

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 23-054
Site Plan Amendment No. 82022004A
Grand Park Development
Date of Hearing: May 4, 2023

MAY 16 2023

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 August 10, 2022, the Planning Board, by Resolution MCPB No. 22-077, approved Site Plan No. 820220040 a phase 1 site plan to construct a Residential Care Facility for up to 210 units (285,000 square feet), including a minimum of 13% MPDUs and up to 16,000 square feet of retail uses for a total project density of up to 301,000 square feet; providing 35.9% open space, including a park dedication on 2.14 acres of CR-4.0, C-2.0, R-3.5, H-250 zoned-land, located in the southeast quadrant of the intersection of Old Georgetown Road and Executive Boulevard ("Subject Property"), in the 2010 *White Flint Sector Plan* ("Sector Plan") area; and

WHEREAS, on February 3, 2023, Silverstone Bethesda Owner, LLC ("Applicant") filed an application for approval of an amendment to the previously approved site plan to amend the approved square footage for Phase 1 (Building 3); to reduce the residential density to 276,500 square feet; and retain the 16,000 square feet of commercial density. The project will maintain all plan and design requirements established in Site Plan No. 820220040. The purpose of this amendment is to reduce the residential density reflected on the resolution at the Applicant's request on the Subject Property; and

WHEREAS, Applicant's application to amend the site plan was designated Site Plan Amendment No. 82022004A, Grand Park Development ("Site Plan," "Amendment," 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 April 21, 2023, providing its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

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Approved as to

Legal Sufficiency: /s/ Allison Myers

M-NCPPC Legal Department

WHEREAS, on May 4, 2023, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Vice Chair Piñero, with a vote of 4-0; Chair Zyontz, Vice Chair Piñero, Commissioners Bartley and Hedrick voting in favor and Commissioner Pedoeem absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 82022004A to amend the approved square footage for Phase 1 (Building 3); to reduce the residential density to 276,500 square feet; and retain the 16,000 square feet of commercial density by modifying the following conditions:¹

Density, Height & Housing

1. Density

The Site Plan is limited to a maximum of ~~301,000~~**292,500** square feet of total development on the Subject Property, including ~~285,000~~ **276,500** square feet of residential uses, for up to 210 residential care facility units, and 16,000 square feet of non-residential uses.

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

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Grand Park Development, Site Plan Amendment No. 82022004A, 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 of its Staff as presented at the hearing and/or provided 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:

2. To approve a Site Plan, the Planning Board must find that the proposed development:

d. satisfies applicable use standards, development standards, and general requirements under this Chapter;

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.

i. *Division 4.5.4.A.2 Zone*

Table 1- Site Plan Data Table

Development Standard	Permitted/ Required	Overall Project	Phase 1	Future Phase(s)
Tract Area Previous ROW Dedications Prior Land Transfer(s) ² Dedications Abandonment Area Total Site Area³	n/a	258,203 sf (36,904 sf) 36,911 sf (2,593 sf) 2,607 sf (51,504 sf) 51,181 sf ⁴ TBD (estimated 170 sq ft) 167,202 sf 167,504 sf	93,043 sf 93,828 sf -- -- 23,280 sf 24,280 sf TBD (estimated 170 sq ft) 69,763 sf	165,160 sf 164,375 sf -- -- 28,224 sf 27,098 sf -- 97,430 sf 97,759 sf ⁵
Park Dedication Open Space Total Public Open Space	10%	21,494 sf 21,476 (12.8%) 15,035 15,053 sf (8.9%) 36,529 sf (21.8%)	21,476 sf (30.8 %) 3,576 sf (5.1%) 25,052 sf (35.9 %)	-- 11,459 sf 11,447 sf (11.7 %) 11,459 sf 11,447 sf (11.7 %)
Commercial Density (SF) Residential Density ⁶ (SF) 4% Bonus Density (SF) Residential Density ⁷ (Units) MPDUs Total Project Density	516,406 sf (2.0 FAR) 939,859 sf (3.64 FAR) n/a 12.5% 1,032,812 sf (4.0 FAR)	110,169 sf (0.43 FAR) 903,711 sf (3.5 FAR) 36,148 (0.14 FAR) 1,000 sf 13% 1,050,028 sf (4.07 FAR)	16,000 sf (0.17 FAR) 285,000 sf (3.06 FAR) 276,500 sf (2.97 FAR) 210 units 13% ⁸ 301,000 sf (3.23 FAR) 292,500 sf (3.14 FAR)	94,169 sf (0.57 FAR) 654,859 sf (3.96 FAR) 663,359 sf <i>TBD at Site Plan</i> 13% 749,028 sf (4.54 FAR) 757,528 sf
Building Height (feet)	250 ft	262 ft	210 ft	<i>TBD at Site Plan</i>
Vehicle Parking Commercial	<i>TBD at Site Plan</i>	<i>TBD at Site Plan</i>	64 (min) 192 (max)	<i>TBD at Site Plan</i>

² Land conveyed to Gables White Flint (this land was provided through the realignment of the road from the White Flint West Workaround (WFWW) CIP project).

³ Total Site Area includes Park Dedication (21,476 square feet).

⁴ Change in the site square footages reflects corrections that occurred during construction of the WFWW and recorded for Plat No. 25952

⁵ Future Phase(s) Site Area to be determined with subsequent development applications.

⁶ Including 4% MPDU Bonus density in accordance with Section 59.4.7.3.D of the Zoning Ordinance.

⁷ Including 4% MPDU Bonus density in accordance with Section 59.4.7.3.D of the Zoning Ordinance.

⁸ 13% of the independent dwelling units for a total of ~~16~~ 14 units out of the ~~122~~ 119 approximate units.

Development Standard	Permitted/ Required	Overall Project	Phase 1	Future Phase(s)
Residential			72 provided	
Bicycle Parking			115 (min)144 (max)	
Long Term spaces			133 provided	
Short Term spaces			46	
Loading			2	
			1	

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 MAY 16 2023 (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 Bartley, seconded by Commissioner Hedrick, with a vote of 4-0-1; Chair Zyontz, Vice Chair Piñero, and Commissioners Bartley, and Hedrick, voting in favor of the motion, Commissioner Pedoeem abstaining at its regular meeting held on Thursday, May 11, 2023, in Wheaton, Maryland and via video conference.


 Jeffrey Zyontz, Chair
 Montgomery County Planning Board

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