



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

MCPB No. 19-088
 Site Plan No. 81984006B
 One Bethesda Center
 Date of Hearing: July 18, 2019

OCT 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 October 9, 1984, the Planning Board, by the mailing of the Opinion, approved Site Plan No. 819840060, for the American Center Building, located at the northeast quadrant of the intersection of Woodmont Avenue and Elm Street in Bethesda ("Subject Property"), in the November 1982 Approved and Adopted Amendment to the Bethesda Central Business District Sector Plan re; and

WHEREAS, on September 26, 2002, the Planning Board approved an amendment to Site Plan No. 81984006A for 182,594 sf of commercial space and 10 townhouses on the Subject Property; and

WHEREAS, on April 2, 2019, 7316 Wisconsin LLC. ("Applicant") filed an application for approval of an amendment to the previously approved site plan(s) to reduce the gross lot size from 67,873 to 61,058 square feet and reduce the net lot area from 45,552 square feet to 41,062 square feet due to 4,490 square feet being incorporated into the adjacent Metro Tower site; both sites located within the 2017 Bethesda Downtown Sector Plan (Sector Plan); and

WHEREAS, the application to amend the site plan was designated Site Plan No. 81984006B, One Bethesda Center ("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 July 8, 2019, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

Approved as to
 Legal Sufficiency:

Christina Sout 9/11/19

WHEREAS, on July 18, 2019, 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 July 18, 2019 the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Paterson, seconded by Commissioner Cichy, with a vote of 3-0; Chair Anderson and Commissioners Cichy and Paterson voting in favor. Commissioners Dreyfuss and Fani-Gonzales being absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 81984006B to reduce the gross lot size from 67,873 to 61,058 square feet and reduce the net lot area from 45,552 square feet to 41,062 square feet due to 4,490 square feet being incorporated into the adjacent Metro Tower site, by adding/modifying the following conditions:¹

1. All development existing on the new lot, 180,396 square feet, is to remain.
2. All references to and requirements for development located on the portion of the site being modified by this Site Plan Amendment are no longer required.
3. All other conditions and findings remain valid and in full effect.

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 81984006B, 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*

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.

previous amendments, and all findings not specifically addressed remain in effect.

All references to and requirements for development located on the portion of the site being modified by this Site Plan Amendment are no longer required. All other conditions and findings remain valid and in full 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 ~~OCT 0 1 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 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 Fani-González, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy and Verma voting in favor, and Commissioner Patterson absent at its regular meeting held on Thursday, September 19, 2019, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board