



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

MCPB No. 19-037
Site Plan No. 82018017A
Edgemont at Bethesda II
Hearing Date: March 28, 2019

MAY 01 2019

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 September 20, 2018, the Planning Board, by Resolution MCPB No. 18-095, approved Site Plan No. 820180170, for up to 300,743 total square feet (including 115,193 existing square feet to remain) with up to 276 multifamily dwelling units (including 122 existing units to remain) including 15% MPDUs and includes an allocation of Bethesda Overlay Zone (BOZ) density on 1.65 acres of CR 2.25 C 0.5 R 2.5 H90 and CR 2.5 C 0.50 R 2.5 H150 zoned-land, located on Edgemoor Lane at the corner of Woodmont Avenue ("Subject Property"), in the Bethesda CBD Policy Area and 2017 *Bethesda Downtown Sector Plan* ("Sector Plan") area; and

WHEREAS, on February 21, 2019, Equity Residential, ("Applicant") filed an application for approval of an amendment to the previously approved site plan to reduce the amount of Moderately Priced Dwelling Unit (MPDU) density exempt from Park Impact Payment (PIP) calculation by 456 square feet, from 16,990 square feet to 16,534 square feet, and accordingly increase the PIP from \$1,210,930 to \$1,215,490; and

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 82018017A, Edgemont at Bethesda II ("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 22, 2019, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 28, 2019, Staff presented the Amendment to the Planning Board as a consent item for its review and action, at which time the Planning Board voted to approve the Amendment subject to certain conditions, on motion of Commissioner Cichy, seconded by Commissioner Patterson, with a vote of 3-0; Commissioners

Approved as to
Legal Sufficiency

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Anderson, Cichy, and Patterson voting in favor, and Commissioners Dreyfuss and Fani-Gonzalez absent.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82018017A, subject to the modification of the following conditions of the original Site Plan approval:

1. Density

The Site Plan is limited to a maximum of 300,743 square feet of residential development on the Subject Property, including 115,193 existing square feet to remain, for up to 276 dwelling units (including 122 existing units to remain). This includes a maximum allocation of Bethesda Overlay Zone Density of 138,083 square feet, of which 16,534 square feet is attributable to on-site Moderately Priced Dwelling Units (MPDUs).

2. Bethesda Overlay Zone Density

a) Per Section 59.4.9.2.D.4 of the Zoning Ordinance, the Applicant must have a building permit application accepted by MCDPS that includes the core and shell of the new building within two years of the date of Resolution 18-095 for the original Site Plan 820180170. Within two years of MCDPS accepting the building permit application, the Applicant must obtain the building permit. The deadlines may not be extended. If the Applicant fails to comply with any of the deadlines in this condition, the entire Site Plan approval is revoked.

b) The Applicant must pay to the M-NCPPC a Park Impact Payment of \$1,215,490 prior to release of the first above-grade building permit for the allocation of 121,549 square feet of Bethesda Overlay Zone Density not attributable to on-site MPDUs.

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, having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, the Montgomery County Planning Board FINDS, with the conditions of approval, that this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan, and that all findings remain in effect; 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 this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; and

BE IT FURTHER RESOLVED, that the date of this written resolution is ~~MAY 01 2019~~ (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 written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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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 Cichy, seconded by Vice Chair Dreyfuss, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González and Cichy voting in favor, and Commissioner Patterson absent at its regular meeting held on Thursday, April 25, 2019, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board