




DATE: October 18, 2023

TO: Bethesda Downton Plan Design Advisory Panel (DAP)

FROM: Grace Bogdan, Planner III, Downcounty Planning   
Stephanie Dickel, Regulatory Supervisor, Downcounty Planning  
Atul Sharma, Assistant to the Deputy Director, Director's Office  
Paul Mortenson, Senior Urban Designer, Director's Office

RE: Staff comments for the October 25, 2023 DAP Meeting

This will be a hybrid meeting, attendees can participate in person or virtually.

## Item #1

### 4861 Battery Lane

Architects Collaborative Inc  
Vika, Landscape Architect

- 2<sup>nd</sup> Sketch Plan presentation, focusing on high-level conformance of building massing and urban design.
- The project was presented at the June 2023 DAP, the Panel requested the Applicant return with further refinement of the massing and understory plaza and drop off area. The full meeting minutes are attached to this memo.
- The Applicant has provided a summary of the revisions made based on the previous comments (page 3&4 of submittal). Most notably, the Applicant has removed the parallel parking from the internal drive aisle and redesigned the adjacent green space, the stepbacks along Battery Lane façade have been revised, a massing break on the western façade has been added, and the setback has been increased in the rear for the east/west through block connection.
- Within the façade changes it appears a site wall is proposed at the western corner of the Battery Lane frontage. Staff recommends removing the site wall and exploring ways to limit the long stretches of blank masonry at the ground floor level along the through block connection.
- The building should clearly articulate a base, middle and top in its massing along Battery Lane per the recommendations of the Bethesda Urban Design Guidelines. As proposed, the lower six floors of the building are blending the massing of the base with a mid-level 'belt-like' element that does not respond to the two-three base articulation of the adjacent buildings on each side. The provision of a heavy horizontal canopy at the second floor and the carved out mass at the third floor is further complicating the delineation of a clear, pedestrian scaled base. Staff recommends simplifying the massing of the lower six floors,

eliminating the carved out mass at the third floor and using the horizontal canopy to align with the datum line of +/- 30 feet base delineation of the structures on each side along Bethesda Lane.

- The Applicant is requesting 15 points for exceptional design.

## **Item #2**

### **4405, 4419 & 4421 East West Highway**

SK+I Architectural Design Group

Parker Rodriguez

Transwestern Development Company

- 2<sup>nd</sup> Site Plan presentation, with Sketch Plan Amendment, for this assemblage of properties, focusing on more detailed and developed architectural plans and site design, consistent with the Design Guidelines.
- The project was presented at the June 2023 DAP, the Panel requested the Applicant return with further refinement of the east and west façade and further evaluation of the East West Highway façade.
- The resubmission includes several side-by-side comparison showing the refinements of each façade.
  - The east and west facades have been updated to emphasize a top based on the June discussion.
  - The East West Highway façade has been updated to remove solid panel at balconies to emphasize the vertical rhythm.
- The Applicant is requesting 20 points for exceptional design.

### **Design Excellence Guide:**

- *10 Points: Generally consistent with the Design Guidelines and meets four of the CR Guideline Criteria*
- *20 Points: Superlative design that in a uniquely compelling way meets the Design Guidelines or overcomes a significant site or similar constraint; a top example of design within Montgomery County*
- *30 Points: Singular design that exemplifies the highest intent of the Design Guidelines and may be considered a top example of design within the Mid-Atlantic region*

# Bethesda Downtown Design Advisory Panel

## Meeting Minutes

**PROJECT:** 4861 Battery Lane

**DATE:** June 28, 2023

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*The 4861 Battery Lane project was reviewed by the Bethesda Downtown Design Advisory Panel on June 28, 2023. The following meeting notes summarize the Panel's discussion, recommendations regarding design excellence, and the exceptional design public benefits points. The project is in the Site Plan stage and the Design Advisory Panel will determine if comments from Sketch Plan have been incorporated and take the final vote for design excellence public benefit points if it is determined the Project is suitable. Should you have any additional questions and/or comments please feel free to contact the Design Advisory Panel Liaison.*

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### **Attendance:**

#### Panel

Jonathan Fitch

Yulia Beltikova

Rod Henderer

Paul Mortensen, ex officio member, Senior Urban Designer in the Director's Office

#### Staff

Robert Kronenberg, Deputy Planning Director

Elza Hisel-McCoy, Chief, DownCounty Planning

Stephanie Dickel, Regulatory Supervisor DownCounty Planning

Grace Bogdan, Planner III

Henry Coppola, Parks Planner

Cristina Sasaki, Parks Planner

#### Applicant Team

Bob Harris – Attorney, Lerch Early

Faik Tugberk – Architect, Architects Collaborative

Jiayu – Architect, Architects Collaborative

Ian Duke – Engineer, Vika

Michael Miller, Gelman

#### Discussion Points:



Staff: This is the first sketch plan presentation to the DAP. The review will focus on general mass and bulk and conformance with the Design Guidelines.

Panel:

### *General Comments*

- I appreciate the C shape of the building to allow for a larger green space and I understand why you've oriented it this way given the site's topography and loading.
- I also appreciate the reduction of curb cuts from 3 to 1 and the trail connections, the second trail connection is a little questionable as it crosses over the driveway but I like the landscaping and can see how it may benefit the residents.
  - *Applicant Response: Great point, we think the project will create bicycle traffic coming out of the lobby so it will likely be used mostly by tenants of the building. We hope to enhance the proposed trail edge to the west of our site.*
- Seems like the parking spaces are rather high at 1 space per unit, we've been seeing more like .75 spaces per unit in Bethesda.
  - *Applicant Response: We can look into that.*
  - Staff: 4901 Battery Lane to the west provided approximately .8 spaces per unit.
- Are you planning any renewable sources such as solar in your project?
  - *Applicant Response: None so far, we are going to be forced to use the ERF mechanical systems because there is very little roof space left after the green roof and amenity space.*

### *Massing, Setbacks & Stepbacks*

- The massing that shows the first setback is actually less than 6 feet given the extra pull out. I understand that it is difficult to achieve the full stepback in residential buildings but all developments in Bethesda have been expected to meet these setback guidelines. I was wondering if the balconies are within that 4-6 foot setback or project over.
  - *Applicant Response: We will have some balconies but our intent is to show the balconies in the bold area so it is not overbearing and speaks to the street. I didn't contemplate more than the vertical balconies as shown because those are stitching the massing.*
- So the balconies do not project over the massing? OK I am glad to see that. Since the pandemic, people want more outdoor space and it is becoming more important in our design and development. Where are you in calculating the amount of outdoor space for the units you propose?
  - *Applicant Response: I am not sure percentage wise, but you are right we need more balconies, we went through a time where people saw balconies as a nuisance, and they shrunk in size, but they are coming back. On the west and east side, we intend to provide more balconies. We have developed unit types that provide multi-use areas that can be study areas or play areas for children, that was in response to the pandemic. We also intend to provide additional public space on the property*

- What is the dimension of the depth at the back of the building to the property line? It seems very narrow. This trail along the northern property line is a significant amenity for this greater neighborhood and should be celebrated as such.
  - *Applicant Response: The pinch point is 25 feet*
  - And then the elevation goes up 120 feet from there? The trail is very important to the Sector Plan and the mass of this building going straight up from there is really jarring.
  - *Applicant Response: I agree but the NIH campus is very green and large on the other side. And remember the Bethesda Trolley Trail that runs east west is a bicycle highway and the buildings that are further to the east and what seems to be forest and slope, I am not sure a path will ever be able to connect through.*
    - Staff: There has been a significant amount of time spent developing that trail to the west. We suggest looking at how that was designed and match that rather than looking to the east.
    - *Applicant Response: Understood.*
- You say the stepbacks on the front are difficult to accomplish, almost all projects in Bethesda say that and our previous Planning Board did not think that argument was sufficient. While we've had some projects that have not done the full stepback, they have provided reasonable explanations and designs that go beyond the Design Guidelines. I think aesthetically it is not meeting the Design Guidelines and you will need to have a very cohesive and strong argument beyond that it is difficult to build.
- We require a diagram showing the massing that would result from truly prescribing to the Design Guidelines and how the proposed massing differs. In addition to coming up with a verbal description that will be necessary, please provide that in the subsequent submission.
  - *Applicant Response: Understood, thank you.*
- The bigger issue for me is the western side, how long is it, are the units accessible? I understand there is a grade differential
  - *Applicant Response: The grade tapers as you go to the north side, the building drawings show patios with retaining walls that diminish and become ground level patio*
  - I think the issue when you get to the next stage is, what is the articulation of that façade? It is very long and has not been given focus so far.
  - Staff: The length of the western property line is approximately 380 feet.
- One thing I saw that was peculiar with the submission was the canopy design, but with the rendering shown I begin to understand it.

#### *Interior drop off/plaza area*

- I'm looking at the size of the circular drop off and it is rather large given the neighboring property's much smaller drop off footprint. Also having parallel parking seems completely unnecessary.
  - *Applicant Response: They aren't really parking spaces but more so delivery spaces. We've been working on these kind of buildings for quite some time.*

- I understand the need for delivery spaces, but in the turnaround I do not understand. So, you are saying it is a benefit to having them park here as opposed to on Battery Lane?
- *Applicant Response: Yes, we are getting them off the street and away from the bicycle lanes.*
- Can you make the loading and garage access area more cohesive with the drop off area? This layout looks like two distinct components rather than one design.
- Yes, the imbalance of pavement and non-pavement on the east side is the main issue.
- Is the breezeway/understory plaza an issue with anyone else? Rather than enclosed lobby facing the street it seems problematic over most of the year to be a tall, single story breezeway through the building.
- I find it intriguing the way it is opened up to Battery Lane, but the asphalt seems heavy and perhaps unnecessary. In general it could be lightened up with less asphalt or concrete, more porous materials.
- Also take a look at the soffit treatment, it may help lighten the area.
  - *Applicant Response: Those are details we will focus on during the site plan review.*
- Could you have spoken with the project to the west to share their driveway? Is it even possible? If you could have flipped the building this would have seriously benefited the designs on both sides, Battery Lane's urban design, and maybe resulted in more floor area potential. Both buildings would then share a single-entry drive/service alley rather than each building having their own entry drive like a suburban sub-division of every detached house having its own driveway.
  - *Applicant Response: Yes we have a good relationship but there are many logistical issues.*

**Panel Recommendations:**

The Panel requested the Applicant to return with further refinement of the massing and understory plaza and drop off area.

# Bethesda Downtown Design Advisory Panel

## Meeting Minutes

**PROJECT:** 4405 East West Highway

**DATE:** June 28, 2023

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*The 4405 East West Highway project was reviewed by the Bethesda Downtown Design Advisory Panel on June 28, 2023. The following meeting notes summarize the Panel's discussion, recommendations regarding design excellence, and the exceptional design public benefits points. The project is in the Site Plan stage, with a Sketch Plan amendment, and the Design Advisory Panel will determine if comments from Sketch Plan have been incorporated and take the final vote for design excellence public benefit points if it is determined the Project is suitable. Should you have any additional questions and/or comments please feel free to contact the Design Advisory Panel Liaison.*

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### **Attendance:**

#### Panel

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Grace Bogdan, Planner III

Henry Coppola, Parks Planner

Cristina Sasaki, Parks Planner

#### Applicant Team

Pat Harris – Attorney

John Camera – Transwestern Development Company

Sami Kirkdil – Architect, SK&I

Chris Huffer – Architect, SK&I

Michael Goodman – Engineer, Vika

Trini Rodriguez – Landscape Architect



## Discussion Points:

Staff: This is the first site plan presentation to the DAP. The review will focus on detailed architectural design and determination of design excellence public benefit points.

Panel:

### *General Comments*

- On behalf of the Eastern Bethesda community, the amount of traffic due to the high school will increase and the access point to this building on Pearl Street could be a problem.
  - *Applicant Response: The access being located on East West Highway was giving SHA concern and as a general rule, it is better to have access off a secondary road, which Pearl is. We did speak with DOT about this location to minimize any conflict, and we believe we have the support of DOT and Planning staff on this relocated access point. We are also working on several bicycle and pedestrian improvements on Pearl Street.*
- The other is the 0.3-acre park, can you speak to that?
  - *Applicant Response: We discussed this at length during the Sketch Plan and it was clear that this Site wouldn't be a part of that as the location is not visible. We agreed to a condition requiring financial contribution to that future park but that we would not have to construct anything. We need to sit down with Parks again to further that discussion.*
- So as the Bethesda area representative, I agree with the design strategy as an architect, but as the community representative I have concern with some design.

### *East and Western facades*

- I think elongating this building is the right thing to do, and the tower on the corner begin the bracket is a good thing. The most successful façade is the east and west façade and I wonder if you can break down the long south façade with a similar articulation.
- The east and west elevation behind the parking lot, I like how you've broken it up into these bays, I think it's a nice articulation. The only problem is that a 100' building is not that tall, but with having these very vertical shaft of balconies going up the vertical height is over emphasized. You have 5 double bays of height shown on the white structural frame, could you remove the top tranche of the white structure so you can get a top that is above the white frame system?
  - *Applicant Response: Yes I hear you but the developers tend to fight with us that you take away the balcony on the nicest units?*
  - Maybe you could take away the white frame at the top and keep the balcony at the top level. Then the white frame would be only 4 double bays in height, not 5.
  - *Applicant Response: We did look at this and I want to stress that if you delete the white it looks like its applied on and then it takes away from the parapet and begins to emphasize the length instead of the height on a long façade.*



- Look at the hyphen in the back facing the parking lot, it has a top, maybe if the white frame could come down from the top it breaks down the vertical scale a bit and would help those elevations.
- If you change the color of the white panel at the top two floors to dark it would definitely give it interest, maybe the balconies could be interior?
- *Applicant Response: A lot of that façade may be covered up with a future building.*
- You're going to see that east elevation from the high school and various areas. If you could move the white frame down it punctuates the front elevation more.
  - *Applicant Response: I think the suggestion in colorization and the dynamic aspect of the parapet could be a solution.*
- On the NE corner, the retaining wall is existing?
  - *Applicant Response: That is existing and will remain, its actually on the high school property.*

#### *East West Highway Façade and streetscape*

- This façade looked long on paper and again I felt it when I drove past the site today.
  - *Applicant Response: The geometry of the elevation is intended to give the allusion that it is not that long rather that façade is another moment in the building.*
  - *Applicant Response: If you do something right, there is a beauty in it continuing and that is effortless. If it is perfectly proportioned and executed, it could go forever. If I add another tower or another stitch, if you do too many things you loose the beauty.*
  - I hear you but it just seems to be too much and too long.
  - *Applicant Response: We didn't hear this comment before. Is just adding the 100 feet the problem?*
  - Yes.
- I agree this facade is too long, perhaps there is something in the elevation that makes for an asymmetrical break.
- If the western two bays on EW that align with the retail that turn the corner, what if those differed in materiality or color, but remain in geometry?
  - *Applicant Response: We are not trying to introduce a new element into this, we think stretching this façade is beautiful. What you're saying would take away from this.*
- I disagree with my counterpart, I actually like it, it's very European. If you are going to express horizontality, go ahead. It makes it more of a statement, and it's great that it's not flat, the beauty is in its length and repetition. I am impressed you were able to get the corner properties and it now makes the façade more of a statement. I would like to see how exterior lighting is brought to this façade. It would look exciting at night.
- It is a very long elevation so it needs something it give relief, but if this is one of the primary elements of your design then you should defend it and convince us.
- The ground level on East West Highway, the lobby is really long. Is there enough happening in there to activate the street?
  - *Applicant Response: Yes. We've done preliminary plans, will have leasing, coworking, gym, etc.*

- The sidewalk at the building is way too wide and with too little planting.
  - *Applicant Response: That area was dictated to us by SHA due to future improvements in the area*
  - The second 15' sidewalk is way too large in comparison to the little amount of green area provided.
  - Staff: We can request additional green space to be added so long as the dimensions of the pathways do not decrease from what was agreed to.

**Public Comment:**

- I am thrilled to see that the project has expanded to Pearl Street, and I think it will offer a lot in terms of streetscape. BCC high school kids walk on this side of the street so it will be much improved. Thank you for improving the landscaping at the rear of this project. We are mostly concerned with:
  - The block on Pearl Street is super tight with driveways and kids crossing the street and bussing so adding traffic in the mornings will be worse than it is today. Maybe we can look at timing restrictions and pedestrian improvements.
  - It does make sense for the park to be in a more prominent location, as anyone done any outreach to the church to see if they are open to being part of the plan? I think it's important to have an honest discussion with the community regarding this.
    - *Applicant Response: We have talked to the church, and they are not open to redevelopment at this time. We've asked this same question to Parks staff. We would love to know if we are contributing financially to this that it will actually come to fruition. I don't think the County has even discussed this with the Church, and it can't come to fruition until they redevelop, or the County acquires it. We support the idea, but we are struggling with the pathway to get there, and it doesn't make sense to go in this internal block location.*

**Panel Recommendations:**

The DAP requested the project to return with refinement to the east and west façade and further evaluation of the East West Highway façade based on the discussion.