



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

**JUL 29 2021**

MCPB No. 21-083  
Sketch Plan No. 32020007A  
Hampden East  
Date of Hearing: July 22, 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 October 15, 2020, by Resolution MCPB No. 20-115, the Planning Board approved Sketch Plan No. 320200070, to allow up to 525,000 square feet of density for a mixed-use development, including up to 165,000 square feet of residential density with 17.6% MPDUs and up to 360,000 square feet of non-residential density, the maximum density proposes up to 293,440 square feet of density from the Bethesda Overlay Zone (BOZ) with a Park Impact Payment (PIP) on 1.06 acres of CR 5.0 C 5.0 R 4.75 H 250' and BOZ zoned-land, located on the block of East Lane between Montgomery Lane and Hampden Lane ("Subject Property") in the Bethesda CBD Policy Area and 2017 Bethesda Downtown Sector Plan ("Sector Plan") area; and

WHEREAS, on December 29, 2020, Washington Property Company and Douglas Development Company ("Applicant") filed an application to reduce the previously approved maximum density from 525,000 to 510,000 square feet, reduce requested BOZ density from 293,440 to 129,995 square feet and include a sending property (1.56 acres) for 148,445 square feet of transferred density on the Subject Property; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 32020007A, Hampden East ("Sketch Plan" or "Application"); and

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Approved as to  
Legal Sufficiency: /s/ Delisa Coleman  
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 binding elements and 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 binding elements and conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 32020007A, to reduce the previously approved maximum density from 525,000 to 510,000 square feet, reduce requested BOZ density from 293,440 to 129,995 square feet and include a sending property (1.56 acres) for 148,445 square feet of transferred density on the Subject Property, by replacing Condition 1 of the prior approval with the below condition 1.<sup>1</sup>

1. Density

The Sketch Plan is limited to a maximum density of 510,000 square feet of total development, including up to 170,000 square feet of residential uses and 340,000 square feet of non-residential uses. The maximum number of dwelling units and use mix will be determined at Preliminary Plan. The maximum density includes up to 129,995 square feet of density from the Bethesda Overlay Zone (BOZ) with a Park Impact Payment (PIP). The final square footage, including BOZ density and PIP payment, 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

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<sup>1</sup> 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.

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;*

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 32020007A Data Table*

<b>Subject Property</b>				
CR 5.0 C-5.0 R-4.75 H-250			46,312 sf (1.06 ac)	
Prior Dedication			14,485 sf (0.331 ac)	
Proposed Dedication			1,431 (0.03 ac)	
<b>Site Area</b>			<b>30,396 sf (0.70 ac)</b>	
<b>Sending Property</b>				
CR 5.0 C-4.0 R-4.75 H-175			61,159 sf (1.40 ac)	
Prior Dedication			19,996 sf (0.46 ac)	
<b>Site Area</b>			<b>41,163 (0.94) sf</b>	
<b>Total Site Area</b>			<b>30,396 sf (0.70 ac)</b>	
<b>Total Tract Area</b>			<b>107,471 sf (2.48 ac)</b>	
<b>Section 59.4</b>	<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Approved by 320200070</b>	<b>Proposed 32020007A</b>
	<b>Mapped Density</b>			
	CR 5.0 C-5.0 R-4.75 H-250			
	Residential Density (GFA/ FAR)	219,982 sf (4.75)	165,000 sf (3.56)	170,000 sf (3.56)
	Commercial Density (GFA/FAR)	231,560 sf (5)	360,000 sf (7.77)	340,000 sf (7.34)
	<b>Total Mapped Density</b>		<b>231,560 sf (5.0)</b>	<b>231,560 sf (5.0)</b>
	Bethesda Overlay Zone Density	n/a	293,440 sf (6.34)	129,995 sf (2.80)
	Sending Property Density	148,445 sf <sup>1</sup>	0	148,445 sf
	<b>Total FAR/GFA</b>	n/a	<b>525,000 sf (11.34)</b>	<b>510,000 sf (11.01)</b>
	<b>MPDUs</b>	15%	17.6%	17.6%
	<b>Building Height</b>			
	CR 5.0 C-5.0 R-4.75 H-250	250 feet	262 feet	262 feet
	<b>Public Open Space (min)</b>	10% of Site Area	10% of Site Area	10% of Site Area
	<b>Minimum Setbacks</b>			
East Lane	0'	10'	10'	
Hampden Lane	0'	5'	2'	
Montgomery Lane	0'	4'	0'	
Rear	0'	0'	0'	
<b>Green Cover</b>	35% / 10,639 sf	35%	35%	

<sup>1</sup> Density transfer is a result of Zoning Agreement as recorded in Book 52850 and Page 488. One Bethesda Center/4800 Hampden Lane will maintain 180,396 square feet of density onsite for the existing development.

<sup>2</sup> The Application is subject to a Park Impact Payment for the use of BOZ density, to be paid at the time of Building Permit. The Application is providing 17.6% MPDUs (27 units) resulting in 27,000 square feet of MPDU density, which is reduced from the Park Impact Payment.

<sup>3</sup> The Project is eligible for an additional 12 feet of height based on the provisions of MPDUs above 15% (Section 59.4.9.2.C.3.b)

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 32020007A, Hampden East, 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 July 29 2021 (which is the date that this Resolution is mailed to all parties of record), and

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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 Cichy, 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