



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

MCPB No. 19-111
Sketch Plan No. 32018017A
4915 Auburn Avenue
Date of Hearing: September 12, 2019

SEP 20 2019

RESOLUTION

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

WHEREAS, on December 13, 2018, the Planning Board, by Resolution MCPB No. 18-125, approved Sketch Plan No. 320180170, for construction of a mixed use project of up to 204,728 total square feet with up to 180 multifamily dwelling units, including a minimum of 17.7% MPDUs, up to 12,500 square feet of commercial uses, and allocation of Bethesda Overlay Zone density on 0.72 acres of CR 3.0 C 3.0 R 2.75 H110 within the Bethesda Overlay Zone, located on Auburn Avenue west of Norfolk Avenue, ("Subject Property") in the Bethesda CBD Policy Area and 2017 *Bethesda Downtown Sector Plan* ("Sector Plan") area; and

WHEREAS, Auburn Building Associates, LP ("Applicant") filed an application, that was accepted on August 1, 2019, for approval of an amendment to the previously approved sketch plan to modify Condition No. 1 to increase the maximum allotment of Bethesda Overlay Zone density on the Subject Property; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 32018017A, 4915 Auburn Avenue ("Sketch Plan" 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 August 30, 2019 setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on September 12, 2019, 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

Approved as to
Legal Sufficiency

Christina Scott 9/5/19

WHEREAS, on September 12, 2019, the Planning Board voted to approve the Application subject to conditions by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 32018017A, 4915 Auburn Avenue, for modifying Condition No. 1 to increase the maximum allotment of Bethesda Overlay Zone density on the Subject Property by modifying the following conditions:¹

1. Density

The Sketch Plan is limited to a maximum density of 204,728 square feet of total development, including an allocation of up to 109,736 square feet of Bethesda Overlay Zone density and approximately 29,728 square feet of MPDUs, on the Subject Property. The maximum number of dwelling units and non-residential uses will be determined at Preliminary Plan.

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 having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Board finds that as conditioned the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan and that unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved sketch plan and all findings not specifically addressed remain in effect:

The Sketch Plan Amendment requests to amend Condition 1 to increase the maximum allotment of Bethesda Overlay Zone density on the Subject Property. This amendment is necessary to accommodate the previously approved project density, 204,728 square feet, which excluded MPDU density from the overall project density and from the maximum Bethesda Overlay Zone allocation. Since the date of the original Sketch Plan resolution, the Montgomery County Council adopted Ordinance No. 18-52, which revised portions of Chapter 59, the Zoning Ordinance pertaining to MPDU density. That Ordinance eliminated a portion of the Zoning Ordinance (Section 59.4.7.3.D.6.c.iii), which excluded MPDU density from the overall project FAR and Bethesda Overlay Zone allocation. As amended,

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.

the Project is consistent with the previously approved density and consistent with the Zoning Ordinance, as revised.

Table 1: Sketch Plan Data Table

Section 59.4	Development Standard	Permitted/ Mapped Density/ Required	Approved
	Gross Tract Area CR 3.0 C 3.0 R 2.75 H110 Lot 1 Lot 2 Total Site	n/a	5,851 sf (0.13 ac) 25,813 sf (0.59 ac) 31,664 sf (0.72 ac)
	Prior Dedication Proposed Dedication Site Area Lot 1 Lot 2 Total Site	n/a	3,755 sf (0.086 ac) 254 sf (0.006 ac) 5,851 sf (0.13 ac) 21,804 sf (0.50 ac) 27,655 sf (0.63 ac)
	Residential Density (GFA/ FAR)¹ CR 3.0 C 3.0 R 2.75 H110 Maximum Lot 1 Square Footage Maximum Lot 1 Dwelling Units Maximum Lot 2 Square Footage Maximum Lot 2 Dwelling Units Total Residential Density	16,090 sf (2.75) n/a 70,986 sf (2.75) n/a 87,076 sf (2.75)	6,000 sf (1.02 Lot 1 FAR) Up to 5 Dwelling Units 192,228 sf (7.44 Lot 2 FAR) Up to 180 Dwelling Units 192,228 sf (6.07 Total Tract FAR) (82,492 SF Mapped Density)
	MPDU Density	15%	17.7%
	Commercial Density (GFA/ FAR)^{1,3} CR 3.0 C 3.0 R 2.75 H110 Maximum Lot 1 Square Footage Maximum Lot 2 Square Footage Total Commercial Density	17,553 sf 77,439 sf 94,992 sf (3.0)	5,000 sf (0.85 Lot 1 FAR) 10,500 sf (0.40 Lot 2 FAR) 12,500 (0.39 Total Tract FAR) (12,500 Mapped Density)
	Bethesda Overlay Zone Density	n/a	109,736 (3.46 Total Tract FAR)
	Total Maximum GFA/ FAR¹	94,992 sf (3.0)	204,728 sf (6.46 Total Tract FAR)
	Building Height (max) Maximum Lot 1 Maximum Lot 2	110 feet 110 feet	50 feet 122 feet ⁴
	Public Open Space (min)	0	2,821 sf (10%)
	Green Cover	35%	35%

¹ Density must not exceed maximum approval (8,000 square feet on Lot 1 and 192,228 square feet on Lot 2).

² MPDU density, assumed at an average size of 959 square feet per unit for all 31 MPDUs.

³ Up to 5,000 square feet of Commercial Density may serve "Office" uses.

⁴ Lot 2 is eligible for 12 additional feet based on the provision of MPDUs above 15% (59.4.9.2.C.3.b.)

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the Sector Plan, or other requirements; 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 all binding site development elements shown on the latest version of 4915 Auburn Avenue, Sketch Plan No. 32018017A received by 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 this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is ~~SEP 20 2019~~ (which is the date that this Resolution is mailed to all parties of record); and

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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 Fani-González, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor at its regular meeting held on Thursday, September 12, 2019, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board