

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

> MCPB Item No. Date: 1/15/2015

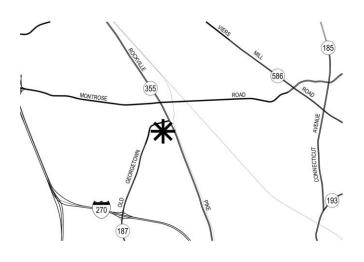
Bethesda North Marriott Hotel and Conference Center: Limited Site Plan Amendment No. 82000040D

N'kosi Yearwood, Senior Planner, Area 2 Division, <u>Nkosi.Yearwood@montgomeryplanning.org</u>, 301-495-1332 Khalid Afzal, Supervisor, Area 2 Division, <u>Khalid.Afzal@montgomeryplanning.org</u>, 301-495-4650 Glenn Kreger, Chief, Area 2 Division, <u>Glenn.Kreger@montgomeryplanning.org</u>, 301-495-4653

Completed: January 2, 2015

Description

- Request to modify the approved Site Plan to delineate the existing parking spaces for the Bethesda North Marriott Hotel and Conference Center;
- Current use: Conference Center and Hotel;
- Located north of Marinelli Road, west of Rockville Pike (MD 355) and east of Executive Boulevard;
- 11.81 acres of land in the CR4 C3.5 R3.5 H-300 and CR-4 C2.0 R3.5 H-250 in the White Flint Sector Plan;
- Applicants: Montgomery County Revenue Authority and JBG (North Bethesda Hotel, LLC);
- Filing Date: November 11, 2014.



Summary

- Staff recommends approval of the Site Plan Amendment with conditions.
- The Planning Board previously approved Preliminary Plan No. 120000870; Preliminary Plan Amendment No. 12000087A by Resolution No. 07-39; Site Plan No. 820000400; Site Plan No. 82000040A by administrative staff approval; Site Plan No. 82000040B by administrative staff approval; and Site Plan Amendment No. 82000040C by Resolution No. 07-40.
- Staff has received no correspondence from notified parties.

RECOMMENDATIONS AND CONDITIONS

Staff recommends approval of Site Plan Amendment No. 82000040D- Bethesda North Marriott Hotel and Conference Center. All site development elements submitted to M-NCPPC on November 6, 2014, are required except as modified by the following conditions:

1. <u>Site Plan Conformance</u>

The development must comply with the conditions of approval for Site Plan No. 820000400; Site Plan No. 82000040A by administrative staff approval; Site Plan No. 82000040B by administrative staff approval; and Site Plan Amendment No. 82000040C, as listed in the Montgomery County Planning Board Resolution No. 07-40, except as amended by this Application.

2. <u>Certified Site Plan</u>

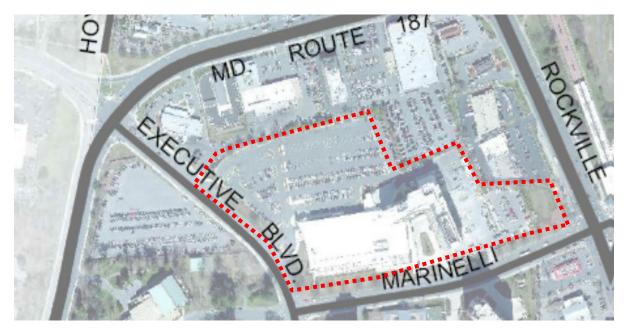
Prior to the approval of the Certified Site Plan and subject to staff review and approval, the Applicant must:

- a. Include all elements of the approved Amendment on the relevant sheets of the Certified Site Plan.
- b. Provide all of the approved resolutions.
- c. Make corrections and clarifications to the development table.

SITE DESCRIPTION

Vicinity

The Bethesda North Marriott Hotel and Conference Center is located at the northwestern quadrant of Rockville Pike (MD 355) and Marinelli Road in the *White Flint Sector Plan* area. The Wisconsin and the Grand, two high-rise multi-family residential buildings and the Metro Pike Shopping Center are south of the subject property. Wall Local Park, Kennedy Shriver Aquatic Center, and an M&T Bank are west of the subject site along Executive Boulevard. Commercial properties, including an automotive dealership and a Capital One bank, are to the north. A commercial shopping center is to the immediate east and the White Flint Metro Station entrance is further east at the intersection of Rockville Pike and Marinelli Road.



Overview of the Bethesda North Marriott Hotel and Conference Center

Site Analysis

The Bethesda North Marriott Hotel and Conference Center consists of a hotel with 450 rooms and a 96,645 square feet conference center. There are 777 parking spaces on the property, including 30 garage parking spaces. Marinelli Road and Executive Boulevard provide vehicular access to the site. There are no known historic resources, wetlands, floodplains, endangered or threatened species or habitats, steep slopes, or other environmental or cultural features on site.

PROJECT DESCRIPTION

Previous Approvals

Previous Bethesda North Marriott Hotel and Conference Center approvals are the following:

- The Planning Board approved Preliminary Plan No. 120000870 on October 31, 2000.
- The Planning Board approved Preliminary Plan No. 12000087A by Resolution No. 07-39 on April 25, 2007.
- The Planning Board approved Site Plan No. 820000400 on October 31, 2000 for 214,020 square feet for a Hotel and Conference Center, including 225 hotel rooms.
- Approved as a minor Site Plan amendment on September 10, 2004, Site Plan No.
 82000040A, allowed the addition of three parking ticket stations.
- Approved as a minor Site Plan amendment on May 10, 2005, Site Plan No. 82000040B, permitted the modification to handicapped parking spaces.
- The Planning Board approved Site Plan No. 82000040C by Resolution No. 07-40 on April 25, 2007 for 113,510 square feet hotel expansion, including 225 hotel rooms.

Proposal

This Amendment will delineate the existing parking spaces for the conference center and hotel. The previous approvals did not establish a formal delineation of parking spaces between the existing uses. This Site Plan Amendment will not make any physical changes to the approved development.

Montgomery County Revenue Authority is the owner of the property and JBG, via North Bethesda Hotel, LLC, has a sublease for approximately 4.79 acres of the site. The proposed parking delineation follows the sublease area, which is illustrated below. All of the existing parking spaces within the delineated area will independently maintain conformance to the parking requirements for each use on the property.

In the near future, Montgomery County anticipates constructing a new parking garage on the western portion of the site to replace displaced surface parking spaces from the realignment of Executive Boulevard and the construction of Market Street, which is a new east-west public street on the Conference Center property. The roadway realignment and parking garage are included in the County's Capital Improvements Program.



Overall Conference Center site with the lease portion highlighted in red.

ANALYSIS AND FINDINGS

Master Plan

The proposed Site Plan Amendment maintains conformance with the original recommendations in the 1992 *North Bethesda/Garrett Park Master Plan* and is also consistent with the 2010 *White Flint Sector Plan*.

Transportation and Circulation

The proposed amendment does not affect vehicular circulation or pedestrian and bicyclist access.

Environment

The proposed amendment maintains compliance with Chapter 22A regarding forest conservation.

Development Standards

The proposed amendment does not alter the development standards approved with the original Site Plan No. 820000400; Site Plan Amendment No. 82000040A; Site Plan Amendment No. 82000040B; and Site Plan Amendment No. 82000040C.

COMMUNITY OUTREACH

The Applicant notified the public regarding the subject Site Plan Amendment on November 6, 2014. Staff has received no correspondence from the notified public.

CONCLUSION

The proposed Site Plan Amendment does not alter the overall design of the development in relationship to the original approval. The modification does not impact the compatibility or efficiency, adequacy, and safety of the site with respect to structures and uses, vehicular and pedestrian circulation, open space, landscaping, or lighting. All previous approvals remain in full force and effect, as modified by this Amendment.

APPENDIX

- A. Preliminary Plan No. 120000870 (1-00087)
- B. Preliminary Plan Amendment No. 12000087A
- C. Site Plan No. 820000400 (8-00040)
- D. Site Plan Amendment No. 82000040A
- E. Site Plan Amendment No. 82000040B
- F. Site Plan Amendment No. 82000040C, Resolution No. 07-40

Date Mailed: July 26, 2000

APPENDIX A



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue Silver Spring, Maryland 20910-3760 Action: Approved Staff Recommendation Motion of Comm. Bryant, seconded by Comm. Wellington with a vote of 3-0; Comms. Bryant, Holmes and Wellington voting in favor (Comms. Perdue and Hussmann absent)

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-00087 NAME OF PLAN: MONTGOMERY COUNTY CONFERENCE CENTER

On 05/09/00, the Montgomery County Maryland and Quad Center L.L.C. submitted an application for the approval of a preliminary plan of subdivision of property in the TS-R zone. The application proposed to create 1 lot on 11.2 acres of land. The application was designated Preliminary Plan 1-00087. On 07/20/00, Preliminary Plan 1-00087 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-00087 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-00087, subject to the following conditions:

- Limit approval under this Preliminary Plan application to a conference center of 96,645 gross square feet of building area with 36,120 square feet of walled meeting area and a hotel with 225 guest rooms in Phase I and an additional 225 guest rooms (450 total) in Phase II. The applicant is also subject to:
 - a) As a condition of the zoning case, enter into an agreement with the Montgomery County Department of Public Works and Transportation (DPWT) and the Planning Board to provide that the reservation practices for the Conference Center/Hotel will not permit the simultaneous scheduling of activities or events that would generate more traffic than equivalent to 2,675 persons arriving and 375 departing the facility during any hour of the day
 - b) Make the Development Approval Payment (DAP) to the Montgomery County Department of Finance before receipt of any building permits.
 - c) Fund the twelve (12) intersection improvements identified in 1997 which were required as a condition of Zoning Case No. G-745 or alternative improvements to reflect current circumstances. Refer to Attachment No. 1 for the specific improvements conditioned at zoning or proposed alternative improvements

- d) Enter into a traffic mitigation agreement with the Planning Board and DPWT with the following elements:
 - 1) Implement a traffic mitigation program to include charging prevailing parking rates, transit fare subsidies, emergency rides home, taxi, and shuttle services
 - 2) Participate in the North Bethesda Transportation Management District (TMD) which includes data collection, compliance monitoring, and information dissemination. The applicants should designate a person to be the Transportation Coordinator for this purpose
 - 3) Achieve a traffic mitigation goal of at least 39% non-SOV work-trips in Stage II of the *North Bethesda/Garrett Park Master Plan* for the employees
- e) Schedule employees to *not* arrive and leave during the weekday morning peak period (7:00 to 9:00 a.m.) and the weekday evening peak period (4:00 to 6:00 p.m.) as proffered by the applicant
- f) Provide adequate traffic calming for the Old Georgetown Village residential development to discourage Commonwealth Drive as a cut through between Marinelli Road and Nicholson Lane. Representatives from the Conference Center and Old Georgetown Village have agreed to install mechanical devices with arms across the travel lanes at each end of Commonwealth Drive. No special card or code will be required to activate the gate and raise the arm. The arms are to automatically rise and allow entry when a vehicle is detected in front of the device.
- g) Coordinate with DPWT regarding the following:
 - Adequate access to the site on the north side of Marinelli Road without adversely impeding the safety of the accesses to the Wisconsin Condominiums on the south side of Marinelli Road.
 - 2) Safe and adequate access and circulation for automobiles, taxis, buses, trucks, and pedestrians
 - 3) On-site loading of trucks of various sizes
- h) Assure adequate on-site parking for Phase I while the parking garage for Phase II is under construction
- i) Participate in the Share-A-Ride district for employees in accordance with the Approved and Adopted North Bethesda - Garrett Park Master Plan dated December 1992
- Before release of any building permits, coordinate with WMATA to relocate and have in operation a replacement Metro park-and-lot including the bus bays and kiss-and-ride drop-off area on the east side of Rockville Pike (MD 355)
- (2) Compliance with Chapter 22A of the Montgomery County Zoning Ordinance (Forest Conservation) The applicant must satisfy all requirements prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permit(s), as appropriate
- (3) Compliance with conditions of MCDPS stormwater management approval dated 7-24-00

- (4) All road right of way shown on the approved preliminary plan shall be dedicated by the applicant, unless otherwise designated on the preliminary plan
- (5) All roads shown on the approved preliminary plan shall be constructed by the applicant to the full width mandated by the North Bethesda/Garrett Park Master Plan and North Bethesda Sector Plan, and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan "To be Constructed by (others)" are excluded from this condition
- (6) Access and improvements, as required, to be approved by MCDPW&T prior to recording of plat
- (7) No clearing, grading or recording of plats prior to site plan approval
- (8) Final location of buildings, on-site parking, vehicular and pedestrian site circulation will be reviewed and approved with site plan
- (9) A lighting and landscaping plan must be submitted as part of the record plat application for review and approval by staff prior to recording of plat
- (10) The validity of the Preliminary Plan is also dependent upon the applicant abiding by all the terms and conditions of approval under District Council Resolution No. 13-1332 for Zoning Application G-745
- (11) Necessary easements
- (12) This Preliminary Plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed
- (13) The Adequate Public Facilities review for this Preliminary Plan will remain valid for sixtyone (61) months from the date of mailing of the Planning Board opinion

APPENDIX B



MONTGOMERY COUNTY PLANNING BOARD

THE SEXIMIZATIONATION CAPITAL PARK AND PLANNING COMMISSION

APR 2 5 2007

MCPB No. 07-39 Preliminary Plan No. 12000087A Montgomery County Conference Center Date of Hearing: February 1, 2007

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION¹

WHEREAS, pursuant to Montgomery County Code Chapter 50, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review preliminary plan applications; and

WHEREAS, on April 26, 2006, Montgomery County, MD and Quad Center, LLC, filed an application for approval of an amendment to the conditions of approval of a preliminary plan of subdivision for an existing lot containing 11.81 acres of land located at the northwest corner of the intersection of Rockville Pike and Marinelli Road, east of Executive Boulevard ("Property" or "Subject Property"), in the North Bethesda-Garrett Park master plan area ("Master Plan"); and

WHEREAS, the preliminary plan amendment application was designated Preliminary Plan No. 12000087A, Montgomery County Conference Center ("Preliminary Plan" or "Application"); and

WHEREAS, on April 27, 2006 JBG purchased Quad Center LLC's interest in the Montgomery County Conference Center, and assumed Quad Center LLC's role as Applicant in this matter;² and

WHEREAS, Staff issued a memorandum to the Planning Board, dated January 21, 2007, setting forth its analysis, and recommendation for approval, of the Application subject to certain conditions ("Staff Report"); and

¹ This Resolution constitutes the written opinion of the Board in this matter and satisfies any requirement under the Montgomery County Code for a written opinion.

² Montgomery County and JBG are referred to collectively as "Applicants."

MCPB No.07-39 Preliminary Plan No. 12000087A Montgomery County Conference Center Page 2

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on 02/01/07, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on February 1, 2007, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Robinson; seconded by Commissioner Bryant; with a vote of 5-0, Chairman Hanson and Commissioners Bryant, Perdue, Robinson, and Wellington voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board approved Preliminary Plan No. 12000087A to modify the previous conditions of approval for the existing lot on 11.81 acres of land located at the northwest corner of the intersection of Rockville Pike and Marinelli Road, east of Executive Boulevard ("Property" or "Subject Property"), in the North Bethesda-Garrett Park master plan area ("Master Plan"), subject to the following conditions:

1) Previous condition 1.c., must be amended as follows:

The Applicants must fund the twelve (12) intersection improvements identified in 1997, which were required as a condition of Zoning Case No. G-745, except that participation (on a pro rata basis) in the following alternative improvements are acceptable at the intersections noted below:

- a) <u>Rockville Pike and Montrose Road/Randolph Road</u>: A Maryland State Highway Administration (SHA) project for an interchange at MD 355 and Montrose Road/Randolph with construction funding to begin construction in 2007.
- b) <u>Montrose Road and Farm Haven Drive</u>: The Montgomery County Department of Public Works and Transportation's (DPWT) Capital Improvements Program (CIP) Project No. 500311, Montrose Parkway West that is under construction to widen Montrose Road from four to six lanes on the east-west intersection approaches.
- c) <u>Montrose Road and Tildenwood Drive</u>: The DPWT CIP Project No. 500311, Montrose Parkway West that is under construction to widen Montrose Road from four to six lanes on the east-west intersection approaches.
- d) <u>Rockville Pike and Rollins Avenue/Twinbrook Parkway:</u> The DPWT CIP Project No. 509995, Conference Center Intersection Improvements includes construction of a right-turn lane on the northbound approach of

MCPB No.07-39 Preliminary Plan No. 12000087A Montgomery County Conference Center Page 3

Rockville Pike (MD 355) and has been funded to begin construction in 2007. Rockville Pike (MD 355) and has been funded to begin construction in 2007.

- 2) The Applicants must record a new plat for dedication of seven more feet of right-of-way from the centerline of Rockville Pike (MD 355). This record plat application must be submitted within three months after the Planning Board resolution for the preliminary plan amendment opinion and must be recorded prior to release of any use and occupancy permit for Phase II of the hotel building.
- 3) The Applicants must enter into an updated Traffic Mitigation Agreement (TMAg) with the Planning Board and the Montgomery County Department of Public Works and Transportation (DPWT) to include all the Applicants as parties to this Agreement. TMAg to be prepared, signed and submitted to the Planning Board staff by the Applicants prior to the issuance of any building permit for the Phase II hotel building. This agreement must be signed and fully executed prior to issuance of any use and occupancy permit for the Phase II hotel building.
- 4) The Applicants must provide two more inverted-U bike racks (i.e., each storing two bicycles) and two more bike lockers. The bike racks must be located in a public, well-lit and weather-protected area within 100 feet of the entrance for hotel patrons. The bike lockers also should be located in a well-lit and weather-protected area within 100 feet of the main entrance for employees.
- 4) All other previous conditions of approval as contained in the Planning Board Opinion dated October 31, 2000 remain in full force and effect.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. Public facilities will continue to be adequate to support and service the area of the proposed subdivision.

The Planning Board reviewed the Applicants' request to substitute pro rata contributions to certain County and State roadway projects as alternatives to the previously required improvements at specific intersections, and find that the contributions are acceptable because the specific projects will mitigate proposed

trips from the convention center and hotel to the same, or a greater extent. The Planning Board also finds that the previously approved Traffic Mitigation Agreement (TMAg) between the applicant, the Planning Board and Montgomery County Department of Public Works and Transportation (MCDPWT), must be updated to include JBG, Inc. as a party to the agreement.

As part of the transportation review of this preliminary plan amendment, it was determined that an inadequate amount of right of way dedication had been given for Rockville Pike (MD 355) along the property frontage. In order to meet master plan requirements for the ultimate right of way for Rockville Pike (MD 355), the Planning Board finds that the Applicants are required to dedicate an additional 7 feet of right of way.

2. All previous conditions remain in full force and effect.

The Planning Board further finds that the preliminary plan amendment does not affect the previous findings of the Board regarding the preliminary plan, and all other previous conditions of approval remain in full force and effect.

BE IT FURTHER RESOLVED, that the date of this Resolution is APR 2 5 2007 (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).

* * * * * * * * * * *

At its regular meeting, held on Thursday April 5, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission ADOPTED the above Resolution, on motion of Commissioner Wellington, seconded by Commissioner Bryant, with Chairman Hanson, Vice Chair Perdue, and Commissioners Bryant, and Wellington, present and voting in favor. Commissioner Robinson was absent. This Resolution constitutes the final decision of the Planning Board, and memorializes the Board's findings of fact and conclusions of law for Preliminary Plan No. 12000087A, Montgomery County Conference Center.

Chill!

Royce Hanson, Chairman Montgomery County Planning Board

Beatrice Chester
 Old Georgetown Village Homeowners
 11200 Empire Lane
 N. Bethesda, MD 20852

Gary Digges Forum Council of Co-Owners 11801 Rockville Pike Rockville, MD 20852

Henry Jacob Strathmore Place Homeowners Assn. 7605 Arlington Road, #100 Bethesda, MD 20814

Melvin Dickover Strathmore Place Homeowners Assn. 5355 Strathmore Ave. Kensington, MD 20895

Hirsch Davis Bethesda Park A Condo. 12413 Braxfield Ct., #T-1 Rockville, MD 20852

Thomas Willis Old Georgetown Village Condo. Assn. 8701 Georgia Avenue Silver Spring, MD 20910

Karen Harris Old Georgetown Village Condo. Assn. 11400 Strand Drive Rockville, MD 20852

Shireen Ambush Montrose Woods Condo.. Inc. 12009 Nebel Street Rockville, MD 20852

Steve Goldstein Montrose Woods Condo.. Inc. 11908 Bargate Court Rockville, MD 20852 1200000 /*

Property Manager Montrose Forest Homeowners Assn. 20440 Century Blvd. Ste. 100 Germantown, MD 20874

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Franklin Groff Fallswood Condominium Assn. 5802 Nicholson Lane Rockville, MD 20852

Shireen Ambush Tuckerman Station Homeowners Assn. 12009 Nebel Street Rockville, MD 20852

Ruwan Salgado Gables on Tuckerman Condo. Assn. 5800 Inman Pakr Circle Rockville, MD 20852

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Andrew Stone Bentlev Place Condo 8701 Georgia Avenue, Suite 300 Silver Spring, MD 20910 0

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Manager Georgetown Village Condominium 11400 Commonwealth Dr. North Bethesda, MD 20852

Ed Reich Georgetown Village Condominium 11309 Commonwealth Drive N. Bethesda, MD 20852

Glen Loveland Cherineton Condominium 12009 Nebel Street Rockville, MD 20852

Ron Venezia The Mains Homeowners Assn. 10904 Bloomingdale Drive N. Bethesda, MD 20852

Lydia Cummins The Mains Homeowners Assn. 8701 Georgia Avenue, Suite #300 Silver Spring, MD 20910

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Herbert Maisel Tildenwood Homeowners Assn.. Inc. 6409 Vista Creek Lane North Bethesda, MD 20852

Steven Landsman Tildenwood Homeowners Assn., Inc. 12009 Nebel Street Rockville, MD 20852

Page 1 of 4

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Phil Corn Fallstone Homeowners Assn. 5610 Whitney Mill Way Rockville, MD 20852

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Richard Skobel Tuckerman Station HOA 9 Park Ave. Gaithersburg, MD 20877

Property Manager Fallstone Condominium 5101 River Rd. Ste. 101 Bethesda, MD 20816

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Del. William A. Bronrott Md. General Assembly 84 Collegel Ave., Rm. 221 Annapolis, MD 21401-1991

Del. Marilyn Goldwater Md. General Assembly 84 College Ave., Rm. 221 Annapolis, MD 21401-1991 Del. Michael Gordon Md. General Assembly 84 College Ave., Rm. 403 Annapolis, MD 21401-1991

Del. Ana Sol Gutierrez Md. General Assembly 84 College Ave., Rm. 223 Annapolis, MD 21401-1991

Del. John Adams Hurson Md. General Assembly 84 College Ave., Rm. 161 Annapolis, MD 21401-1991

Del. Susan Lee MD. General Assembly 84 College Ave., Rm. 221C Annapolis, MD 21401-1991

Del. Richard Stuart Madaleno, Jr. Md. General Assembly 84 College Ave., Rm. 223 Annapolis, MD 21401-1991 21401-1991

Philip Andrews Monteomerv Co. Council 100 Maryland Avenue Rockville, MD 20850

Del. Luiz R.S. Simmons Md. General Asssembly 84 College Ave., Rm. 225 Annapolis, MD 21401-1991

Sen. Brian Frosh Md. General Assembly 11 Bladen St., 2 East Wing Annapolis, MD 21401-1991

Sen. Jennie Forehand Md. General Assembly 110 College Ave., Rm. 223 Annapolis, MD 21401-1991 Sen. Sharon Grosfeld Md. General Assembly 110 College Ave., Rm. 203 Annapolis, MD 21401-1991

Jane Lawton Md. General Assembly 84 College Ave., Rm. 223 Annapolis, MD 21401-1991

George Sauer Citizens for a Better Montgomerv 8307 Post Oak Road Potomac, MD 20854-3479

Wayne Goldstein Montgomerv County Civic Federation 3009 Jennings Road Kensington, MD 20895

Julius Cinque Northern Montgomerv County Alliance 223 Slidell Road Boyds, MD 20841

Timothy McGrath TROT P.O. Box 190 Dickerson, MD 20842

Pedro Porro Spanish Speaking People of Montgomerv 5729 Bradley Boulevard Bethesda, MD 20814

Marvin Weinman Monteomerv County Taxoavers League P.O. Box 826 Rockville, MD 20848-0826

Wayne Goldstein Monteomerv Preservation. Inc. 3009 Jennings Road Kensington, MD 20895 Jim Fary Sierra Club - Montgomerv County Groun 2836 Blue Spruce Lane Silver Spring, MD 20906-3166

DUMMY RECORD

DUMMY RECORD

Delores Milmoe Auduboun Naturalist Societv 8940 Jones Mill Road Chevy Chase, MD 20815

Eric Gilliland Washington Area Bicvclist Assn. 1803 Connecticut Ave, NW - 3rd Fl Washington, DC 20009

Contact Washington Metro Area Transit Author 600 Fifth Street, NW Washington, DC 20001

Guy Turenne Trout Unlimited 4261 Charley Forest St. Olney, MD 20832

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Page 1 of 4

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John Luke Monteomerv County Air Park 7940 Air Park Road Gaithersburg, MD 20879

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LIST OF CITIZENS ASSOCIATIONS MONTGOMERY COUNTY CONFERENCE CENTER

North Bethesda Congress of Citizens Richard Zierdt, President 4707 Coachway Drive North Bethesda, MD 20852 Old Georgetown Nissan Property LLC 11605 Old Georgetown Road Rockville, MD 20852-2708 Montrose Associates c/o Pollinger Shannon & Luchs 5530 Wisconsin Avenue, Suite 1000 Chevy Chase, MD 20815-4330

Jaffe Family LLC 11617 Old Georgetown Road Rockville, MD 20852-2797 Old Georgetown Saab Property LLC 11605 Old Georgetown Road Rockville, MD 20852-2708

11610/11620 Rockville Pike Partnershij

c/o Greenberg Co.

4901 Fairmont Avenue, #200

Bethesda, MD 20814-6000

Jemal's Norman Enco, LLC 2/0 Douglas Development Corp. 702 H St. NW, Suite 400 Washington, DC 20001-3748

M-NCPPC 8787 Georgia Avenue Siver Spring, MD 20910-3716

Legum and Norman, Inc. 4401 Ford Avenue, Suite 1200 Alexandria, VA 22101

The Wisconsin, a Condominium Council of Unit Owners c/o Paul Meyer, President 5809 Nicholson Lane, #116 North Bethesda, MD 20852

North Bethesda Congress of Citizens Richard Zierdt, President 4707 Coachway Drive North Bethesda, MD 20852 Robert E. Reiver/TR c/o Robert E. Reiver 7825 Tuckerman Lane Suite 210 Potomac, MD 20854-3241

Green Acres Metro Ltd. Partnership c/o McDonald's - AMF O'Hare P.O. Box 66207 Chicago, Illinois 60666-0207 United States of America c/o General Services Administration 7th & D Street, SW, #7660 Washington, DC 20407

Council of Unit Owners of the Wisconsin Condominium 5809 Nicholson Lane North Bethesda, MD 20852

W.M.A.T.A. 600 5th Street, N.W. Washington, D.C. 20001-2610 Chevy Chase Bank FSB 7501 Wisconsin Avenue Bethesda, MD 20814-6519



Applicant Mailing List Mont. Co. Conf. Ctr. (1-000087A) Total = 2

 MD & Quad Ctr. Attn: J. Kline c/o Miller, Miller & Canby 200B Monroe St. Rockville, MD 20850

2) Gorove/Slade Assoc., Inc.
 1140 Connecticut Ave., #700
 Washington, DC 20036

APPENDIX C

MONTGOMERY COUNTY PLANNING BOARD

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DATE MAILED: July 25, 2000

SITE PLAN REVIEW: #8-00040

PROJECT: Montgomery County Conference Center

Action: Approval subject to conditions. Motion was made by Commissioner Bryant, seconded by Commissioner Wellington, with a vote of 3-0, Commissioners Bryant, Holmes and Wellington voting for. Commissioners Hussmann and Perdue were absent.

The date of this written opinion is July 25, 2000 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before August 24, 2000 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, this site plan shall remain valid for as long as Preliminary Plan #1-00087 is valid, as provided in Section 59-D-3.8. Once the property is recorded, this site plan shall remain valid until the expiration of the project's APFO approval, as provided in Section 59-D-3.8.

On July 20, 2000 Site Plan Review #8-00040 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report which is made a part hereof, the Montgomery County Planning Board finds:

- 1. The Site Plan is consistent with the approved development plan or a project plan for the optional method of development, if required;
- 2. The Site Plan meets all of the requirements of the TS-R zone;
- 3. The locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;

- 4. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;
- 5. The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

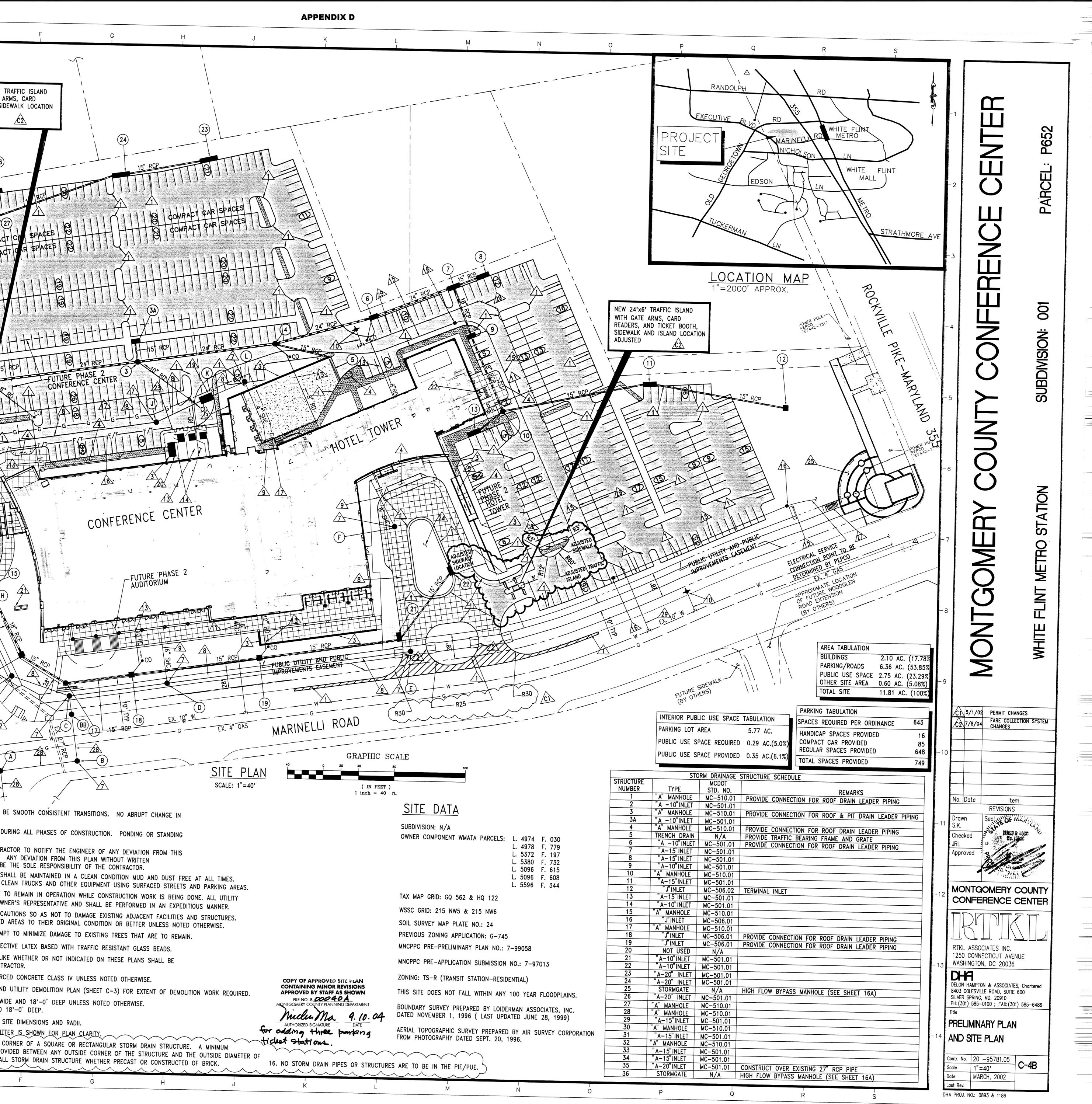
The Montgomery County Planning Board APPROVES Site Plan Review #8-00040 which consists of a 214,020 square foot Hotel and Conference Center including 225 hotel rooms subject to the following conditions:

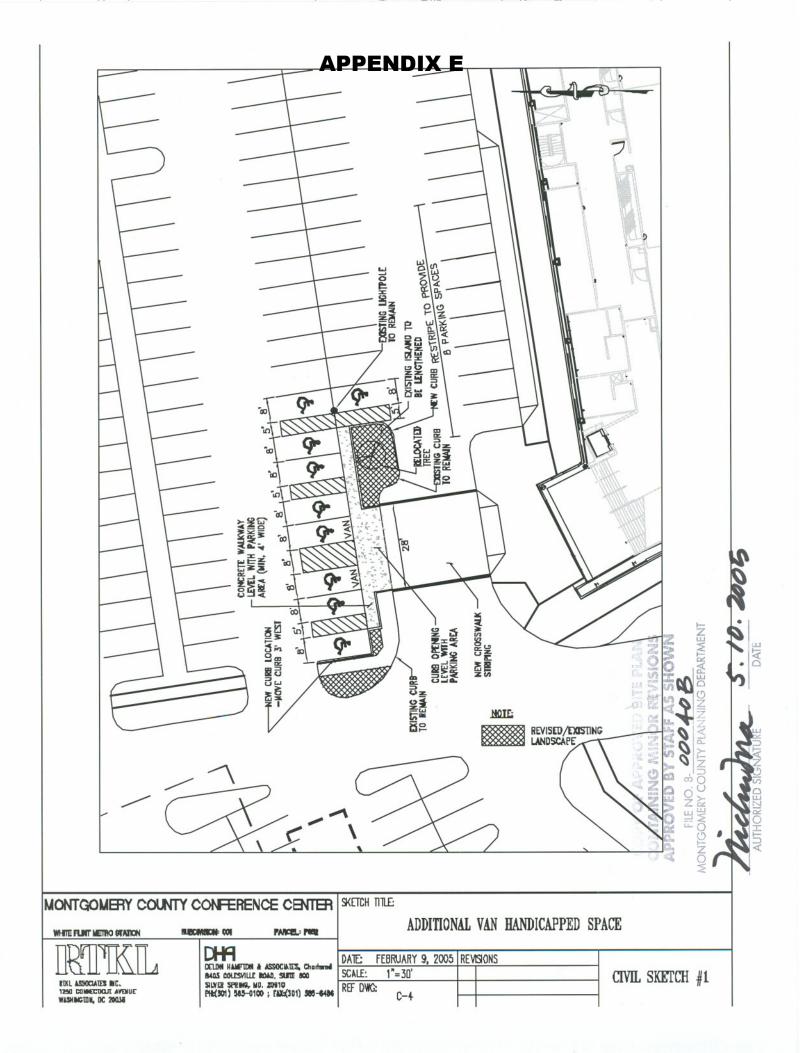
- 1. Provide brick-paved driveway aprons per Bethesda Streetscape Standards
- 2. Adjust light levels in parking lot to reduce over- and underlighted area
- 3. Provide light level plan for street sidewalks, building entrances and plaza
- 4. If WMATA declines to pay for the repaving of its portion of the plaza, obtain permission to assume this and the maintenance obligation in the Conference Center budget
- 5. Provide 8% parking lot landscaping per zoning approval
- 6. Enter into an agreement with MCDPWT for streetscape maintenance in the ROW
- 7. Bus stop relocations, subject to MCDPWT approval, shall be shown on Signature Set
- 8. Signature Set for Site Plan for Phase I shall conform to Phasing Plan set forth in the Binding Elements of Zoning Case G-745
- 9. Standard Conditions dated October 10, 1995:
 - A. Submit a Site Plan Enforcement Agreement and Development Program for review and approval prior to approval of the signature set as follows:
 - 1. Development Program to include a phasing schedule as follows:
 - a) Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
 - b) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
 - c) Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
 - d) Phasing of stormwater management, sediment/erosion control, trip mitigation
 - 2. Site Plan Enforcement Agreement to delineate transportation management program, streetscape maintenance agreement or other requirement of a condition of approval..
 - B. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to

include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):

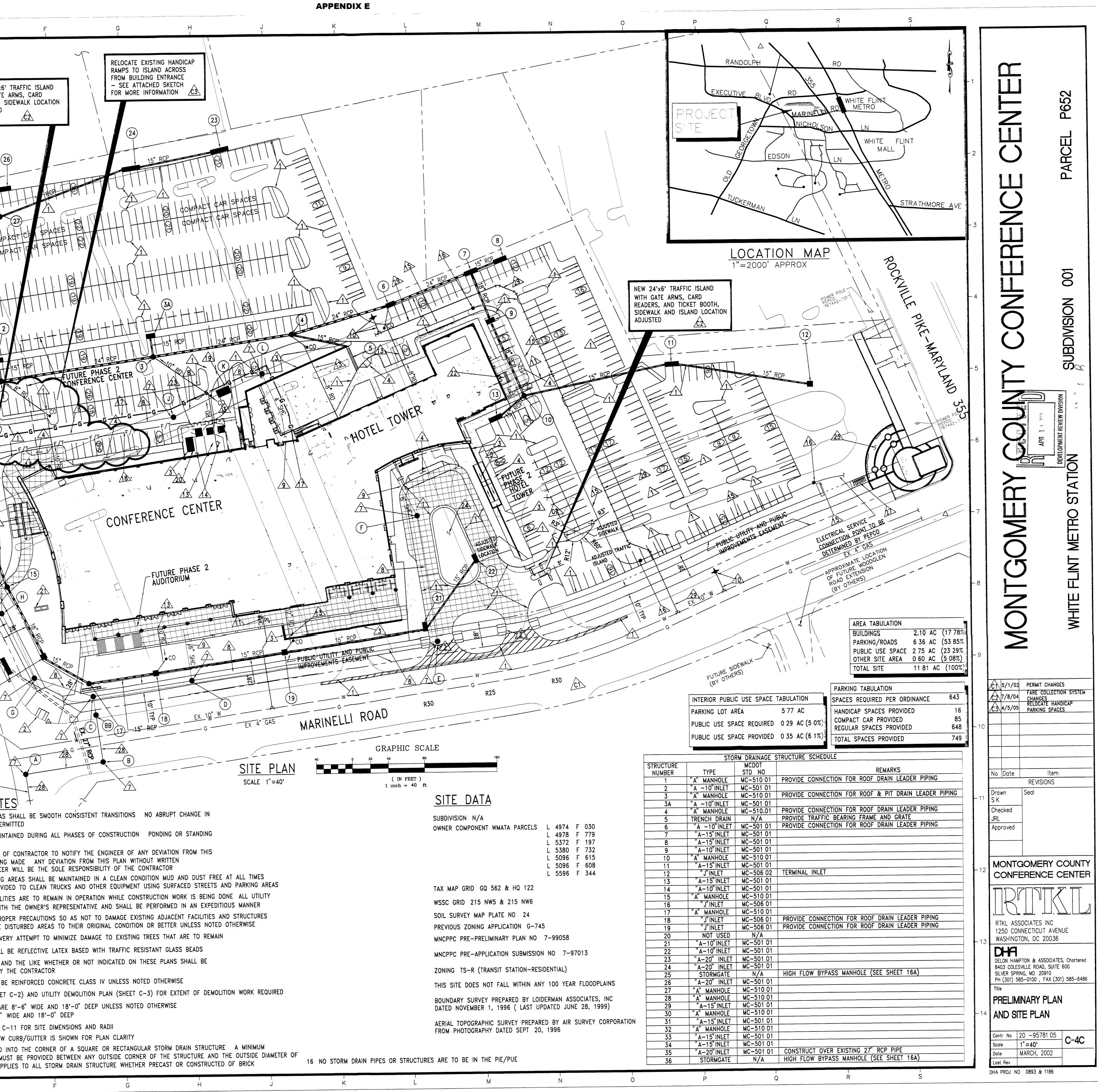
- 1. Limits of disturbance;
- Methods and location of existing street tree protection;
- 3. Forest Conservation areas;
- 4. Conditions of DPS Stormwater Management Concept approval letter
- 5. Note stating the M-NCPPC staff must inspect treesave areas and protection devices prior to demolition, clearing and grading;
- 6. The development program inspection schedule.
- C. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
- D. No demolition, clearing or grading prior to M-NCPPC approval of signature set of plans.

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APPENDIX F



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 07-40 Site Plan No. 8200040C Montgomery County Conference Center Bethesda North Marriott-Phase II

APR 2 5 2007 RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board" or "Board") is required to review site plan applications; and

WHEREAS, pursuant to Montgomery County Code § 59-D-3.4(b), following a public hearing on the application, the Planning Board must, by resolution, approve, approve with conditions or disapprove a proposed site plan; and

WHEREAS, on December 20, 2005, JBG ("Applicant"), filed an application for Approval of Site Plan Amendment 8200040C for an 113,510-square-foot hotel expansion for 225 hotel rooms and 30 spaces of underground parking on approximately 11.81 acres located in the northeast quadrant of the intersection with Marinelli Road and Executive Boulevard, in the TS-R Zone ("Property" or "Subject Property"); and

WHEREAS, on January 19, 2007, Staff issued a memorandum to the Board setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, Applicant's site plan application was designated Site Plan Amendment No. 8200040C, Montgomery County Conference Center, Bethesda North-Marriott-Phase II (the "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on February 1, 2007, Staff presented the Application to the Planning Board at a public hearing for its review and action (the "Hearing"); and

WHEREAS, at its January 19, 2007 hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

Approved as to Legal Sufficiency:

Danil

M-NCPPC Legal Department 8787 Georgia Avenue, Silver Spring, Maryland 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320 www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

WHEREAS, on February 1, 2007, the Planning Board approved Site Plan Amendment 8200040C for the proposed development; NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board approved Site Plan No. 820040C for a 113,510-square-foot hotel expansion for 225 hotel rooms and 30 spaces of underground parking on approximately 11.81 acres in the TS-R Zone. The Applicant must comply with all site development elements as shown on the Montgomery County Conference Center, Bethesda North Marriott-Phase II plans stamped by the M-NCPPC on November 3, 2006, except as modified by the following conditions:

1. Development Plan

All prior approvals, including the conditions of approval, shall remain in full force and effect unless expressly modified through this amendment.

- 2. <u>Preliminary Plan Conformance</u> The Applicant must comply with the conditions of approval for Preliminary Plan 12000087A as listed in the Planning Board resolution.
- 3. Site Design

The proposed plan must be revised to graphically designate the valet parking spaces on the plan and provide a sign in front of the spaces.

- 4. Lighting
 - a. The Applicant must provide a lighting distribution and photometric plan with summary report and tabulations to conform to IESNA standards for commercial development.
 - b. All light fixtures, including the building-mounted fixtures, must be full cut-off fixtures or able to be equipped with shields, refractors or reflectors.
 - c. Deflectors must be installed on all fixtures causing potential glare or excess illumination, especially on the perimeter fixtures near the adjacent residential properties.
 - d. The height of the on-site light poles must not exceed 18 feet including the mounting base.
- 5. Transportation

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The Applicant must comply with the following conditions of approval set forth in the January 3, 2007 memorandum from M-NCPPC Transportation Planning, including:

- a. The Preliminary Plan and Site Plan must be limited to a conference center of 96,645 gross square feet of building area with 36,120 square feet of walled meeting area and Phases I and II hotel buildings with a total of 450 rooms.
- b. The Applicant must record a new plat for dedication of seven more feet of rightof-way from the centerline of Rockville Pike (MD 355). This record plat application must be submitted within three months after the Planning Board approval of the Preliminary Plan amendment resolution and must be recorded

prior to issuance of any use and occupancy permit for the subject phase II hotel building.

- c. The Applicant must become a party to the Traffic Mitigation Agreement for the Montgomery County Conference Center to which Montgomery County and Quad Partners LLC are currently parties. The Applicant must also provide two additional inverted-U bike racks (i.e., each storing two bicycles) and two additional bike lockers. The bike racks must be located in a public, well-lit and weather-protected area within 100 feet of the entrance for hotel patrons. The bike lockers also should be located in a well-lit and weather-protected area within 100 feet of the main entrance for employees.
- 6. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated November 29, 2005, unless amended by the Montgomery County Department of Permitting Services.

7. Development Program

Construction of the proposed development must be in accordance with a Development Program. The Development Program must be reviewed and approved by M-NCPPC staff prior to approval of the certified site plan. The Development Program must include a phasing schedule as follows:

- a. Landscaping associated with parking lot revisions and hotel building must be completed, as construction of hotel is completed, but no later than six months from the initial occupancy of the hotel.
- b. Pedestrian pathways associated with the proposed hotel must be completed as construction of the hotel is completed.
- c. The updated Traffic Mitigation Agreement under Condition 5.c. must be prepared, signed, and submitted to the Planning Board staff by the Applicant prior to issuance of any building permit for the subject phase II hotel building. This Agreement must be signed and fully executed prior to issuance of any use and occupancy permit for the subject hotel building.
- d. Clearing and grading must correspond to the construction phasing, to minimize soil erosion.
- 8. Clearing and Grading

No clearing or grading may be performed prior to M-NCPPC approval of the Certified Site Plan.

9. Certified Site Plan

Prior to approval of the Certified Site Plans the following revisions must be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, revised data table and development standards, and Site Plan Resolution.
- b. Limits of disturbance.
- c. Detail of the sign to be installed in front of valet parking spaces.
- d. Provision of two additional inverted-U bike racks and two additional bike lockers.

- e. Revised Public Use Space exhibit showing correct public use space areas.
- f. A note indicating the measuring point for the height of the building.
- g. A lighting distribution and photometric plan with summary report and tabulations to conform to IESNA standards for commercial development.

BE IT FURTHER RESOLVED, that the Applicant must comply with all site development elements shown on the Montgomery County Conference Center, Bethesda North Marriott-Phase II plans stamped by the M-NCPPC on November 3, 2006, except as modified by the above conditions of approval; and

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 the Planning Board's approval of the Application is based on the following findings:

1. The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan;

If amended in accordance with recommended conditions, the proposed development is consistent with the approved Development Plan (G-745) in land use, density, location, building height and development guidelines.

2. The Site Plan meets all of the requirements of the zone in which it is located.

The Site Plan meets all of the requirements of the TS-R Zone as demonstrated in the project Data Table below.

ANALYSIS: Conformance to Development Standards

Existing Zone:	TS-R (Transit Station, Residential)
Total Acreage:	11.8148 acres
Method of Development:	Optional

		Development S	tandards TS-R	Zone		
Development Standard	Required/ Permitted	Approved with G-745	Approved with Site Plan 820000040	Approved with Site Plan 820000040A	Approved with Site Plan 820000040B	Proposed for Approval Site Plan 820000040C
Min. Tract Area (sf.):	18,000	514,652.69	514,652.6	514,652.69	514,652.69	514,652.69
Max. Density					r	
a. Dwelling Units	827	Not approved for dwelling units	0	0	0	0
b. Conference Center	100-190,000 sf.	96,645 sf.	96,645 sf.	96,645 sf.	96,645 sf.	96,645 sf.
c. Hotel					1	
Phase I		117,375 sf. (225 rooms)	117,375 sf. (225 rooms)	117,375 sf. (225 rooms)	117,375 sf. (225 rooms)	
Phase II		235,100 sf. (450 rooms)				230,885 sf. (450 rooms)
Total GSF						
Phase I		214,020	214,020	214,020	214,020	
Phase II		331,745				327,530
Floor Area Ratio (FAR)	2.5					
Phase I		0.42	0.42	0.42	0.42	
Phase II		0.64				0.64
Development Standard	Required/ Permitted	Approved with G-745	Approved with Site Plan 820000040	Approved with Site Plan 820000040A	Approved with Site Plan 820000040B	Proposed for Approval Site Plan 820000040C
Open Space (%)						
a. Min. Public Use Space	10					
b. Min. Active and Passive Rec. Space	0					
Total Open Space	10	17	23.29	23.29	23.29	27.59
Max. Building Height (ft.):						
Hotel	determined at Site Plan	120 feet (12 stories)	120 feet (12 stories)	120 feet (12 stories)	120 feet (12 stories)	120 feet ' (12 stories)
Conference	determined at	35 feet	35 feet	35 feet	35 feet	35 feet
Center	Site Plan	(2 stories)	(2 stories)	(2 stories)	(2 stories)	(2 stories)
Min. Setbacks (ft.):						
From Marinelli Road						86.2
From MD 355 (Rockville Pike)						417.6

Parking Spaces						
Phase I	625	737	749	749	743	
Phase II	737	768				777 ²
Parking Lot Landscaping (%):						
Phase I	5	8	8	8	8	
Phase II	5	7				9.55

The height of the new hotel building is 107.77 feet (10 stories) measured from the average elevation of finished ground surface along the front end of the building at elevation 406'.
 Including 747 surface parking spaces and 30 garage parking spaces.

3 Phase II information represents the cumulative numbers.

- 3. The locations of the buildings and structures, the open spaces, the landscaping, the recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient.
 - a. Buildings and Structures

The location of the buildings and structures is adequate, safe and efficient. The proposed hotel expansion provides an enclosure of the entrance court to the hotel with a prominent wing that will be visible from Rockville Pike. The function of the two facilities (Conference Center and Hotel) provides a relational element for a positive internal connection. The proposed hotel also provides a greater presence on Marinelli Drive, creating a prominent entry for the hotel and a separate entrance for the Conference Center, allowing the two uses to function effectively together.

The height of the new hotel wing is consistent with the existing hotel building at 10 stories and approximately 108 feet. The building height is also consistent with the surrounding existing and proposed development, which contains a mix of residential and commercial uses.

b. Open Spaces

The proposal satisfies the open space requirements by providing over 27 percent of the site area for public use space. The TS-R Zone requires 10 percent of the site be devoted to open space with no requirement applicable to active and passive recreation facilities for hotels. The Site Plan proposes 27 percent of the site as open space area, which is comprised of green area and landscaping located primarily along Marinelli Road and in the amenity planting area at the intersection with Rockville

Pike that frames the entrance to the Conference Center from the Metro station.

c. Landscaping and Lighting

The existing landscaping on the site consists of a mix of shade, evergreen and flowering trees along the frontage of the conference center on Marinelli Road and Executive Boulevard. The amenity planting area at the intersection of Rockville Pike and Marinelli Road is adorned with a mix of evergreens and flowering trees and shrubs.

The surface parking contains shade trees in the parking islands and a treatment of shade and flowering trees as well as shrubs to buffer the parking spaces from all three public roads. The interior parking spaces and planting islands have been modified to maximize the total number of parking spaces. The interior green space requirements have been exceeded by 1.55 percent with this proposal. The DPA required 8 percent interior green space and the proposed interior green space is 9.55 percent.

The existing streetscape for the public streets is modeled after the Bethesda streetscape standards in order to effectively create an urban environment. The existing street trees are within tree pits in amended soil panels. The landscaped walkway also provides a major connection from the White Flint metro to the hotel and conference center.

The existing and proposed lighting plan is consistent with the Bethesda streetscape standards and include Washington Globe fixtures for the public and private roads.

d. Recreation

Recreation facilities are not required for hotel uses in the TS-R Zone or as a requirement of the M-NCPPC Recreation Guidelines.

e. Vehicular and Pedestrian Circulation

Existing and proposed vehicular and pedestrian circulation is safe, adequate and efficient.

The existing access points to the site remain from Marinelli Road and Executive Boulevard, both of which are 80-foot-wide rights-of-way and

classified as commercial business district streets. Rockville Pike is classified as a major roadway, M-6, with a 134-foot right-of-way and a Class I bikeway on the east side. The original preliminary plan was approved and Lot 1 was recorded without dedicating seven more feet of right-of-way for 67 feet from the centerline. An approval condition of the concurrent preliminary plan amendment requires dedication of additional right-of-way along the Rockville Pike frontage prior to issuance of any use and occupancy permit for the subject phase II hotel building.

An existing ten-foot-wide bike path (Class II bikeway) is located within the rights-of-way for Executive Boulevard and Marinelli Road, which is consistent with the *Countywide Bikeways Functional Master* Plan.

4. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.

The proposed 10-story building and the subsurface parking are compatible with adjacent residential and commercial buildings and uses and with planned development for the White Flint planning area.

The building wing frames the existing 10-story hotel and conference center and is not detrimental to the adjacent high-rise residential uses opposite Marinelli Road. High-rise uses such as the hotel are permitted in the TS-R Zone and are consistent with the existing uses in the surrounding vicinity. The style and materials associated with the architecture of the building are consistent with nearby structures and will be further reinforced in style and design for the overall development.

The intensity of the use, location and height of the building and the massing is compatible with the surrounding existing development and is in context with the overall Bethesda Center North site.

5. The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.

There is no forest on this property and this site is exempt from forest conservation requirements per NRI/FSD #4-05265E, as a modification to an existing use. A Tree Save Plan is not required for this property. There are no environmental features on the property. The property is within the Cabin John Creek watershed. The site does not include any streams, wetlands, or floodplains and there are no environmental buffers on the property.

The proposed stormwater management concept consists of on-site channel protection measures via an existing underground vault and on-site water quality control via an additional Stormfilter. On site recharge is not provided for redevelopment projects.

BE IT FURTHER RESOLVED, that this site plan will remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this written opinion is APR 2 5 2007 (which is the date that this opinion 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 written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules of Court - State).

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At its regular meeting, held on Thursday April 5, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission ADOPTED the above Resolution, on motion of Commissioner Wellington, seconded by Commissioner Bryant, with Chairman Hanson, Vice Chair Perdue, and Commissioners Bryant, and Wellington, present and voting in favor. Commissioner Robinson was absent. This Resolution constitutes the final decision of the Planning Board, and memorializes the Board's findings of fact and conclusions of law for Site Plan No. 8200040C, Montgomery County Conference Center – Bethesda North Marriott – Phase II.

Royce Hanson, Chairman Montgomery County Planning Board