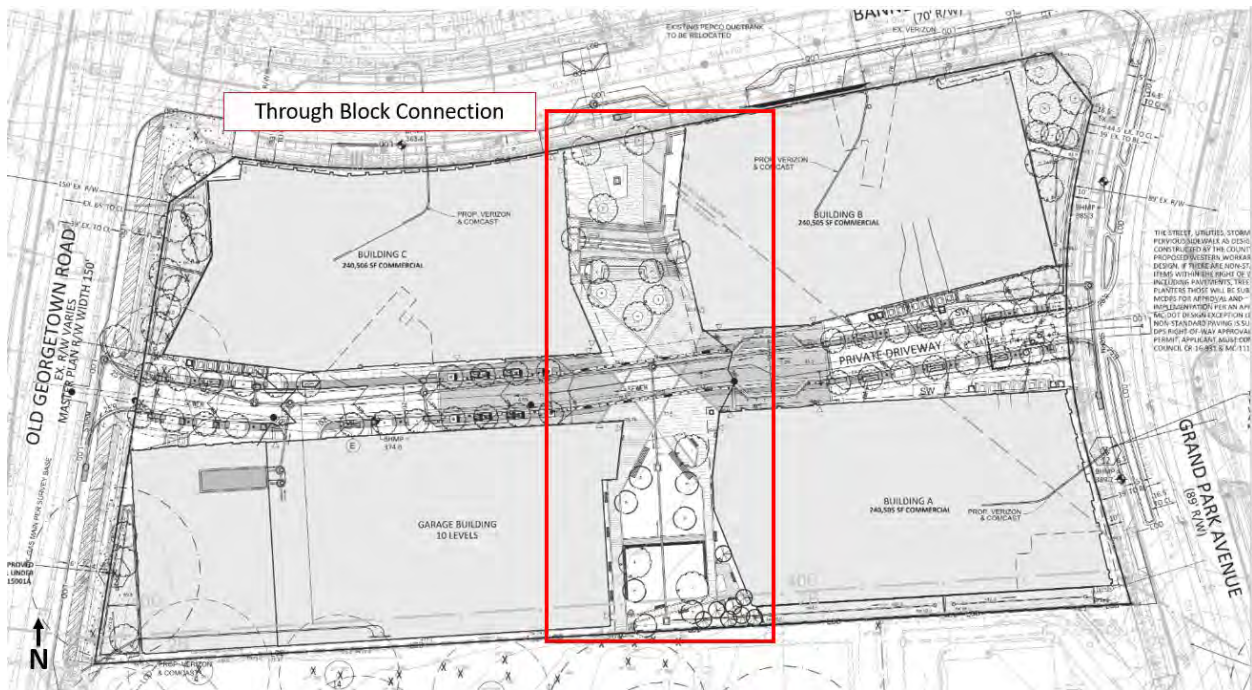


Figure 13 - Through Block Connection

On each end of the private driveway, the 10-foot-wide travel lanes are buffered by a 5-foot-wide street buffer and a 5-foot-wide sidewalk on both sides. Just to the east of the intersection of the private driveway and the through block connection there is a proposed layby zone that provides a 13-foot-wide area for pick-up and drop-off activity adjacent to Building A and future Building B.

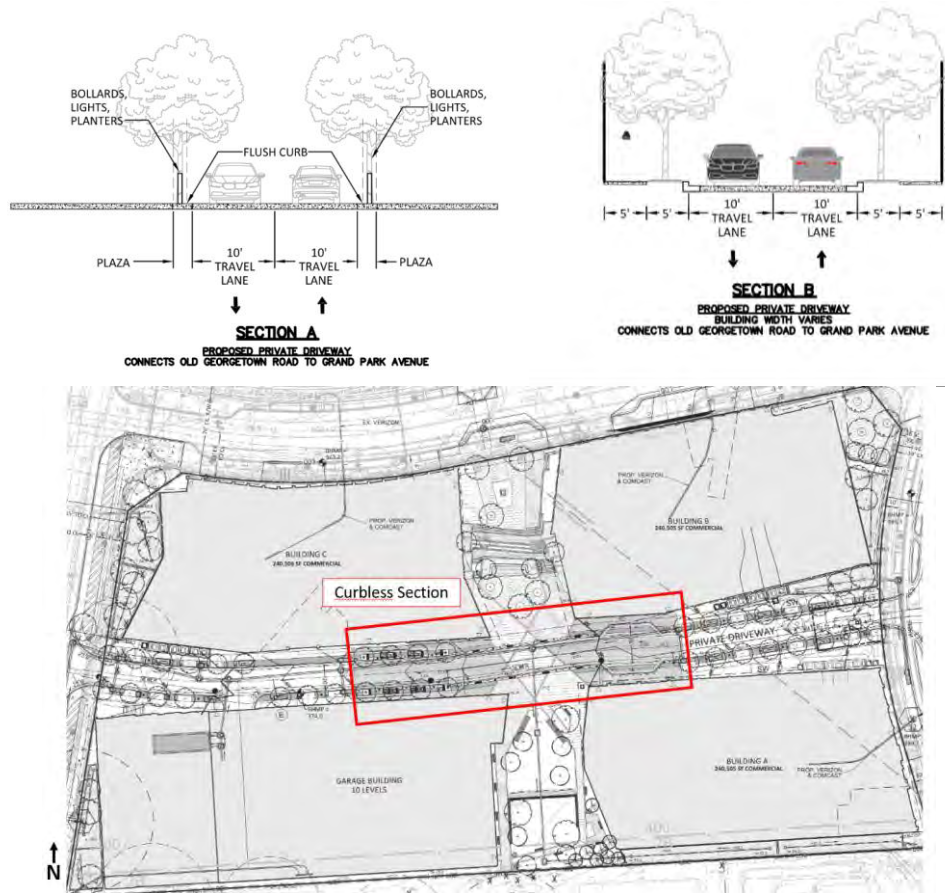


Figure 14 - Private Driveway Cross-Section

The parking garage, which will be constructed as part of Phase 1, will serve the entire development as well as providing a minimum of 100 parking spaces leased by the County for users of Wall Local Park, KSAC, and Josiah Henson Museum. At Phase 1, the parking structure will include 692 vehicle spaces, which is more than the minimum (236 spaces) and fewer than the maximum (709 spaces). The total spaces include twelve motorcycle, ten Electric Vehicle charging spaces, six car share spaces, nineteen standard ADA spaces, and five ADA van spaces. The parking garage will also contain seventy-five long-term bicycle parking spaces. Given the unique site characteristics and the unified site plan development, the long-term bicycle parking may be located entirely within the parking garage, waiving the requirement of Section 59.6.2.6.B.1.C for all future site plan amendment applications pertaining to the realization of the Phases 2 and 3.

Pedestrian and bicycle access will be provided from improved sidewalk and bicycle facilities along the site frontages of Old Georgetown Road and Grand Park Avenue and an improved mid-block crossing across Banneker Avenue that connects to the through-block connection that bisects the site.

Old Georgetown Road, which is part of the Breezeway Network, will have an 8-foot-wide sidewalk and an 8-foot-wide bicycle path with a 4-foot-wide buffer between the two. A 6-foot-wide street buffer will

separate these facilities from the roadway. An on-street 6-foot-wide bike lane with a 3-foot-wide bike lane buffer will also be present on the roadway.

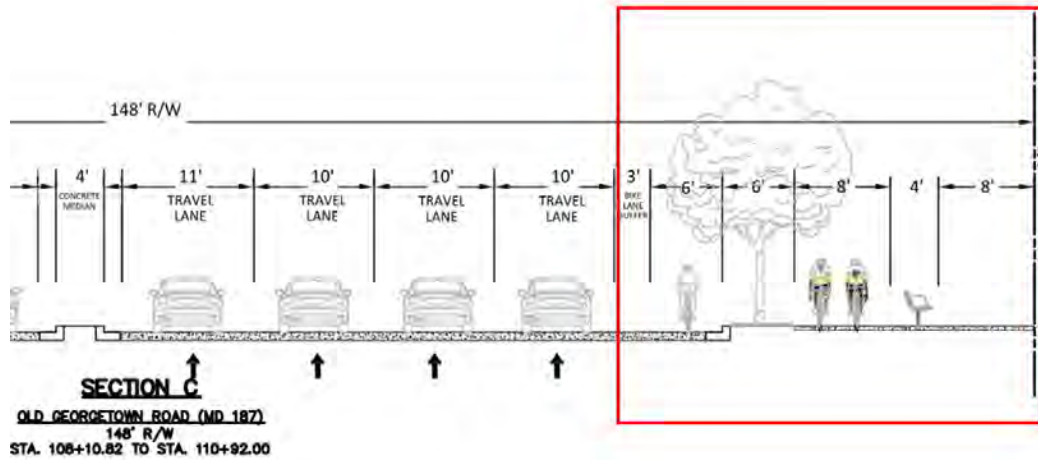


Figure 15 - Old Georgetown Road with Subject Property Frontage Improvements Outlined in Red

Banneker Avenue will maintain the existing 10-foot-wide shared use path with a 6-foot-wide street buffer. On Grand Park Avenue, the existing 10-foot-wide sidewalk and 6.5-foot-wide buffer will be retained, while a separated bikeway that includes a 6.5-foot-wide bike lane and 5-foot-wide buffer will be added. Per the MCDOT letter dated May 18, 2023, MCDOT recommends a bus stop be installed at the corner of Old Georgetown Road and Banneker Avenue.

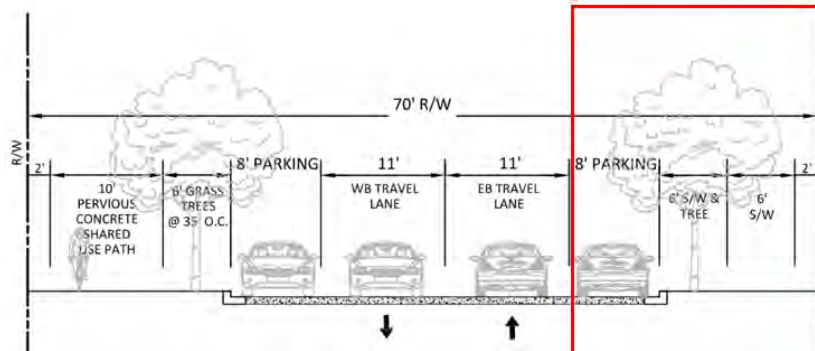


Figure 16 - Banneker Avenue Frontage looking east

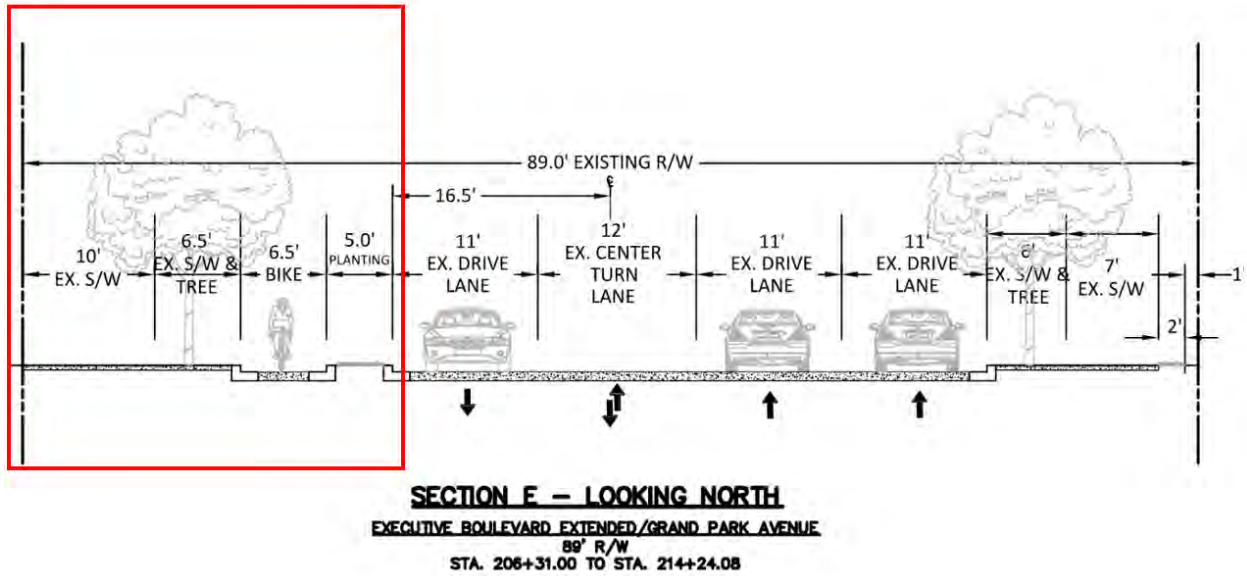


Figure 17 - Grand Park Avenue with Subject Property Frontage Improvements Outlined in Red

Environment

The Final Forest Conservation Plan requires the provision of 0.63 acres of afforestation. The Applicant has already provided 0.79 acres of mitigation in an M-NCPPC approved offsite forest bank through the preservation of 1.58 acres of existing forest. Please see the analysis in the Preliminary Plan Finding 4 and Site Plan Finding 1.e.ii of this Staff Report for an expanded explanation of the Forest Conservation Plans.

SECTION 5: FINDINGS AND ANALYSIS

SKETCH PLAN AMENDMENT 32013001A

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

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

Table 2: Evolution Labs North Bethesda Sketch Plan Data Table for CR Zone, Optional Method, Section 59.4.5.4

Development Standard	Permitted/ Required	Proposed
Tract Area	n/a	222,744 sf
Site Area	n/a	183,106 sf
Mapped Density CR-3.0, C-1.5, R-2.5, H-70’ CR-4.0, C-2.0, R-3.5, H-250’	3.0 FAR 4.0 FAR	3.18 FAR (achieved through density averaging)
Commercial (GFA/FAR)		3.18 FAR ⁶
Total Mapped Density (GFA/FAR)		3.18 FAR
Total GFA/FAR		3.18 FAR
Building Height, max average	150 ft	150 ft ⁷ (achieved through height averaging)
Public Open Space (min s.f.)	18,311	20,000

The Applicant is eligible for additional building height through the use of height averaging through the provisions of Section 59.4.5.4.B.5 because the Subject Property: 1) is located in a 2020-2024 Growth and Infrastructure Policy Red Policy area; 2) fronts on three (3) public streets that are classified as an Area Collector or higher roadway designation; 3) does not abut or confront a property in an Agricultural, Rural Residential, Residential Detached, or Residential Townhouse zone that is vacant or improved with an agricultural or residential use; and 4) achieves Public Benefit points for Adaptive Buildings under Section 59.4.7.3.D.1.

Additional building height for the proposed research and development uses is permitted because the development site includes a property with a mapped height of 100 feet or less. The weighted average building height for the Property’s split zoning between 70 feet and 250 feet is 111 feet, which is permitted to be increased by 1.5 times in accordance with Section 59.4.5.4.B.5.b. of the Zoning Ordinance for a total building height allowed of 166.5 feet, which is in excess of the maximum building

⁶ In accordance with Zoning Code Section 59.4.5.4.B.5.c

⁷ In accordance with Zoning Code Section 59.4.5.4.B.5.b

height allowed under Section 59.4.5.4.B.5.b.i. As a result, the Subject Application proposes a maximum of 150 feet of building height, as permitted by Section 59.4.5.4.B.5.b.i of the Zoning Ordinance.

The Subject Application is also utilizing density averaging to reach 709,396 square feet of allowable development. The weighted average of total allowable FAR on the Subject Properties is 3.18 FAR, which when applied to the gross tract area of 5.11 acres results in 709,396 square feet of total allowable development.

Additionally, the Applicant is proposing to re-allocate the Property's mapped residential FAR to nonresidential FAR pursuant to Section 59.4.5.4.B.5.c such that a total of 709,396 square feet of research and development uses can be developed.

A breakdown of the parcels of land being used for height and density averaging can be found in this Staff Report in Figure 3 and Table 1 on pages 19 and 20.

a) Implement the recommendations of applicable master plans (59.4.5.1.A)

The Subject Property is located within the area identified by the 2010 *White Flint Sector Plan* as the Metro West District. More specifically, the Property consists of a portion of the areas identified as Block 1: Conference Center and Block 2: Wall Local Park (Sector Plan, page 28). The specific recommendations of the Sector Plan have been met, as outlined below:

Sector Plan Page 29: "Rezone the rest of the block to CR-3.0, C-1.5, R-2.5, H-70 to ensure a transition in height and density between Block 1 at the Metro station and the existing residential development across Old Georgetown Road."

The Project's proposal for three research and development buildings with up to 150 feet of building height through the use of height averaging will allow for a transition in building height between the intensive uses to the east and the single-family residential community on the west side of Old Georgetown Road.

Sector Plan Page 28: "Properties zoned C-2 and TS-R fronting Rockville Pike should be rezoned to CR-4, C-3.5, R-3.5, H-300 with the remainder of the block CR-4, C-2, R-3.5 and H-250. The lower height in the block's interior will be consistent with residential development across Marinelli Road, which is 200 feet or greater. The Conference Center property is split zoned to accommodate taller buildings along Rockville Pike and lower buildings on the west."

The portion of the Property that is located in the Conference Center Block allows for up to 250 feet of building height, which allows for the use of height averaging in accordance with Section 59.4.5.4.B.5 of the Zoning Ordinance. Consistent with the Sector Plan vision for the Metro West District, the Project will allow for a compatible transition between taller buildings on Rockville Pike and the single-family community to the west of Old Georgetown Road.

Sector Plan Page 29: "The land area remaining after the intersection realignment of Old Georgetown Road and Executive Boulevard will be reconfigured into rectangular blocks in sizes more conducive to redevelopment."

The Project allows for consolidation of the former Executive Boulevard right-of-way and a portion of the Conference Center's surplus land through the disposition and abandonment processes to create

two reconfigured parcels that will accommodate a cluster of urban research and development buildings.

Sector Plan Page 28: “The Plan recommends public investment in the Market Street Civic Green promenade, and outdoor recreational facilities at Wall Local Park. Assembly or combined development would best create the proposed street grid, especially in Blocks 1 and 2.”

The Applicant is proposing significant investment in public infrastructure and open space as part of the Project. In addition to streetscape improvements along Banneker Avenue, Grand Park Avenue and Old Georgetown Road, the Subject Application proposes a total of 20,000 square feet of public open space in the form of a pocket park at the intersection of Banneker Avenue and Grand Park Avenue, and a pedestrian through-block connection between Wall Local Park and Banneker Avenue. As a result, the Project is providing more than the minimum amount of public open space, which will enhance the existing recreational facilities at Wall Local Park and the Kennedy Shriver Aquatic Center. Furthermore, the Applicant is providing 100 parking spaces for lease by the County for public use to accommodate the needs of Wall Local Park, Kennedy Shriver Aquatic Center and Josiah Henson Museum, which will allow for the revitalization of Wall Local Park by Montgomery Parks.

Sector Plan Page 60: “This Plan envisions a public/private partnership with adjacent properties to relocate the surface parking within a parking structure built in conjunction with new residential development. This would help redirect public sector funds from building structured parking on-site to improving Wall Local Park.”

The Project incorporates a parking garage with up to 100 public parking spaces to be leased by the County, which will allow for removal of the surface spaces in Wall Local Park and the potential for park improvements at Wall Local Park.

Sector Plan Page 6: “There are few locations remaining in Montgomery County where excellent transit service and redevelopment potential coincide. The MD-355/I-270 Corridor is a historic travel and trade route that links communities in Montgomery County to those in Frederick County. In the last 30 years the corridor has emerged as a prime location for advanced technology and biotechnology industries with regional shopping and cultural destinations.”

While the Sector Plan expressly acknowledges and supports locating research and development uses in the Sector Plan boundaries, the more recently adopted 2022 Montgomery County Economic Development Strategic Plan recommends recruiting “life sciences companies to Montgomery County to increase the density of its bio-health establishments.” The Project’s inclusion of a cluster of research and development buildings is in keeping with this recommendation.

As noted above, the Subject Application conforms to the specific recommendations of the 2010 *White Flint Sector Plan*.

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

The Project allows for infill redevelopment of an underutilized property to create a cluster of life science uses that will realize the Sector Plan vision for a reconfigured block with streetscape improvements, public open space, and public benefits.

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

The Application will introduce a new commercial use to the Sector Plan area in the form of urban life science buildings, which will complement the existing mix of residential, retail, and employment uses in the vicinity of the Property. The redevelopment will revitalize this portion of the Metro West District through the construction of streetscape improvements along Banneker Avenue, Grand Park Avenue, and Old Georgetown Road, while also delivering a pocket park and a through-block connection that will activate and enhance Wall Local Park. All parking is proposed in a structured parking facility; therefore, parking will be prohibited between the street frontages and buildings.

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

The Project includes three research and development buildings with up to 150 feet of building height across the Property. The additional density and height proposed as part of the Application is designed in a manner that is context-sensitive to the adjacent single-family community to the west and that will create a transition to more intensive uses to the north and east.

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

While there is an abundant supply of housing options in the Sector Plan area (including several approved but unbuilt residential projects in the pipeline), the Project proposes to enhance the County's commercial tax base through development of up to 709,396 square feet of research and development uses.

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

The Subject Application demonstrates that the Project will satisfy the CR Zone requirements for an optional method project. More specifically, the Project will provide more than the minimum required Public Benefit points (100 points) from six (6) different benefit categories. The Application is seeking 121.55 Public Benefit points, 57 of which will be provided as part of Phase 1.

Table 3: Public Benefits

Category	Subcategory	Total Points	Phase 1 Building A	Phase 2 Building B	Phase 3 Building C
Major Public Facility	Public parking spaces for lease by the County in shared garage	26.21	26.21	0.00	0.00
Transit Proximity	Site within 1/4 to 1/2 mile of North Bethesda Metro	30.44	10.15	10.15	10.15
Connectivity and Mobility	Minimum Parking	8.67	2.50	3.09	3.09
	Through-block Connection	10	3.33	3.33	3.33
Diversity of Uses and Activities	Adaptive Buildings	7.5	2.50	2.50	2.50
Quality Building and Site Design	Exceptional Design	10	3.33	3.33	3.33
	Public Open Space	0.92	0.92	0.00	0.00
	Structured Parking	10	3.33	3.33	3.33
Protection and Enhancement of the Natural Environment	Building Lot Terminations	12.81	2.72	5.05	5.05
	Cool Roof	5	1.67	1.67	1.67
		121.55	56.66	32.45	32.45

Major Public Facility

The Subject Application proposes construction of approximately 100 public parking spaces in a shared structured parking facility to be leased by the County, which will facilitate enhanced public use of Wall Local Park by allowing for the removal of the existing surface parking lot. This provision of parking was discussed in the Sector Plan, which envisions the relocation of the existing surface parking lot on Wall Local Park so that “there will be space for outdoor recreational facilities” at Wall Local Park. Consistent with the previous Site Plan, which granted Public Benefit points for allocating space on the development site for public parking spaces with the recognition that such spaces would be funded through public financing, this Subject Application carries forward the same approach.

Also anticipated is the construction of an access driveway connecting the Kennedy Shriver Aquatic Center vehicular drop-off loop directly with the shared parking garage at the southwest of the Subject Property. The design of the Project’s parking garage includes an entrance near the southwest corner of the Phase 1 garage where the anticipated access driveway will connect. The details of this access road will be reviewed and determined as part of a future Mandatory Referral Application. The Subject Staff Report conditions that the Applicant submit this Mandatory Referral before issuance of first above-grade building permit for proposed Building A.

The Subject Application is seeking 26.21 Public Benefit points for the provision of 100 public parking spaces, estimated to be approximately 24,000 square feet of floor area, within the structured parking garage to be leased by the County. All of the public parking spaces will be constructed as part of Phase 1, and therefore all points in this category are proposed to be awarded for Phase 1. The Public Benefit points for Major Public Facility were calculated as shown below.

Table 4: Major Public Facilities

Major Public Facilities		
N	Net Lot Area	183,106
L	Land Area Conveyed	0
F	Floor Area Conveyed	24,000
C	Constructed Area of Facility	0
	$\frac{((L+F)/N)*2}{100}$	
	$\frac{((24000/183,106)*2)}{100} =$	26.21 points

Transit Proximity

The Subject Application seeks 30.44 Public Benefit points based on the Subject Property’s proximity to the North Bethesda Metrorail Station. The Subject Property contains areas that are within 1/4 mile of the transit station, and other areas that fit within the ¼ mile to ½ mile from transit classification. Due to the different proximity classifications, the Public Benefit points are calculated using a weighted average between the two classifications.

Table 5: Transit Proximity

Transit Proximity		
T	Total Tract Area	224,221 sf
t1	Tract Area within 1/4 mile of Transit	9,973 sf
t2	Tract Area between 1/4 and 1/2 mile of Transit	214,248 sf
P1	Points for Proximity Range 1 (w/in 1/4 mile)	40 points
P2	Points for Proximity Range 2 (b/w 1/4 mile and 1/2 mile)	30 points
	$(t1/T)*P1 + (t2/T)*P2$	
	$(9,973/224,221)*40 + (214,248/224,221)*30$	
	$1.78+28.66 =$	30.44 points

Minimum Parking

The Subject Property is located in a Reduced Parking Area pursuant to Section 59.1.4.2 of the Zoning Ordinance because the Property is not located in a Parking Lot District but is zoned CR. As a result, the Project is eligible for Public Benefit points for providing fewer than the maximum allowable parking spaces specified by the Zoning Ordinance. The Subject Application is seeking 8.67 Public Benefit points by proposing significantly fewer parking spaces than the maximum allowed in the Zoning Code. For purposes of calculating Public Benefit points, the 100 parking spaces being constructed and leased to the County for public users of Wall Local Park, the Kennedy Shriver Aquatic Center, and Josiah Henson Museum are not counted towards parking counts.

Table 6: Minimum Parking

Minimum Parking		
R	Minimum Parking Allowed	710 spaces
A	Maximum Parking Allowed	2,129 spaces
P	Proposed Parking	899* spaces
	$((A-P)/(A-R))*10$	
	$((2,129-899)/(2,129-710))*10$	
	$(1,230/1,419)*10 =$	8.67 points

*does not include 100 spaces to be leased by the County

Through-block Connection

The Project includes a north-south through-block connection between Banneker Avenue and Wall Local Park, in accordance with the Sector Plan vision for enhanced public amenities in the Metro West District. The Subject Application is seeking 10 points by providing this through-block connection through the Subject Property. The through-block connection is discussed in greater detail in the Open Space section on page 28 of this Staff Report. In order to be awarded the maximum of 10 points, the through-block connection must 1) be an open-air connection, 2) be at least 15 feet wide, and 3) be open to the public between 8AM and 9PM and provide a connection to public parking. All three of these criteria are met and therefore Staff recommends that the project be awarded 10 Public Benefit points.

Adaptive Buildings

The Subject Application seeks 7.5 Public Benefit points in the Adaptive Buildings category. This Public Benefit is required in Zoning Ordinance Section 59.4.7.3.D.1. and Section 59.4.5.4.B.5. as part of the proposed height averaging on the property. The life science buildings are designed with minimum floor-to-floor heights of at least 15 feet on all floors. Further, internal structural systems are robust and able to accommodate various types of uses with only minor modifications. The lobby and vertical circulation are arranged such that the building can accommodate reconfiguration into office or residential units in lieu of the lab space, with the research and development uses continuing to be the primary use at the Project. Staff recommends that 2.5 points be granted for each of the three proposed buildings, for a total of 7.5 points.

Exceptional Design

In order to achieve Public Benefit points for Exceptional Design, the following criteria must be met:

- Provides innovative solutions in response to the immediate context
- Creates a sense of place and serves as a landmark
- Enhances the public realm in a distinct and original manner

- Materials, forms, or building methods unique to the immediate vicinity or applied in a unique way
- Compact, infill development so living, working and shopping environments are more pleasurable and desirable
- Integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements

The Subject Application seeks 10 points for Exceptional Design. The Project is eligible because the proposed building and site design will have visual and functional impacts that will enhance the character of the Metro West District. The Project will be constructed of high-quality materials, with aluminum window systems glazed in Low-E insulated windows extending from the lab bench height to the ceiling. A horizontally oriented rain-screen will include both a scale and pattern to bring richness to the façade and a scale that reads both at the pedestrian level and the larger scale of the building. Painted aluminum detailing and projections at glazed areas of the façade will enhance the horizontal movement in the building and further articulate the surface of the building in a color and finish that will reflect light throughout the day. The base of the building will be scaled to the pedestrian with a low cornice and articulated vertical columns and piers to create a rhythm across the building façade. The design of the Project also showcases stormwater management by using various elements like stepped walls and scuppers that highlight the stormwater management process at various stages. All of the criteria of Exceptional Design have been met, and therefore Staff supports 10 Public Benefit points for this category.

Public Open Space

The Subject Application seeks 0.92 Public Benefit points for providing more than the minimum required public open space on site. Based on the net lot area of 183,106 square feet, the Zoning Code-required minimum public use space is 18,311 square feet, or 10% of the net lot area. The Applicant proposes to provide 20,000 square feet of public use space. Based on the calculations shown below, Staff supports 0.92 Public Benefit points for this category.

Table 7: Public Open Space

Public Open Space		
N	Net Lot Area	183,106
R	Required Public Use Space	18,311
P	Provided Public Use Space	20,000
	$((P-R)/N)*100$	
	$((20,000-18,311)/183,106)*100 =$	0.92 points

Structured Parking

The Subject Application seeks 10 Public Benefit points for providing a structured parking garage. The structured parking garage will contain 999 above-ground spaces and zero below-ground spaces. For purposes of this category, the parking spaces that will be leased to the County for public use are included in the overall parking counts. Staff supports 10 points for this category.

Table 8: Structured Parking

Structured Parking		
A	Above-grade Spaces	999 spaces
B	Below-grade Spaces	0 spaces
T	Total Spaces	999 spaces
	$((A/T)*10)+((B/T)*20) =$	10 points

Building Lot Terminations

The Subject Application seeks 12.81 Public Benefit points for the purchase of Building Lot Terminations. The Subject Application requires the provision of incentive density, which necessitates the use of Building Lot Terminations. The Project proposes 598,024 square feet of incentive density, which will require 1.4239 BLT easements at full build-out. However, as part of Phase 1 development of Building A, 0.3025 BLT easements are required. The Applicant proposes to phase the required BLT easements such that a partial BLT easement will be provided for Building A, with the remaining BLT easements satisfied during future phases of development. The Applicant will be required to purchase 1.4239 BLTs, which equates to 12.81 Public Benefit points, as shown below.

Table 9: Building Lot Terminations

Building Lot Terminations		
I	Incentive Density	598,024 sf
D	7.5% of Incentive Density	44,852 sf
B	BLTs required (One for every 31,500 sf of D)	1.4239 BLTs
-		
	$B*9 =$	12.81 points

Cool Roof

The Subject Application seeks 5 Public Benefit points for providing a Cool Roof. On sites larger than one acre, Public Benefit points for this category are limited to a maximum of 5. Twenty-seven thousand (27,000) square feet of the 80,000 total square feet of roof area will qualify as a Cool Roof, which qualifies the Project for the maximum of 5 points.

2. Substantially conforms to the recommendations of the applicable master plan;

As discussed in the Sketch Plan Finding 1.a above, the Application complies with the Sector Plan's recommendations for the Subject Property and Metro West District.

3. The Sketch Plan satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014;

This requirement is not applicable as there is no development plan or schematic development plan for the Property.

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

The Project will be both internally and externally compatible with existing and pending nearby development. The building massing, open space, and circulation systems are designed to allow for a compatible transition from the urban core of the Sector Plan to Wall Local Park and the single-family residential community to the west of Old Georgetown Road. The Project incorporates a through-block connection between Banneker Avenue and Wall Local Park, to create the civic and recreational amenities envisioned in the Sector Plan. The Project will allow for delivery of significant employment opportunities near both the North Bethesda Metro Station and a variety of retail and residential uses, to further the Sector Plan vision for "improving the jobs-housing balance in the I-270/MD 355 corridor" (page 24).

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

The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking and loading. Vehicular access to the Subject Property will occur primarily via an east-west private driveway that connects Old Georgetown Road to the west of the site with Grand Park Avenue to the east of the site. The proposed parking garage that will serve the site will be accessed off of the private driveway as will the loading bay access for Building C. A layby area is also located on the private driveway. Loading bay access for Building B will be accessed via Banneker Avenue to the north and loading bay access for Building A will be accessed via Grand Park Avenue.

Pedestrian and bicycle access will be improved along Old Georgetown Road, Banneker Avenue, and Grand Park Avenue and will be improved through the development of a north-south through-block connection that bisects the site. This will provide a safe pedestrian connection from Banneker Avenue to the north with Wall Local Park to the south. The private driveway will also include pedestrian facilities, providing east-west connectivity through the site.

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

As described in Sketch Plan Finding 1.f above, the Applicant proposes to exceed the required 100 Public Benefit points by seeking 121.55 points. The Applicant is seeking points for Major Public Facility (provision of public parking), Transit Proximity, Minimum Parking, Through-Block Connection, Adaptive Buildings, Exceptional Design, Public Open Space, Structured Parking, Building Lot Terminations, and Cool Roof.

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

The Applications establish a feasible and appropriate phasing plan for build-out of the three research and development buildings. The required rights-of-way, sidewalks, dedications, and public open space will be phased appropriately. All of the public parking spaces to serve users of KSAC, Wall Local Park and Josiah Henson Museum will be provided in the first phase of development as well. The Sketch Plan illustrates how Public Benefit points will be phased through development of Buildings A, B and C. Prior to development of Buildings B and C, the Applicant will need approval of site plan amendments containing the details of those proposed buildings.

PRELIMINARY PLAN AMENDMENT 12015001B

The Preliminary Plan Amendment proposes to create two parcels, one for Phase 1 of development, and one for Phases 2 and 3, for a total of 709,396 square feet of commercial R&D development. Parcel A, which will include Phase 1, will be 105,698 square feet, and Parcel B, which will include future Phases 2 and 3, will be 74,165 square feet.

The Applicant proposes a Preliminary Plan validity period of three years for Parcel A, and a Preliminary Plan validity period of six years for Parcel B, in accordance with the provisions and requirements of Section 50.4.2.G.2.b of the Subdivision Regulations. The Applicant proposes an Adequate Public Facilities validity period of five years for Phase 1, seven years for Phase 2, and ten years for Phase 3, in accordance with the provisions of Section 50.4.3.J of the Subdivision Regulations. These proposed validity periods are within the ranges prescribed in the Subdivision Regulations, and therefore no further findings are required.

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application has been reviewed by other applicable State, County and City agencies.

- 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.**
 - a. The block design is appropriate for the development or use contemplated**
 - b. The lot design is appropriate for the development or use contemplated**
 - c. The Preliminary Plan provides for required public sites and adequate open areas**
 - i. Master Planned Sites**
 - ii. Local Recreation**
 - iii. Transportation and Utilities**
 - d. The Lot(s) and Use comply with the basic requirements of Chapter 59**

The Preliminary Plan Amendment will allow for consolidation of the various parcels comprising the development site to allow for two reconfigured parcels as envisioned by the Sector Plan. The size, width, shape, orientation, and density of the proposed parcels are all appropriate given the Property's location in the Metro West District of the Sector Plan. The proposed reconfigured parcels will be bounded by Old Georgetown Road to the west, Banneker Avenue to the north, and Grand Park Avenue to the east. The proposed subdivision also contains a private internal driveway that will bisect the Subject Property running east-west, which will allow for safe and efficient multi-modal transportation options. As stated in the required findings for approval of the Sketch Plan and Site Plan, the Preliminary Plan complies with all requirements in the Zoning Ordinance.

2. The Preliminary Plan substantially conforms to the Master Plan.

As described in detail above in Sketch Plan Finding 1.a, the Subject Application complies with the Sector Plan’s recommendations for the Subject Property and Metro West District.

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

As described in the finding below, all public facilities will be adequate to support and service the Subject Applications.

a) Roads and other Transportation Facilities

i. Existing Facilities

Old Georgetown Road is a Downtown Boulevard with varied right-of-way width and a master-planned width of 150 feet total. It currently has six travel lanes and a 10-foot-wide side path on the west side of the street.

Banneker Avenue is a Downtown Business Street with right-of-way width of 70 feet total. It currently has two travel lanes and a 6-foot-wide sidewalk on the south side of the street and a 10-foot-wide sidewalk on the north side of the street.

Grand Park Avenue is a Downtown Boulevard with an existing right-of-way width of 89 feet. It currently has two-travel lanes and a 10-foot-wide side path on the west side of the street and a 7-foot-wide sidewalk on the east side of the street.

The immediate area is well served by transit that includes the Red Line North Bethesda Metrorail Station located a block to the east. The Station is served by regional rail as well as several Montgomery County Ride On bus routes as well as WMATA bus route C8 which provides service between the North Bethesda Metrorail Station and College Park. While there are no bus stops located along the project frontage, there are stops nearby including to the north on Old Georgetown Road and to the southeast on Marinelli Road. The bus stop on Old Georgetown Road is served by Montgomery County Ride On routes 5, 26, and 81. The bus stop on Marinelli Road is served by Ride On route 26.

- Route 5 provides Monday through Sunday service between the Twinbrook Metro Station and Silver Spring Metro Station.
- Route 26 provides Monday through Sunday service between the Glenmont Metro Station and the Montgomery Mall Transit Center.
- Route 81 provides Monday through Friday service between the Rockville Metro Station and the North Bethesda Metro Station.

Transportation Demand Management

As a project proposing a total square footage that is larger than 40,000 square feet within the North Bethesda Transportation Management District (TMD), a Red Policy Area as designated by the 2020-2024 Growth and Infrastructure Policy, the development is required to develop a Level 3 Results Transportation Demand Management (TDM) Plan with the Planning Board and MCDOT. The Applicant will also be required to participate

in the North Bethesda Transportation Management District (TMD). The 2010 *White Flint Sector Plan* identifies a 50% non-auto-driver mode share (NADMS) for employees.

ii. Proposed public transportation infrastructure

Pedestrian and bicycle improvements are proposed roadway frontages to be consistent with the 2010 *White Flint Sector Plan*, 2018 *Bicycle Master Plan*, and 2021 *Complete Streets Design Guide*. This includes constructing a 20-foot Breezeway that consists of an 8-foot bike path, a 4-foot pedestrian-bike buffer and an 8-foot sidepath on Old Georgetown Road. This will be buffered from the adjacent vehicular traffic with a 6-foot-wide street buffer.

On Banneker Avenue, the cross-section will largely remain the same as existing conditions. However, a mid-block crossing with bulb-outs will be added to connect to the proposed through-block connection that bisects the site. Additionally, the curb on the south side of the roadway will be expanded further to the west, removing some of the existing on-street parking. The existing curb-cut will be removed, and a new loading dock driveway access will be added further to the east. Per the MCDOT letter dated May 18, 2023 a bus stop is recommended to be installed on the corner of Old Georgetown Road and Banneker Avenue.

On Grand Park Avenue, the existing 10-foot wide sidepath and 6.5-foot-wide street buffer will be maintained. The on-street parking and shoulder area will be removed, and a 6.5-foot-wide separated bikeway and 5-foot-wide street buffer will be added.

iii. Proposed private transportation infrastructure

The Applicant proposal includes constructing a private driveway that runs east-west across the site, connecting Old Georgetown Road and Grand Park Avenue. The private driveway is designed as a two-lane roadway with 10-foot-wide travel lanes in each direction. At the center of the site where the road intersects with a proposed through block connection, it will function as a pedestrian focused street with a flush curb design and a plaza on each side. Through the topography of the site and the design of the road, the vehicular access will be at the same height as the pedestrian streetscape. In the areas of the roadway that are not flush, the 10-foot-wide travel lanes are buffered by a 5-foot-wide street buffer and a 5-foot-wide sidewalk on both sides. Just to the east of the intersection of the private driveway and the through-block connection there is a proposed layby zone that provides a 13-foot-wide area for pick-up and drop-off activity adjacent to Building A and Building B.

The parking garage for the site will be accessed off this private driveway as will one loading access driveway for Building C. The proposed development also includes a pedestrian through-block connection that connected Banneker Avenue to the north with Wall Local Park to the south.

b) Local Area Transportation Review (LATR)

Pursuant to the 2020-2024 Growth and Infrastructure Policy, the project is exempt from the LATR because of its location in the White Flint Special Taxing District. Any proposed development located in the White Flint Metro Station Policy Area is exempt from LATR if the development will be required to provide substantial funds to the Special Tax District created to finance master planned public improvements in the Policy Area. As a result, the transportation adequate facilities test is satisfied without further analysis.

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

Natural Resource Inventory/Forest Stand Delineation

A Natural Resource Inventory/Forest Stand Delineation for this site was approved by Planning staff on July 2, 2013 (NRI/FSD No. 420131890). The NRI/FSD identifies the environmental features and forest resources on the Subject Property. The site contains no streams or their buffers, wetlands or their buffers, hydraulically adjacent steep slopes, 100-year floodplains, or known occurrences of rare, threatened or endangered species. There is no forest on the property. The site lies within the Cabin John watershed. Cabin John Creek is a Maryland State Use Class I-P stream and is not within a Special Protection Area.

Chapter 22A, Forest Conservation

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. A Preliminary Forest Conservation Plan (PFCP No. 120150010) was approved with the first Preliminary Plan on the site. A variance request for impacts to specimen trees was reviewed and approved with the PFCP. The PFCP was amended with Preliminary Plan amendment 12015001A. The amended PFCP included an increase in the net tract area and forest mitigation requirements. The current Application includes an amendment to the PFCP that reflects changes to the lot lines for the project. The Preliminary Plan amendment complies with the Montgomery County Environmental Guidelines and the Forest Conservation Law, as conditioned in the Staff Report and described in Site Plan Finding 1.e.ii below.

Forest Conservation Variance

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection (“Protected Trees”). Any impact to these trees, including removal of the subject tree or disturbance within the tree’s critical root zone (“CRZ”) requires a variance under Section 22A-12(b)(3) (“Variance”). Otherwise, such resources must be left in an undisturbed condition. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The law requires no impact to trees that: measure 30 inches or greater DBH; are part of an historic site or designated with an historic structure; are designated as a national, State, or County champion tree; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

The original PFCP approval included approval of a variance request to remove one 35-inch diameter tulip poplar tree (tree #2), and to disturb the Critical Root Zone of one pin oak tree

(12% CRZ impact approved for tree #7). The adjusted LOD does not result in any new impacts to specimen trees, so no new variance is required with this Amendment. The variance approval required that three native canopy trees of at least 3 inches caliper must be planted on site to replace the functions lost from removal of the 35-inch DBH tulip-poplar tree. The species and planting locations of these trees must be shown on the Certified FFCP.

5. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS water resources division on May 19, 2023. The Application will meet stormwater management goals through a variety of techniques including Micro bio-retention and a Structural Vault.

6. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.

Not applicable to this Property.

7. Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.

No other provisions apply to the Subdivision.

SITE PLAN AMENDMENT 82015001B

Section 59.4.5.4.A.1 requires that Optional Method projects in the CR zone receive an approved Site Plan under Section 59.7.3.4 for any development on a property with an approved Sketch Plan.

- 1. When reviewing an application, the approval findings apply only to the site covered by the application.**

The findings herein apply only to the Subject Property.

- 2. To approve a Site Plan, the Planning Board must find that the proposed development:**

- a) satisfies any previous approval that applies to the site;**

The prior development approvals for the Gables mixed-use project apply to the Property. However, the Subject Application proposes to supersede the prior development approvals to reflect the proposed cluster of research and development uses. The conditions contained in the Subject Application will fully supersede those of prior applications.

- b) 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;**

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

- c) 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;**

This section is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

d) satisfies applicable use standards, development standards, and general requirements under this Chapter;

i. Division 4.5.4 CR Zone

Table 10: Evolution Labs Site Plan Data Table for CR Zone, Optional Method, Section 59.4.5.4

Development Standard	Permitted/ Required	Proposed
Site Area (Parcel A)	n/a	105,698 sf
Mapped Density	3.0 FAR	3.18 FAR
CR-3.0, C-1.5, R-2.5, H-70'	4.0 FAR	(achieved through density averaging)
CR-4.0, C-2.0, R-3.5, H-250'		
Commercial (GFA/FAR)		3.18 FAR
Total Mapped Density (GFA/FAR)		3.18 FAR
Total GFA/FAR		3.18 FAR
Building Height, max average	150 ft	150 ft (achieved through height averaging)
Public Open Space (min s.f.)	10,029 (10%)	12,000 (11.96%)
Parking	Spaces Required (minimum/maximum)	Spaces Provided
Vehicle Parking	236/709	692 ⁸
Loading Spaces	Spaces Required	Spaces Provided
	1	1
Bicycle Parking	Spaces Required (Long Term / Short Term)	Spaces Provided
	40/7	45/7

ii. Division 4.7 Optional Method Public Benefits

In accordance with the Zoning Ordinance, Section 59.4.7.1, the Site Plan proposes 121.55 Public Benefit points in 6 categories to satisfy the requirements of Optional Method development to provide at least 100 points in 6 categories. As described in Sketch Plan Finding 1.f above, the Site Plan satisfies all of the development standards for an optional method development in the CR Zone.

iii. Division 59-6 General Development Standards

(1) Division 6.1 Site Access

Pedestrian and bicycle access to and around the Subject Property will be enhanced by frontage improvements on Old Georgetown Road and Grand Park Avenue. The Applicant will construct a 20-

⁸ Includes 100 parking spaces being constructed for users of the Kennedy Shriver Aquatic Center, Wall Park, and Josiah Henson Museum.

foot Breezeway on Old Georgetown which includes a 6-foot-wide street buffer, 8-foot-wide bicycle path, 4-foot-wide buffer, and 8-foot-wide pedestrian path. The applicant will also construct a 6.5-foot-wide separated bike path and a 5-foot-wide buffer on Grand Park Avenue. Additionally, a through-block connection will be provided, connecting the private driveway with Wall Local Park located to the south of the site.

Vehicular access to the site will primarily occur via a private driveway that connects Old Georgetown Road and Grand Park Avenue. The parking garage and a layby area will be accessed using this private driveway. In addition, a loading dock access will be provided off Grand Park Avenue to serve Building A.

The Project's through-block connection and pocket park will significantly improve pedestrian circulation to the North Bethesda Metro Station and adjacent mix of commercial and residential uses.

The MCDOT letter dated May 18, 2023 recommends a bus stop be installed on Banneker Avenue at the corner of Banneker Avenue and Old Georgetown Road, which will improve transit access to the Site.

(2) Division 6.2 Parking, Queuing and Loading

The parking garage will be accessed off the private driveway and will provide 692 vehicle parking spaces in Phase 1. This includes 100 spaces for users of Wall Local Park, the Kennedy Shriver Aquatic Center, and Josiah Henson Museum to be leased by the County. The provision of these spaces will implement part of the Sector Plan vision for the Metro West District by allowing for the removal and repurposing of the surface parking area in Wall Local Park. The 592 vehicle parking spaces committed to the private users of Building A exceeds the minimum parking requirement of 236 spaces and is below the maximum allowable parking of 709 spaces. The use of a private internal driveway bisecting the Property east-west will minimize conflicts between pedestrians and vehicular movements along the Property's frontages. A total of 45 long-term bicycle parking spaces are provided in secure bicycle parking within the parking garage. This is above the 40 required for the development. As conditioned, the required 7 short-term bicycle spaces will be located near the main entrance of the building. Vehicle loading to Building A will occur off Grand Park Avenue.

Given the unique site characteristics and the unified site plan development, the long-term bicycle parking may be located entirely within the parking garage, waiving the requirement of Zoning Ordinance Section 59.6.2.6.B.1.C. for all future Site Plan Amendment applications pertaining to the realization of Phases 2 and 3. The location of building entrances in future phases may or may not be within 200 feet of the long-term bicycle parking location. However, having a centralized long-term bicycle parking within the centralized parking garage serves the entire site and more dispersed long-term bicycle parking would not necessarily make long-term bicycle parking more convenient. Therefore, waiving this requirement for future phases is reasonable. Furthermore, it is also possible that future phases may have building entrances within 200 feet of the long-term bicycle parking location, rendering this waiver unneeded.

Safe, adequate, and efficient loading to the site will occur via Grand Park Avenue on the southeastern corner of the site.

(3) Division 6.3 Open Space and Recreation

Since the Subject Property’s tract area is between 3.01 and 6.00 acres and the Property has three (3) right-of-way frontages, 10% of the site is required to be provided as public open space. At full buildout, the Subject Application proposes a minimum of 20,000 square feet (10.9%) of public open space, which exceeds the minimum requirement of 18,311 square feet (10%). Phase 1 of the Project, covered by the Subject Site Plan Amendment, will provide 12,000 square feet (11.96%), which exceeds the minimum requirement of 10,029 square feet (10%). The public open space meets the design standards in Division 6.3 of the Zoning Ordinance.

(4) Division 6.4 General Landscaping and Outdoor lighting

All landscaping and lighting included in the Project is designed to preserve and strengthen the character of the Metro West District and improve water and air quality as identified in Section 59.6.4.1. The public and private open space proposed as part of the Subject Site Plan Amendment includes the Phase 1 portion of the through-block connection and streetscape improvements. The open space areas will include landscaping, lighting and amenities that help to activate the Project and its relationship to Wall Local Park.

(5) Division 6.5 Screening

Division 6.5 of the Zoning Ordinance only applies to standard method development, and thus is not applicable to this optional method Project.

e) Satisfies the applicable requirements of:

i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and

DPS approved a Combined Stormwater Management Concept/ Site Development Stormwater Management Plan on May 19, 2023. The plan proposes to meet required stormwater management goals via the use of Micro-bioretenion and a Structural Vault. The Project is subject to the Maryland Stormwater Management Act of 2007 and Montgomery County Bill No. 40-10, which requires managing stormwater runoff by using Environmental Site Design” (ESD) to the “Maximum Extent Practicable” (MEP). ESD utilizes small-scale stormwater management practices, non-structural techniques, and better site planning to mimic natural hydrologic runoff characteristics and minimize the impact of development on water resources. The Project has been designed with these considerations in mind and will be reviewed by Montgomery County Department of Permitting Services for approval. Pursuant to Chapter 19 of the Montgomery County Code, the Applicant will provide sediment and erosion control and treatment for stormwater in accordance with applicable laws. It is anticipated the Property will implement micro-bioretenion structures to the maximum extent practicable, to meet the stormwater requirements. Beyond this, the Applicant will work with the County at each Phase through the Stage 3 process, to ensure ESD to MEP implementation.

ii. Chapter 22A, Forest Conservation.

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. An amended Final Forest Conservation Plan has been submitted with this Application. The Site Plan complies with the Montgomery County

Environmental Guidelines and the Forest Conservation Law, as conditioned in this Staff Report and described below.

Forest Conservation Plan

The Applicant has submitted a Preliminary/Final Forest Conservation Plan (“FCP”) with the current development plan applications for Preliminary Plan Amendment 12015001B and Site Plan Amendment 82015001B. The Applications satisfy the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and are in compliance with the Montgomery County Planning Department’s approved Environmental Guidelines.

The Subject Property is zoned CR and is assigned a Land Use Category of Mixed-Use Development (“MDP”) as defined in Section 22A-3 of the Montgomery County Forest Conservation Law (“FCL”) and in the Land Use Table of the *Trees Technical Manual*. This results in an afforestation threshold of 15% and a conservation threshold of 20% of the net tract area.

The original Final Forest Conservation Plan (FFCP No. 820150010) included the gross tract area of 5.15 acres plus 0.79 acres of off-site disturbance in the total Limits of Disturbance (LOD). The Net Tract Area was 5.26 acres after an allowable deduction of 0.68 acres for dedication of a road right-of-way. The resulting reforestation/afforestation requirement was 0.79 acres. Site Plan Amendment 82015001A included a change to the LOD to accommodate stormwater management facilities, increasing the off-site disturbance by 0.29 acres. This resulted in a total off-site disturbance area of 1.08 acres and a new Net Tract Area of 5.55 acres. The change increased the total reforestation/afforestation requirement to 0.83 acres. The applicant has already obtained 1.58 acres of credit for forest preservation in an approved forest bank, fulfilling the original requirement of 0.79 acres of forest planting or 1.58 acres of preservation of existing forest. The remaining mitigation requirement of 0.04 acres was to be fulfilled by payment of a fee-in-lieu.

The current Application to amend the Preliminary and Site Plans reflect changes resulting from the County’s construction of the West Workaround which creates a new grid of streets surrounding the Property. The original Preliminary and Site Plans and subsequent amendments assumed that the Applicant would construct portions of these roadways, which increased the Net Tract Area of the Property. In addition, new lot lines have been established through the consolidation of the original lot with portions of other lots made available as new road alignments have framed the overall Property. The result has been a reduction in the overall Property area and the off-site disturbance, reducing the net tract area used for calculating Forest Conservation mitigation requirements.

The revised tract area for forest conservation purposes includes the 4.2-acre Subject Property plus 0.69 acres of offsite disturbance associated with this Application, for a total net tract area of 4.89 acres. This results in an afforestation requirement of 0.63 acres. The Applicant has already obtained off-site forest banking credits for preservation of existing forest in an approved forest bank, which is equivalent to the credit that would be given for planting 0.79 acres of forest. This exceeds the amended forest planting requirement of 0.63 acres. Therefore, no additional mitigation will be required and the previous requirement for purchasing an additional fee-in-lieu credit for 0.04 acres is eliminated.

f) Provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;

The Project includes safe, well-integrated parking and circulation patterns through an on-site garage with public and private parking spaces which will be accessible through an internal private driveway. Access to the parking garage and loading bays serving the research and development uses have been carefully designed and coordinated to balance the need for upgraded pedestrian access to on-site public open space that will better connect the Subject Property to Wall Local Park and the North Bethesda Metro Station. The building massing of the three research and development buildings and structured parking garage are designed in a manner that creates a compatible transition from the single-family residential community to the west to the more urban mix of uses to the north and east.

g) Substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;

As delineated in the Sketch Plan Finding 1.a above, the Subject Application complies with the Sector Plan's recommendations for the Subject Property and Metro West District.

h) 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;

As stated in Preliminary Plan Finding 3.a, the Project is exempt from Local Area Transportation Review as the Property is subject to the White Flint Special Taxing District.

Other public facilities and services are available and will be adequate to serve the Project. The Subject Application does not propose any residential uses, therefore evaluation of adequacy of public school facilities is not applicable to the Subject Application. The Subject Property is served by public water and sewer and is assigned WSSC categories W-1 and S-1. The existing water and sewer lines will be adequate to serve the additional development proposed by the Project. Dry utilities including electricity, gas, and telephone are also available to the Subject Property. In connection with the Project, utilities will be relocated underground, which will enhance safe and efficient circulation patterns at the Subject Property. Finally, appropriate emergency access measures will be implemented providing adequate facilities for fire and rescue personnel to serve the Project.

- i) on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and***

This requirement is not applicable, as the Subject Property is not located in a Rural Residential or Residential zone.

- j) on a property in all other zones, is compatible with existing, approved or pending adjacent development.***

The Project is compatible with existing and approved or pending adjacent development as it will create a transition in building height and density from the single-family residential community to the west and the urban core to the east. The urban design of the Project incorporates significant public open space that is carefully designed to activate the adjacent right-of-way frontages, research and development buildings, and adjacent Wall Local Park. Redevelopment of the Subject Property with the Sector Plan-recommended configured parcels will better connect to the properties in and outside of the Metro West District to encourage pedestrian and bicycle movements in this transit-oriented location.

- 3. To approve a Site Plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.***

Not applicable, the Subject Application does not include a restaurant with a drive-thru.

- 4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.***

Not applicable, the Subject Property was not zoned C-1 or C-2 on October 29, 2014.

SECTION 6: COMMUNITY OUTREACH

The Applicant held a pre-submittal public meeting on December 6, 2022. The meeting was conducted virtually and the Applicant complied with all submittal and noticing requirements.

As of date of this Staff Report, no correspondence has been received.

SECTION 7: CONCLUSION

Sketch Plan Amendment No. 32013001A, Preliminary Plan Amendment No. 12015001B and Site Plan Amendment No. 82015001B comply with the findings required for approval in the Subdivision Regulations and Zoning Ordinance. Staff recommends approval of Sketch Plan Amendment No. 32013001A, Preliminary Plan Amendment No. 12015001B and Site Plan Amendment No. 82015001B, with the superseding conditions included at the beginning of this report.

ATTACHMENTS

Attachment A: Sketch Plan

Attachment B: Preliminary Plan

Attachment C: Site Plan

Attachment D: Preliminary Forest Conservation Plan

Attachment E: Final Forest Conservation Plan

Attachment F: Agency Approvals