

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

March 27, 2024

MCPB No. 24-032

Sketch Plan No. 32019003A

7126 Wisconsin Avenue

Date of Hearing: March 7, 2024

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 December 16, 2019, the Planning Board, by Resolution MCPB No. 19-123, approved Sketch Plan No. 320190030 for Bethesda Market, for up to 777,805 total square feet (excludes 4,195 existing square feet to remain for Farm Women's Market) on 6.32 acres of CR 3.0 C 3.0, R 2.75, H 225; CR 3.0 C 3.0, R 2.75, H 200; CR 3.0 C 3.0, R 2.75, H 35; CR 3.0 C 3.0, R 2.75, H 175; CR 3.0 C 2.0, R 2.75, H 90; CRT 0.5 C 0.25, R 0.5, H 70, and the Bethesda Overlay Zone zoned-land, located at the intersection of Wisconsin Avenue and Bethesda Avenue, Willow Lane, and Leland Street ("Subject Property") in the Bethesda Policy Area and 2017 *Bethesda Downtown Sector Plan* ("Sector Plan") area; and

WHEREAS, on November 2, 2022, Wisconsin Avenue Properties, LLC ("Applicant") filed an application for approval of an amendment to the previously approved sketch plan to add the 4708 Bethesda Avenue property to the development program to expand the scale and limits of the previously approved concept and to allow for a larger redevelopment on the West Side of the Sketch Plan area on the Subject Property; and

WHEREAS, Applicant's application to amend the sketch plan was designated Sketch Plan No. 32019003A ("Sketch 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 February 26, 2024, providing its analysis and recommendation for

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Approved as to

Legal Sufficiency: /s/ Matthew T. Mills

M-NCPPC Legal Department

approval of the Application subject to certain binding elements and conditions (“Staff Report”); and

WHEREAS, on March 7, 2024, 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 Pedoeem, with a vote of 5-0; with Chair Harris, Vice Chair Pedoeem, Commissioners Bartley, Hedrick and Linden voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 32019003A to add the 4708 Bethesda Avenue property to the development program to expand the scale and limits of the previously approved concept and to allow for a larger redevelopment on the West Side of the Sketch Plan area on the Subject Property by modifying the following conditions:¹

A. Binding Elements. With this Application, the following site development elements are being amended:

1. Maximum density and height;

All other elements are illustrative.

B. Conditions. This Amendment modifies Condition 1 and Condition 12 of Sketch Plan No. 320190030, with all other conditions remaining unchanged and in full force and effect.

1. Density

The Sketch Plan is limited to a maximum of 777,805 square feet of total development, excluding the 4,195 square feet of existing square footage to remain for the Farm Women’s Cooperative Market building. The Sketch Plan includes an allocation of up to 277,165 square feet of Bethesda Overlay Zone density for the West Side Project and up to 21,991 square feet of Bethesda Overlay Zone density for the East Side Project. The maximum number and distribution of residential dwelling units and/or non-residential uses will be determined at Preliminary Plan(s).

12. MCDOT letter

The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letters dated October 10, 2019

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.

and as updated for the West Side development program amendment on August 7, 2023, and hereby incorporates them as conditions of the Sketch Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Sketch Plan approval.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations of its Staff as presented at the hearing and/or as 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, with conditions of approval, that the necessary elements of the Sketch Plan, as amended, are appropriate in concept and appropriate for further review at the 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, and all findings not specifically addressed remain in effect.

1. *The Sketch Plan meets the objectives, general requirements, and standards of the Zoning Ordinance.*

a. Development Standards

The Subject Property includes approximately 6.64 acres zoned CR-3.0, C-3.0, R-2.75, H-225; CR- 3.0 C- 3.0, R-2. 75, H-200; CR-3.0 C-3.0, R-2.75, H-35; CR-3.0, C-3.0, R-2.75, H-175; CR3.0, C-2.0, R-2.75, H-90; CRT 0.5, C-0.25, R-0.5, H-70 and Bethesda Overlay Zone. The data table below demonstrates the Application's conformance to the applicable development standards of the zones. The Amendment captures the increase in total project area and associated resulting increase in the scale of the proposed project that result from the addition of 4708 Bethesda Avenue into the development program. The Amendment continues to conform with this requirement.

7126 Wisconsin Avenue Sketch Plan Data Table for CR Zone, Optional
 Method, Section 59.4.5.4

Development Standard	Permitted/ Required	Previously approved with 320190030	Approved with 32019003A
Tract Area			
East Side Properties		243,494 sf (5.59 ac)	243,494 sf (5.59 ac)
West Side Properties		31,874 sf (0.73 ac)	45,945 sf (1.05 ac)
Total Gross Tract Area	n/a	275,368 sf (6.32 ac)	289,439 sf (6.64 ac)
East Side Prior Dedication		63,767 sf (1.46 ac)	63,767 sf (1.46 ac)
East Side Proposed Dedication		0	0
West Side Prior Dedication		13,348 sf (3.06 ac)	17,470 sf (0.40 ac)
West Side Proposed Dedication		1,907 sf (0.044 ac)	2,087 sf (0.048 ac)
Site Area			
East Side Properties		179,727 sf (4.13 ac)	179,727 sf (4.13 ac)
West Side Properties		16,619 sf (0.38 ac)	26,234 sf (0.60 ac)
Total Site Area	n/a	196,346 sf (4.51 ac)	205,961 sf (4.73 ac)
Density (GFA/FAR)			
East Side Properties			
Blended Total Mapped Density ¹	350,350 sf (1.44 FAR)	350,350 sf (1.44 FAR) ²	350,350 sf (1.44 FAR) ²
Bethesda Overlay Zone Density		12,455 sf (FAR) ³	12,455 sf (FAR) ³
Total Density		362,805 sf (1.49 FAR)	362,805 sf (1.49 FAR)
West Side Properties			
CR 3.0 C 3.0 R 2.75 mapped	137,835 sf (3.0 FAR)	95,622 sf (3.0 FAR)	137,835 sf (3.0 FAR)
Bethesda Overlay Zone Density		191,878 sf (6.0 FAR)	277,165 sf (6.1 FAR)
Total Density		287,500 sf (9.0 FAR)	415,000 sf (9.0 FAR)
TOTAL DENSITY (EAST & WEST SIDES)		650,305 sf (2.36 FAR)	777,805 sf (2.69 FAR)
Building Height (feet)			
East Side Properties			
CR 3.0 C 3.0 R 2.75 H 35	35	35	35
CR 3.0 C 3.0 R 2.75 H 175	175	175	175
CR 3.0 C 3.0 R 2.75 H 90	90	90	90
CR 0.5 C 0.25 R 0.5 H 70	70	70	70
West Side Properties			
CR 3.0 C 3.0 R 2.75 H 225	225	225	225
CR 3.0 C 3.0 R 2.75 H 200	200	200	200
Public Open Space (% min)	10%	10%	10%

¹ For Blended Total Density Table for East Side Properties, see density table in Attachment B of the original approved Sketch Plan 320190030.

²The total mapped density of 350,350 square feet excludes 4,195 square feet of existing density to remain for the Historic Farm Women's Cooperative Market building, in accordance with the Zoning Ordinance, Section 59.4.5.4.B.2.C.

³The East Side Project may increase BOZ density up to 21,991 square feet, consistent with Sketch Plan Condition No.1. The project density will exceed the Mapped Density. However, a Park Impact Payment will not be required for the East Side Properties/Project because the MPDUs are in excess of the requested Bethesda Overlay Zone (Section 59.4.9.2.C.3.c.i.). The Preferred Development option will provide 15% MPDUs, final number of dwelling units will be determined at the time of Site Plan.

i. Implement the recommendations of applicable master plans (59.4.5.1.A)

The Amendment enhances the Application's ability to implement the recommendations of the Sector Plan in accordance with the Planning Board's previous finding by adding additional area to the scope of the West Side development program. The approved West Side development program included three of four existing, underutilized properties situated in-between Wisconsin Avenue and 4710 Bethesda Avenue (Seasons Apartment building). These properties are the last remaining on the block that have yet to redevelop.

This Amendment adds 4708 Bethesda Avenue, the fourth, and final remaining property on this portion of the block, into the Sketch Plan area. This addition allows for a singular redevelopment of all four existing properties, which are all currently home to low-rise, single-use buildings. This was not contemplated with the original Sketch Plan approval and will result in a higher-quality redevelopment of the Site's prominent location in the core of downtown, in-line with Sector Plan's recommendations for the Bethesda Row District and Wisconsin Avenue Corridor.

ii. Target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses.

This Amendment does not alter the Planning Board's previous finding of conformance with this requirement. The existing site includes low-rise, single-use commercial buildings, surface parking, and a drive-through service use in the core of Bethesda that are proposed for redevelopment with a high-rise, mixed use building.

- iii. Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The Amendment does not alter the Board's previous finding of conformance with this requirement. The Application provides for new multi-family residential housing to include a mix of unit types and 15 percent MPDUs, as well as for up to 130 units to be utilized for short-term rentals. This will offer new housing opportunities for a range of incomes proximate to numerous transit options in downtown Bethesda. The project will also accommodate ground floor commercial uses, several Live/Work Units, and expand the pedestrian realm on its three street frontages. Parking is accommodated in a subsurface garage under the building. The Application also removes existing perpendicular parking spaces that are located in between existing buildings and Miller Avenue.

- iv. Allows a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.*

The proposed Amendment does not alter the Board's previous finding of conformance with this requirement. It provides for residential and commercial uses in a building with the height, density and unique architectural character envisioned by the Sector Plan for this location within Downtown Bethesda.

- v. Integrate an appropriate balance of employment and housing opportunities.*

The proposed Amendment does not alter the Board's previous finding of conformance with this requirement. The Amendment provides for a mixed-use project with multi-family residential units, some of which may be used for short-term rental purposes, and commercial uses. This is an appropriate mix of employment and housing opportunities.

- vi. Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

The Project will provide the required 100 public benefit points from a minimum of four categories to achieve the desired incentive density above the standard method limit. Final determination of public benefit points will be determined at the time of Site Plan.

b. General Requirements

i. *Site Access*

This Amendment does not alter the previously approved site access concept for the East Side of the Bethesda Market.

Specific to the West Side development of 7126 Wisconsin Avenue, the Amendment provides vehicular access to the Site's subsurface parking structure from Bethesda Avenue, with loading and service bays located along Miller Avenue. Access to the secure bike room is provided via a push-button door on Miller Avenue. Pedestrian access will be provided along all three Site frontages. The pedestrian experience along all three frontages will be improved by widening the existing sidewalks on Bethesda and Miller Avenues to a minimum of nine feet of clear width and 12-foot minimum on Wisconsin Avenue. All sidewalks will be buffered by a street tree and furniture zone measuring at least six-and-one-half-feet on all three of the Site's frontages.

ii. *Parking, Queuing, and Loading*

Parking and loading will be provided on-site internal the building. Vehicles will enter and exit the parking garage from the full-movement driveway on Bethesda Avenue. Two loading spaces are required and two are provided with access on Miller Avenue. The loading bay will be closed with a roll-top door when not in use. A Loading Management Plan is also provided with associated Site Plan 820230020.

iii. *Open Space and Recreation*

In accordance with Section 59.4.5.4.B.1, with a site area of 26,234 square feet and frontages on three existing rights-of-way, the Application must provide a minimum of 10 percent (2,623 square feet) of public open space. The Project includes 3,069 square feet of

public open space, which equates to approximately 11.7 percent of the site area. This public open space area is concentrated along the Site's Bethesda and Wisconsin Avenue frontages which contributes to the creation of attractive streetscape areas at a highly visible and heavily trafficked location in downtown.

iv. *General Landscaping and Outdoor Lighting*

Landscaping and outdoor lighting are proposed as part of the Project. These elements are generally designed to the Bethesda Streetscape Standards along the Site's Bethesda and Wisconsin Avenue frontages. Along Miller Avenue, these elements are provided except for street trees. There are existing subsurface public utilities in the Site's Miller Avenue planting zone where potential conflict between tree roots and the utility precludes tree planting in this location. To meet the intent of the Streetscape Standards, smaller flowering shrub and ornamental plantings, with less extensive root systems are proposed in the Miller Avenue planting zone. The Planning Board finds the alternative planting solution for the Site's Miller Avenue frontage to be appropriate and acceptable given the unique circumstances present.

Outdoor lighting is provided in appropriate locations around the Site and building to ensure safe and attractive nighttime illumination. Landscaping, planted stormwater features, and green roofs are provided on outdoor building terraces and rooftop areas where feasible and appropriate.

2. *The Sketch Plan substantially conforms to the recommendations of the Sector Plan.*

As noted in Finding 1.a.i. above, the Amendment does not alter the Planning Board's previous finding of conformance with this criterion. The expanded West Side development area enhances the Application's ability to implement and conform with applicable recommendations of the Sector Plan.

3. *The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

The Sketch Plan is not subject to a development plan or schematic development plan.

- 4. The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.*

The proposed Amendment does not alter the Planning Board's previous finding of conformance with this requirement. The amended building and site design remain compatible with existing and pending nearby developments.

- 5. The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.*

All vehicular parking and loading are internal to the proposed building as was previously approved. The Amendment locates loading access at the southwest corner of the Site from Miller Avenue and locates parking garage access at the Site's northwest corner from Bethesda Avenue. This vehicular access arrangement is an improvement over the previously approved concept and made possible by the addition of 4708 Bethesda Avenue into the development program. Pedestrian and bicyclist access and circulation around the Site will be enhanced through the improvement of sidewalks and streetscapes on Miller, Bethesda, and Wisconsin Avenues. A combination of long and short-term bicycle parking spaces is provided. As such, the Amendment provides satisfactory vehicular, pedestrian and bicyclist access, circulation, parking, and loading.

- 6. The Sketch Plan proposes an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.*

Taking into account the considerations in Section 59-4.7.1.B, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the Planning Board finds that the following outline of public benefits supports the Applicant's request for incentive density for 7126 Wisconsin Avenue, the West Side portion of Bethesda Market only, and is appropriate for the community surrounding the site. The final determination of public benefit point values will be determined at Site Plan(s). Public benefits associated with the East Side of Bethesda Market remain unchanged by this Amendment.

*Table 2: West Side Development Concept - Public Benefit Calculations-
 Division 59-4.7*

Public Benefit	Maximum Points Allowed	Previously Approved in Concept	Approved in Concept with Amendment A
Connectivity and Mobility			
Minimum Parking	20	10	6.8
Diversity of Uses and Activities			
Enhanced Accessibility	20	20	20
Quality Building and Site Design			
Architectural Elevations	30	20	0
Exceptional Design	30	10	20
Historic Resource Protection	20	0	10
Structured Parking	20	20	20
Tower Step-Back	20	10	5
Protection and Enhancement of the Natural Environment			
Building Lot Terminations (BLT)	30	5.8	8.4
Cool Roof	15	10	0
Energy Conservation and Generation	25	15	15
Total Points	Minimum of 100	120.8	105.2

CONNECTIVITY AND MOBILITY

Minimum Parking

The Bethesda Overlay Zone increases the maximum amount of public benefit points available for Minimum Park from 10 points to 20 points within the Overlay Zone. The Applicant requests 6.8 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on-site. Based on the formula set forth in the Incentive Density Implementation Guidelines, the proposed project is eligible for 6.8 public benefit points in this category.

$$\frac{((\text{Maximum Allowed Parking}) - (\text{Parking Provided}))}{((\text{Maximum Allowed Parking}) - (\text{Minimum Parking}))} * 10 = \text{number of public benefit Points}$$

$$(464-261) / (464-165) * 10 = 6.8 \text{ points}$$

The Application provides 261 parking spaces, which is 203 fewer spaces than the maximum, and yields 6.8 public benefit points. The Planning Board supports 6.8 public benefit points in concept for Minimum Parking.

DIVERSITY OF USES AND ACTIVITIES

Enhanced Accessibility

The Applicant requests 12.7 public benefit points for providing 14 dwelling units that satisfy ANSI A117.1 Residential Type A accessibility standard or equivalent county standard. Each percentage of units provided to this standard is worth three points. Based on the formula set forth in the Incentive Density Implementation Guidelines, the Application is eligible for the maximum 20 public benefit points in this category. The Planning Board supports 12.7 public benefits points in concept for the provision of enhanced accessible residential dwelling units.

$$\begin{aligned} (\text{ANSI 117.1 Type A Units} / \text{Total Units}) \times 300 &= \text{number of public benefit points} \\ (14 / 330) \times 300 &= 12.7 \text{ points} \end{aligned}$$

QUALITY BUILDING AND SITE DESIGN

Exceptional Design

The Bethesda Overlay Zone increases the maximum amount of public benefit points available for Exceptional Design from 10 points to 30 points within the Overlay Zone. The Applicant requests 20 public benefit points for providing a building and site design that are highly responsive to the goals of both the Wisconsin Avenue Corridor and Bethesda Row District of the *Bethesda Downtown Sector Plan*.

The Project proposes infill redevelopment of a series of low-rise commercial buildings, including one with drive-through service, and surface parking and replaces them with a new landmark building. The Site spans two Downtown districts, the Wisconsin Avenue Corridor and Bethesda Row District, each with its own set of goals and recommendations that influence the form of the design. The design of the building and Site are responsive to existing buildings around it and those that are undergoing or planned for redevelopment. The Project will provide new housing and commercial space within walking distance of the Bethesda Metro Station. The design enhances the public realm on three frontages in a manner that balances multiple design requirements for different street types while also being highly responsive to the Sector Plan's design recommendations Wisconsin Avenue Corridor and Bethesda Row District.

The Site is designed to provide tree-lined streets and wide sidewalks to the Bethesda Streetscape Standards on its three frontages. This design is consistent with streetscape enhancements provided in by other new developments nearby. A new and unique piece

of art, incorporating the theme of women's history in the County, is to be provided at a visually prominent location at the Site's northeast corner. This is directly across Wisconsin Avenue from the Farm Women's Market, and next to a pedestrian plaza outside of the entrance to the new building's ground-level commercial area. This is intended to provide a physical, visual, and thematic connection between the Site and Farm Women's Market and its planned civic green. Activating uses will wrap the ground-level of the new building, with commercial uses fronting on Bethesda Avenue and Wisconsin Avenue. The residential lobby, leasing offices and amenity spaces will wrap the building's southeast corner on Wisconsin Avenue and southern frontage on Miller Avenue. Ample fenestration is provided along these active areas to encourage a visual interface between those inside and outside of the building. These elements will help create an attractive and functional streetscape around the Site.

The site design removes multiple existing curb cuts and simplifies vehicular circulation on this portion of the block. Vehicular access is provided at a single point to a subsurface garage at the Site's northwest corner. Loading access is at a single point at the Site's southwest corner. This access arrangement is a significant improvement over existing conditions for pedestrian safety.

The building's massing is well proportioned and utilizes classic rectilinear forms that pull up vertically from a well-defined, six-level base. The building's tower rises to a maximum height of 225-feet at its northeast corner, where it will be highly visible along Wisconsin Avenue and from the Farm Women's Cooperative Market and its future civic green. The height of the building steps down to 200-feet as it moves back from Wisconsin Avenue and transitions from the Wisconsin Avenue Corridor to the Bethesda Row District. In addition to its shape and form, elements such as residential balconies, step backs, changes in material, and strong horizontal and vertical banding throughout help create a unique building that celebrates its prominent location that is in harmony with the changing character of the neighborhood. Overall, the design of the projects meets many of the goals for development in the Wisconsin Avenue Corridor and Bethesda Row District as is discussed in this report.

Public benefit points requests for Exceptional Design in the Bethesda Overlay Zone are reviewed by the Design Advisory Panel (DAP). The DAP reviewed the Sketch Plan Amendment concept in July 2021, provided feedback, and encouraged the Applicant to pursue 20 points for exceptional design. The Planning Board supports in concept, the request for 20 Exceptional Design public benefit points.

Structured Parking

The Applicant requests 20 public benefit points for providing Structured Parking. The Application includes below-grade structured parking with 261 spaces. All on-site parking will be provided in the subsurface garage. The CR Zone Incentive Density Implementation Guidelines grants points on a sliding scale based on the percentage of

total on-site spaces to be provided in a below-grade parking structure. The proposed parking regime qualifies for 20 public benefit points as 100 percent of the proposed parking spaces for the project will be located in a subsurface parking structure. The Planning Board supports the request for 20 public benefit points in concept.

Tower Step-Back

The Applicant requests five points for providing Tower Step-Backs greater than six feet in depth at the building's seventh floor (67 feet above the building height measuring point) and twentieth floor. The Planning Board supports in concept, the request for five public benefit points for Tower Step-Backs.

PROTECTION AND ENHANCEMENT OF THE NATURAL ENVIRONMENT

Building Lot Terminations (BLTs)

The Applicant requests 15.7 points for the purchase of 1.75 BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5 percent incentive density floor area, exclusive of any density allocated for MPDUs. The Applicant is required to purchase a minimum of 0.94 BLTs. The Applicant proposes to purchase an additional 0.81 BLTs, for a total of 1.75 BLTs. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. The Planning Board supports in concept, the 15.7 public benefits points requested based on the following calculation:

$$\begin{aligned} &(((418,332 - 22,973)) \times 0.075) / 31,500 = 0.94 \text{ BLTs minimum required} \\ &1.75 \text{ BLTs} * 9 \text{ points/BLT} = 15.7 \text{ points} \end{aligned}$$

Energy Conservation and Generation

The Bethesda Overlay Zone increases the maximum amount of public benefit points available for Energy Conservation and Generation from 15 to 25 points in the Overlay Zone. The Applicant requests 15 points for providing a design that exceeds the energy efficiency standards for the building type by greater than 17.5 percent. The Applicant provided a preliminary energy use and generation model with comparisons to the average use and generation for the building type based on the Department of Energy Standards. The final model with specific methods used to achieve this reduction will be determined by MCDPS prior to the issuance of a Building Permit. The Planning Board supports the concept for this Application to achieve 15 points for this public benefit.

7. The Sketch Plan establishes a feasible and appropriate phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.

All site elements are proposed to be developed in a single phase.

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at the 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 *Bethesda Downtown 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 7126 Wisconsin Avenue, Sketch Plan 32019003A, 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

March 27, 2024

(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 consistent with the Maryland Rules for the judicial review of administrative agency decisions.

* * * * *

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 the motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, with a vote of 5-0, Chair Harris, Vice Chair Pedoeem, and Commissioners Bartley, Hedrick, and Linden, voting in favor of the motion, at its regular meeting held on Thursday, March 21, 2024, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
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Sketch Plan No. 32019003A
Preliminary Plan No 120230020
Site Plan No 820230020

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