



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

MCPB No. 21-076
Sketch Plan No. 3201910A
8015 Old Georgetown Road
Date of Hearing: July 22, 2021

JUL 27 2021

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 September 5, 2019, by Resolution MCPB No. 19-108, the Planning Board approved Sketch Plan No. 320190100, to allow up to 320,000 square feet of multi-family residential development on 2.5 acres of CR 2.5 C 0.75 R 1.75 H-120 zoned-land, located on the north quadrant of the intersection of Old Georgetown Road and Glenbrook Road in Downtown Bethesda ("Subject Property") in the Bethesda CBD Policy Area and 2017 *Bethesda Downtown Sector Plan* ("Sector Plan") area; and

WHEREAS, on June 1, 2021, JLB Realty, LLC ("Applicant") filed an application to reduce the previously approved maximum density from 320,000 square feet to 316,500 square feet, comprising an increase in commercial density of up to 82,270 square feet, and up to 234,230 square feet of residential density, and a decrease in allocation of BOZ density from 124,536 to 42,266 square feet on the Subject Property; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 32019010A, 8015 Old Georgetown Road ("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 July 9, 2021, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

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Approved as to
Legal Sufficiency: /s/ Matthew T. Mills
M-NCPPC Legal Department

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 binding elements and conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 32019010a, to reduce the previously approved maximum density from 320,000 square feet to 316,500 square feet, comprising an increase in commercial density of up to 82,270 square feet, and up to 234,230 square feet of residential density, and a decrease in allocation of BOZ density from 124,536 to 42,266 square feet on the Subject Property, by modifying the following condition:¹

Modified Condition

1. Density

The Sketch Plan is limited to a maximum of 316,500 total square feet of residential development. The maximum number of dwelling units and use mix will be determined at Preliminary Plan. The maximum density includes an allocation of up to 42,266 square feet of density from the Bethesda Overlay Zone (BOZ) density. The final square footage and BOZ allocation will be determined at Site 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 as revised by previous amendments, and all findings not specifically addressed remain in effect.

1. *Meet the objectives, general requirements, and standards of this Chapter;*

¹ For the purpose of these binding elements and conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

The Sketch Plan Amendment meets the development standards of Section 59.4.5.4, as shown in the following Data Table:

Table 1 – Sketch Plan 32019010A Data Table

Section 59.4	Development Standard	Permitted/ Required	Approved w/ 320190100	Approved w/ 32019010A
	Tract Area per Zone			
	CR 2.5 C-0.75 R-1.75 H-120	n/a	109,694 sf (2.52 ac)	109,694 sf (2.52 ac)
	Prior Dedication	n/a	22,562 sf (0.52 ac)	22,562 sf (0.52 ac)
	Proposed Dedication	n/a	7,330 sf (0.17 ac)	7,330 sf (0.17 ac)
	Site Area sf (acres)	n/a	79,802 sf (1.83 ac)	79,802 sf (1.83 ac)
	Residential Density sf (FAR)	191,964 sf (1.75)	191,964 sf (1.75) ¹	191,964 sf (1.75)
	Commercial Density sf (FAR)	82,270 sf (0.75)	0 sf	82,270 sf (0.75)
	Bethesda Overlay Zone Density	n/a	128,036 sf (1.17)	42,266 sf (0.39)
	Total sf (FAR)		320,000 sf (2.92)	316,500 sf (2.89)
	Building Height			
	CR 2.5 C-0.75 R-1.75 H-120	110 feet	90 feet	90 feet
	Public Open Space (min)	10%	10% (sf)	10% (sf)
	Minimum Setbacks	0	0	0
	Green Cover	35%	35% ²	35% ¹

¹ The *Bethesda Downtown Sector Plan* allows developments that provide renewable energy infrastructure to provide less than 35% green cover. The Applicant is proposing to provide 21% of green cover through green roof, canopy cover, and the remaining 14% through solar panel installation.

a) *Implement the recommendations of applicable master plans.*

As amended, the Project remains in conformance with the 2017 *Bethesda Downtown Sector Plan* recommendations for the Property. The inclusion of commercial density for live/work units will enhance the area and provide flexibility for change in the working environment.

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 32019010A, 8015 Old Georgetown Road, 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 JUL 27 2021 (which is the date that this Resolution is mailed to all parties of record); and

* * * * *

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