



**MONTGOMERY COUNTY PLANNING BOARD**  
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 17-021  
 Site Plan No. 82000006D  
 Meridian at Grosvenor Village  
 Hearing Date: April 6, 2017

APR 19 2017

**RESOLUTION**

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on November 18, 1999, the Planning Board, by Opinion dated January 18, 2000, approved Site Plan No. 820000060 for 860 multi-family dwelling units, including 110 MPDUs and 8,600 square feet of ancillary retail on approximately thirty (30.0) acres of Planned Development, PD-25 zoned-land, located adjacent to the Grosvenor-Strathmore Metrorail Station between Rockville Pike and Tuckerman Lane at Grosvenor Village Parcel F (Parcel N481) ("Subject Property"), in the Grosvenor Metro Station Policy Area and the North Bethesda/Garrett Park Master Plan ("Master Plan") area; and

WHEREAS, on July 15, 2004, the Planning Board approved Site Plan Amendment No. 82000006A to improve pedestrian amenities adjacent to Building 5; approve an alternative compliance agreement for the MDPUs; and confirm a June 2002 administrative approval to relocate retail from Building 3 to Building 5 on the Subject Property; and

WHEREAS, on September 6, 2007, the Planning Board approved Site Plan Amendment No. 82000006B for the following alterations to Building 5: Parking Waiver and a reduction in the previously approved parking; revision of the quantity and type of MPDUs; reduction of the proposed building height; provision of a rooftop swimming pool and amenity deck area; clarification of setbacks; and revisions to the landscape plans on the Subject Property; and

WHEREAS, on March 11, 2010, the Planning Director approved an administrative amendment, Site Plan Amendment No. 82000006C, pursuant to Montgomery County Code Division 59-D-3.7 (Minor Amendments) for the following modifications: addition of a monumental sign for the property; revision to the courtyard light fixtures, benches, and landscaping; reduction in paver area to accommodate electrical vaults; elimination of

Approved as to  
 Legal Sufficiency: 

8787 Georgia Avenue, NCGRPC Legal Department 0 Chairman's Office: 301.495.4605 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

mid-block connections to better direct pedestrians to crosswalks; replacement of retail door with storefront; and reduction of the pool deck parapet wall and addition of ornamental railings on the Subject Property; and

WHEREAS, on December 13, 2016, as amended on March 10, 2017, Grosvenor Station Development II, LLC, C/O Paradigm Management LP (“Applicant”), filed an application for approval of an amendment to the previously approved site plan(s) for approval of the following modifications:

1. Reconfigure one of the courtyards and seating area to accommodate a multipurpose play surface.

WHEREAS, Applicant’s application to amend the site plan was designated Site Plan No. 82000006D, Meridian at Grosvenor Village, (“Site Plan,” “Amendment,” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated March 24, 2017, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on April 6, 2017, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board approves Site Plan No. 82000006D to reconfigure one of the courtyards and seating area to accommodate a multipurpose play surface, by adding the following conditions:

1. Prior to any disturbance within the courtyard, the Applicant must obtain approval of a Certified Site Plan.
2. Prior to Certified Site Plan approval, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:
  - a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount;

- b. The cost estimate must include applicable Site Plan elements, including, but not limited to site furniture, fences, gates, landscaping, planters and a multipurpose play surface;
  - c. The surety must be posted before approval of the Certified Site Plan;
  - d. The bond or surety must be tied to the Certified Site Plan, and completion of all improvements covered by the surety will be followed by a site plan completion inspection; and
  - e. The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.
3. The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to, the poured in place rubber multipurpose play area surface, benches, gates and fences within the courtyard.
4. Certified Site Plan  
Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:
- a. Include the Site Plan Amendment resolution, and other applicable resolutions in the Certified Site Plan set;
  - b. Modify data tables to reflect development standards approved by the Planning Board;
  - c. Modify the Site and Landscape plans to document the approved modifications; and
  - d. Ensure consistency of all details and layout between Site and Landscape plans.

**BE IT FURTHER RESOLVED** that all other site plan conditions of approval for this project remain valid, unchanged and in full force and effect

**BE IT FURTHER RESOLVED** that all site development elements shown on the latest electronic version of Meridian at Grosvenor Village Site Plan No. 82000006D, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

**BE IT FURTHER RESOLVED**, that, having considered the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board **FINDS**, with the conditions of approval, that:

1. *Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan as revised by previous amendments and all findings not specifically addressed remain in effect.*

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is APR 19 2017 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

\* \* \* \* \*

**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Fani-González, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss, Fani-González, and Cichy voting in favor at its regular meeting held on Thursday, April 6, 2017, in Silver Spring, Maryland.

  
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Casey Anderson, Chair  
Montgomery County Planning Board