



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

MCPB No. 21-093
Site Plan No. 81984006C
One Bethesda Center Condominiums
Date of Hearing: September 9, 2021

OCT 14 2021

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 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 area; 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 July 18, 2019, the Planning Board approved an amendment, Site Plan Amendment 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 on the Subject Property; and

WHEREAS, on April 27, 2021, Corinthian Bethesda TIC, LLC & Foundation Bethesda TIC, LLC ("Applicant") filed an application for approval of an amendment to the previously approved site plans to reclassify internal GFA for tenant space, construct a new lobby entrance, and redistribute Public Use Space while maintaining 20% requirement for associated lobby entrance on the Subject Property; and

WHEREAS, the application to amend the site plan was designated Site Plan No. 81984006C, One Bethesda Center Condominiums ("Site Plan," "Amendment," or "Application"); and

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

WHEREAS, Planning Board Staff (“Staff”) issued a memorandum to the Planning Board, dated August 30, 2021, setting forth its analysis of and recommendation for approval of the Application (“Staff Report”); and

WHEREAS, on September 9, 2021, Staff presented the Amendment to the Planning Board for its review and action, at which time the Planning Board voted to approve the Amendment subject to certain conditions, on the motion of Commissioner Cichy, seconded by Commissioner Verma, with a vote of 4-0; Chair Anderson, Commissioners Cichy, Patterson and Verma voting in favor.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Project Plan Amendment No. 91983005C One Bethesda Center Condominiums, to reclassify internal GFA for tenant space, construct a new lobby entrance, and redistribute Public Use Space while maintaining 20% requirement for associated lobby entrance, by adding the following conditions:¹

16. Permitting and inspection for the mechanical space alteration must be completed prior to U&O of the lobby addition.

17. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated August 22, 2021 and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan Amendment approval.

18. Certified Site Plan

Before approval of the Certified Site Plan Amendment the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the MCDPS RPP memo, MCDPS FDA memo, development program, and Site Plan Amendment resolution and all other applicable resolutions on the approval or cover sheet(s).
- b) Add a note stating that “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections

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.

may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”

- c) Modify data table to reflect development standards approved by the Planning Board.

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 81984006C, 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, unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan as revised by previous amendments, and all findings not specifically addressed remain in effect, that:

- 2. *The Site Plan meets all of the requirements of the CBD-2 Zone, and is consistent with an urban renewal plan approved under Chapter 56;*

The data table has been updated below to reflect the proposed changes and to show that the Project remains in conformance with the requirements of the CBD-2 zone.

Table 1: Site Plan 81984006C Data Table

Property Information				
Subject Property				
CR 5.0 C-4.0 R-4.75 H-175 (CBD-2)			61,159 sf (1.40 ac)	
Prior Dedication ¹			19,996 sf (0.46 ac)	
Site Area			41,165 sf (0.94 ac)	
Section	Development Standard	Permitted/ Required	Previously Approved	Proposed
59-C-6.2	Residential Density (GFA/ FAR)	244,636 sf (4)	8,858 sf	8,858 sf (0.14)
	Commercial Density (GFA/FAR)	290,505 sf (4.75)	171,538 sf ²	171,252 sf (2.80) ³
	Total FAR/GFA	n/a	180,396 sf	180,110 sf (2.94)
	Public Use Space (min)	20% of site area	20.2% / 8,300 sf	20% / 8,233 sf

¹These numbers are based off Site Plan Amendment 81984006B, where 4,387 square feet of lot area was transferred to adjacent property, Metro Tower. This resulted in decreased Tract Area from original 67,871 square feet to 61,159 square feet and decreased Site Area from original 45,550 square feet to 41,165 square feet.

²Existing built commercial density is below previously approved, at 170,739 square feet.

³ Applicant is installing a ceiling in existing mechanical room at a height of 6'6" such that this area (320 square feet) will be excluded FAR tabulations per provisions of Section 59-A-2.1 of the 2004 Zoning Ordinance.

3. *The locations of the building and structures, open spaces, landscaping, and recreational facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient;*

As amended, the public open space and pedestrian circulation remain safe, adequate and efficient. The new lobby addition will provide a direct entrance to the building from the newly designed public use space plaza, further activating the space and improving pedestrian circulation to the building.

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 14 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).

* * * * *

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 and Commissioners Cichy and Verma voting in favor of the motion, and Commissioner Patterson absent at its regular meeting held on Thursday, September 23, 2021, in Wheaton, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board