

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

July 22, 2024

MCPB No. 24-042
Site Plan Amendment No. 82004016E
Wildwood Manor Shopping Center
Date of Hearing: April 4, 2024

CORRECTED 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, under Section 59-7.7.1.B.3, the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014, including the zoning then in effect; and

WHEREAS, on January 9, 2004, the Planning Board issued an Opinion approving Site Plan No. 820040160 for a 609-square-foot addition to the existing shopping center, for a total of 84,710 square feet of retail, on 11.6 acres of C-1 and R-90 split zoned-land, located at 10233 Old Georgetown Road (MD 187) in the northeast quadrant of its intersection with Cheshire Drive and is known as Parcel 753 (“Subject Property”), in the North Bethesda Policy Area and *North Bethesda/Garret Park Master Plan* (“Master Plan”) area; and

WHEREAS, on March 15, 2007, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan Amendment No. 82004016A (MCPB No. 07-23), to install a bank ATM and construction of associated sidewalks and steps for pedestrian access to the pad site. The bank’s total area was increased by 28-square feet from the approved 1,224 square feet to the built 1,252 square feet. Other minor revisions included relocation and reconfiguration of an accessible parking space in front of the bank, deletion of one standard parking space, installation of a different style bike rack and relocation of planting areas displaced by the ATM addition and its appurtenances on the Subject Property; and

WHEREAS, on September 14, 2017, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan Amendment No. 82004016B (MCPB No. 17-082), for an additional 3,720 square feet of retail space to allow for a 4,971-square-foot addition, for a total of 88,430 square feet of retail, and associated landscape, stormwater management, and access improvements in parking lots; and

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Approved as to
Legal Sufficiency: /s/ Allison Myers
M-NCPPC Legal Department

WHEREAS, on June 18, 2019, the Planning Director administratively approved an amendment to the previously approved site plan, designated Site Plan Amendment No. 82004016C, for minor changes to the parking design and landscaping; and

WHEREAS, on August 16, 2023, the Planning Director administratively approved an amendment to the previously approved site plan, designated Site Plan Amendment No. 82004016D, to allow 2,948 square feet of existing retail space to be converted to a veterinary office use without boarding or an outdoor relief area; and

WHEREAS, on December 11, 2023, Federal Realty Investment Trust (“Applicant”) filed an application for approval of an amendment to the previously approved site plan for the construction of an 832-square-foot building addition for a freezer to replace an existing freezer trailer, the addition of a generator trailer and a fire hydrant, and minor changes to the hardscape on the Subject Property; and

WHEREAS, Applicant’s application to amend the site plan was designated Site Plan Amendment No. 82004016E, Wildwood Manor Shopping Center (“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 March 8, 2024, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on April 4, 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; Chair Harris, Vice Chair Pedoeem, Commissioners Bartley, Hedrick and Linden voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 82004016E for the construction of an 832-square-foot building addition for a freezer to replace an existing freezer trailer, the addition of a generator trailer and a fire hydrant, and minor changes to the hardscape by replacing Condition No. 3 as follows:¹

3. Transportation

The overall development on the site is limited to a total of 89,262 square feet of general retail space with a grocery store. Any change of use must be reevaluated for compliance with the APF regulations.

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.

BE IT FURTHER RESOLVED that all other site plan conditions of approval for this property 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 Wildwood Manor Shopping Center, Site Plan No. 82004016E, 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 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, that:

Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan, and all findings not specifically addressed remain in effect.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Amendment includes the construction of an 832-square-foot building addition for a freezer to replace an existing freezer trailer, the addition of a generator trailer and a fire hydrant, and minor changes to the hardscape.

The Subject Property includes approximately 11.61 acres zoned CRT-1.25 C-0.75, R-0.75, H-50' The Application satisfies the applicable development standards as shown in the following data table:

Data Table

Development Standard	Permitted/ Required	Approved
Mapped Density CRT-1.25 C-0.75, R-0.75, H-50'		
Residential (GFA/ FAR)	379,298 sq ft/0.75	0
Commercial (GFA/FAR)	379,298 sq ft/0.75	89,262 sq ft/ 0.17 FAR
Total Mapped Density (GFA/FAR)	632,163 sq ft/a.25	89,262 sq ft/ 0.17 FAR

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-D-3.8; and

BE IT FURTHER RESOLVED that this Corrected Resolution constitutes the written opinion of the Board in this matter, and the date of this Corrected Resolution remains

April 17, 2024

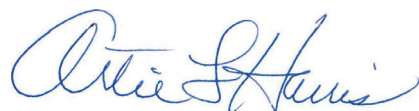
(which is the date that the original Resolution was mailed to all parties of record); and

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 corrected resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Linden, seconded by Vice Chair Pedeem, with a vote of 5-0; Chair Harris, Vice Chair Pedeem, and Commissioners Bartley, Hedrick, and Linden, voting in favor of the motion, at its regular meeting held on Thursday, July 18, 2024, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board