



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

MCPB No. 21-077  
Preliminary Plan No. 12016022B  
8015 Old Georgetown Road  
Date of Hearing: July 22, 2021

**JUL 27 2021**

**RESOLUTION**

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

WHEREAS, on November 3, 2016, the Planning Board, by Resolution MCPB No. 16-061, approved Preliminary Plan No. 120160220 creating 1 lot on 2.0 acres of land in the PD-44 zone, located at the north corner of Old Georgetown Road and Glenbrook Road ("Subject Property"), in the Bethesda CBD Policy Area and *Woodmont Triangle Amendment to the Bethesda CBD Sector Plan* area; and

WHEREAS, on May 25, 2017, by Resolution No. 18-835, the Montgomery County Council approved and adopted the 2017 *Bethesda Downtown Sector Plan* ("Sector Plan"), which rezoned the Subject Property to CR 2.5 C 0.75 R 1.75 H-120 and the Bethesda Overlay Zone; and

WHEREAS, on June 25, 2020, the Planning Board approved an amendment to Preliminary Plan No. 12016022B (MCPB No. 20-052) to increase maximum density from 145,863 square feet to 316,500 square feet, increase residential units from 107 to 297 units, remove the commercial/church use, and remove Development Plan requirements on the Subject Property; and

WHEREAS, on June 1, 2021, JLB Realty, LLC ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plan(s) to decrease residential units from 297 to 224 units and the addition of up to 82,270 square feet of commercial uses for up to 73 live/work units and common commercial areas on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan No. 12016022B, 8015 Old Georgetown Road ("Preliminary Plan," "Amendment," or "Application"); and

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Approved as to

Legal Sufficiency: /s/ Matthew T. Mills

M-NCPPC Legal Department

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 9, 2021, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on July 22, 2021, 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

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. 12016022B to decrease residential units from 297 to 224 units and the addition of up to 82,270 square feet of commercial uses for up to 73 live/work units and common commercial areas by modifying Conditions 1 and 3 as follows:<sup>1</sup>

**Modified Conditions**

1. This Preliminary Plan is limited to one (1) lot for up to 316,500 square feet of total development, for a mixed-use building with a maximum of 224 multi-family dwelling units and up to 82,270 square feet of commercial uses, including 73 live/work units and 6,000 square feet of common commercial space.
3. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated May 12, 2020 and confirmed on July 1, 2021 and incorporates them as conditions of the Preliminary Plan Amendment approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

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 this Amendment does not alter the intent, objectives, or

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<sup>1</sup> 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.

requirements in the originally approved preliminary plan, as revised, and that all findings not specifically addressed remain in effect, except as modified below:

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

#### **Transportation**

The Preliminary Plan Amendment will not generate additional net new person trips beyond what was previously analyzed and approved for Preliminary Plan 12016022A. As conditioned, the live-work units will not be provided reserved on-site parking for clients, customers, or colleagues and live/work tenants will be informed that clients, customers, and colleagues should not visit such that they would be traveling to and from the Site during the morning and evening peak hours (6:30 AM – 9:30 AM, 4:00 PM-7:00 PM). These measures ensure that no additional trips will be generated by the live/work units during the peak travel periods when compared to the previously evaluated and approved residential units. This may be a conservative estimate as residential units, which is what was evaluated previously, are estimated to generate net new trips during peak periods as part of common commuting patterns.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUL 27 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 Commissioner Cichy, seconded by Commissioner Verma, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy and Verma voting in favor of the motion, and Commissioner Patterson absent at its regular meeting held on Thursday, July 22, 2021, in Wheaton, Maryland.



Casey Anderson, Chair  
Montgomery County Planning Board