



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

MCPB No. 18-105
Sketch Plan No. 32018015A
8280 Wisconsin Avenue/Woodmont Central
Date of Hearing: October 25, 2018

NOV 20 2018

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 July 25, 2018, the Planning Board, by Resolution MCPB No. 18-066, approved Sketch Plan No. 320180150, for up to 185,000 square feet of non-residential development, including an allocation of 93,388 square feet of Bethesda Overlay Zone (BOZ) density to go toward the Park Impact Payment (PIP) on 0.75 acres of CR 3.0: C 3.0 R 2.75 H 145 and Bethesda Overlay zoned-land, located at the southwest corner of the intersection of Wisconsin Avenue and Battery Lane, Lot 63, Northwest Park ("Subject Property"), in the Bethesda Policy Area and the Bethesda Downtown Sector Plan ("Sector Plan") area; and

WHEREAS, on September 18, 2018, Stonebridge Carras/Donohoe Development Company ("Applicant") filed an application for approval of an amendment to the previously approved sketch plan for a mixed-use development on two lots, Lot 63 and Lot 663, Northwest Park, with a combined total density of 581,704 square feet, including on Lot 63 up to 175,000 square feet of new research and development and office uses, with 81,633 square feet of density from the Bethesda Overlay Zone (BOZ) with an associated Park Impact Payment and including on Lot 663 two existing multi-family buildings with up to 453 multi-family dwelling units including 68 MPDUs (15 percent), and 17,532 square feet of ground-floor non-residential uses, on 2.59 acres of CR 5.0: C 5.0 R 5.0 H 175, CR 3.0: C 3.0 R 2.75 H 145, and Bethesda Overlay zoned-land, located at the southwest corner of the intersection of Wisconsin Avenue and Battery Lane, Lot 63, Northwest Park, and at 4850 Rugby Avenue and 4800 Auburn Avenue, Lot 663, Northwest Park ("Subject Property"), in the Bethesda Policy Area and the Bethesda Downtown Sector Plan ("Sector Plan") area; and

Approved as to
Legal Sufficiency:

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WHEREAS, the application to amend the site plan was designated Sketch Plan No. 32018015A, 8280 Wisconsin Avenue/Woodmont Central (“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 October 15, 2018, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on October 25, 2018, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on October 25, 2018, the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Dreyfuss, seconded by Commissioner Fani-Gonzalez, with a vote of 5-0; Commissioners Anderson, Cichy, Dreyfuss, Fani-Gonzalez, and Patterson voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 32018015A for a mixed-use development on two lots, Lot 63 and Lot 663, Northwest Park, with a combined total density of 581,704 square feet, including on Lot 63 up to 175,000 square feet of new research and development and office uses, with 81,633 square feet of density from the Bethesda Overlay Zone (BOZ) with an associated Park Impact Payment, and including on Lot 663 two existing multi-family buildings with up to 453 multi-family dwelling units including 68 MPDUs (15 percent), and 17,532 square feet of ground-floor non-residential uses by modifying the following conditions:¹

1. Density

- a. The combined total density on Lot 63 and Lot 663 is limited to 581,704 square feet.
- b. Lot 63 is limited to up to 175,000 square feet of new research and development and office uses, including 81,633 square feet of density from the Bethesda Overlay Zone (BOZ) with an associated Park Impact Payment.
- c. Lot 663 includes two existing multi-family buildings with 453 multi-family dwelling units including 68 MPDUs (15-percent), and 17,532 square feet of ground-floor non-residential uses. This existing development includes 85,618 square feet of bonus residential density for providing 15-percent MPDUs.

¹ For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

This MPDU bonus density is permitted under Section 59.4.5.2.C.2.a. of the 2014 Zoning Ordinance, and therefore not included in the combined total density listed above.

- d. Before certification of the Site Plan for 8280 Wisconsin Avenue (Lot 63), the Applicant must record an instrument in the County Land records reflecting the density transfer for this project as required under Section 59.4.5.2.B/59.4.6.2.B of the Zoning Ordinance. Concurrent with recordation of this instrument in the County Land Records reflecting the density transfer for this project, the Applicant shall submit to M-NCPPC a Deed of Release for the Density Transfer Area Easement recorded in the County Land Records at Liber 44419 in Folio 361 on July 23, 2012. The Deed of Release must be in a form approved by M-NCPPC Office of the General Counsel.

4. Building Lot Terminations (BLTs)

Prior to building permit, the Applicant must provide Staff with acceptable verification that 0.3780 BLTs have been acquired for the proposed development.

BE IT FURTHER RESOLVED that all other sketch 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 8280 Wisconsin Avenue/Woodmont Central, Sketch Plan 32018015A, 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 this Sketch Plan Amendment, which supersedes Project Plan 920090010 for the existing Lot 663 Woodmont Central development, meets the development standards of Chapter 59 and does not alter the intent, objectives, or requirements of the originally approved Sketch Plan, and all previous findings remain in effect and are incorporated herein by reference. As no new development is proposed on Lot 663, the existing buildings do not need to meet the findings of the 2014 Zoning Code.

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 Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is NOV 20 2018 (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 Vice Chair Dreyfuss, seconded by Commissioner Patterson, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, November 15, 2018, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board