



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

JAN 28 2021

MCPB No. 21-003
Preliminary Plan No. 11999030C
Wisconsin Place
Date of Hearing: January 14, 2021

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on February 25, 1999, the Planning Board, by Resolution mailed on May 11, 1999, approved Preliminary Plan No. 119990300, creating 1 lot on approximately 8 acres of land in the CBD-2 and Chevy Chase Corporation Retail Overlay zone, located on the northwest quadrant of Wisconsin Avenue and Western Avenue ("Subject Property"), in the 1998 Friendship Heights Sector Plan ("Sector Plan") area; and

WHEREAS, on December 18, 2000, the Planning Board approved Preliminary Plan Amendment No. 11999030A¹ on the Subject Property; and

WHEREAS, on April 10, 2003, the Planning Board approved an amendment to Preliminary Plan No. 11999030B (by Resolution mailed on July 22, 2003) to reallocate density between previously approved uses while maintaining the maximum previously approved development of 1,050,000 square feet on the Subject Property; and

WHEREAS, Subdivision Regulation Amendment 16-01, adopted by the Montgomery County Council on November 15, 2016 as Ordinance No. 18-19, replaced Chapter 50, Subdivision of Land in its entirety, effective February 13, 2017 ("Subdivision Regulations"); and

WHEREAS, Ordinance 18-19 provided that any preliminary plan application filed and certified as complete before the effective date of the Subdivision Regulations may, at the applicant's option, be reviewed under the Subdivision Regulations in effect when the application was submitted; and

¹ There are no electronic records for this application available in the Development Activity Information Center

WHEREAS, on October 22, 2020, T-C Wisconsin Place Owner LLC ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plan(s) to allow up to 13,385 square feet of existing retail to be converted to 5,037 square feet of medical clinic and 8,348 square feet of medical/general office use on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan No. 11999030C, Wisconsin Place ("Preliminary Plan," "Amendment," or "Application"); and

WHEREAS, Applicant opted to have this Preliminary Plan reviewed under the Subdivision Regulations in effect on October 22, 2020; 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 January 4, 2021, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on January 14, 2021, 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, by the vote certified below.

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 11999030C to allow up to 13,385 square feet of existing retail to be converted to 5,037 square feet of medical clinic and 8,348 square feet of medical/general office use. The following condition 1 supersedes the previous condition, while all other conditions remain in full force and effect:²

1. Approval under this preliminary plan amendment is limited to the following:
 - a. 265,000 square feet of retail space, of which up to 13,385 square feet may be converted to up to 5,037 square feet of medical clinic and/or 8,348 square feet of medical/general office use, with any given combination not to exceed 265,000 square feet. Any of the 13,385 square feet not converted to medical clinic or medical/general office use may remain as retail;

² 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.

- b. 305,000 square feet of office space (which may be increased by the conversion in 1.a above);
- c. 433 high rise apartment units; and
- d. 50,000 square feet of retail for a grocery store.

BE IT FURTHER RESOLVED that all other preliminary plan conditions of approval for this project remain valid, unchanged and in full force and effect.

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as 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:

Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved preliminary plan and as revised by previous amendments, and all findings not specifically addressed remain in effect.

2. *Public facilities will be adequate to support and service the area of the subdivision;*

The scope of the Preliminary Plan Amendment, which includes a conversion of 13,385 square feet of retail into 5,037 square feet of medical clinic and 8,348 square feet of medical office space, results in no additional impact on public facilities.

Local Area Transportation Review (LATR)

The transportation impact of Preliminary Plan No. 11999030A was evaluated in accordance with the LATR Guidelines in place at the time of approval and transportation capacity was found to be adequate at that time, finding the Project would result in 392 net new person trips in the morning and 1,545 net new person trips in the evening.

This Amendment is estimated to generate 441 net new person trips in the morning (an increase in 49) and 1,550 net new person trips in the evening (an increase of 5). Since the Project estimates a net increase of trips that is fewer than 50 in both the morning and evening peak hours, no further analysis is required under the LATR and adequate public facilities exist to serve the Subject Property.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

JAN 28 2021 (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).

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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 Vice Chair Fani-González, seconded by Commissioner Verma, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor, at its regular meeting held on Thursday, January 14, 2021, in Wheaton, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board