

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

December 27, 2023

MCPB No. 23-131

Sketch Plan No. 320240010

7749 Old Georgetown Road

Date of Hearing: December 14, 2023

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 September 20, 2023, Stonebridge (“Applicant”) filed an application for approval of a sketch plan to allow up to 246,000 square feet of density for a multi-use development, including up to 6,000 square feet of non-residential uses and up to 240,000 square feet of residential uses with 15% MPDUs, and up to 89,165 square feet of BOZ density with associated PIP payment on 0.72 acres of CR-5.0, C-5.0, R-5.0, H-175’ and within the Bethesda Overlay Zoned-land, located in the southeast quadrant of the intersection of Old Georgetown Road and St. Elmo Avenue (“Subject Property”) in the Bethesda CBD Policy Area and 2017 *Bethesda Downtown Sector Plan* (“Sector Plan”) area; and

WHEREAS, Applicant’s sketch plan application was designated Sketch Plan No. 320240010, 7749 Old Georgetown Road (“Sketch Plan” 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 December 1, 2023, providing its analysis and recommendation for approval of the Application subject to certain binding elements and conditions (“Staff Report”); and

WHEREAS, on December 14, 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 Bartley, 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 Sketch Plan No. 320240010, 7749 Old Georgetown Road, to allow up to 246,000 square feet of density for a multi-use development, including up to 6,000 square feet of non-residential uses and up to 240,000 square feet of residential uses with 15% MPDUs, and up to 89,165 square feet of BOZ

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Approved as to

Legal Sufficiency: /s/ Emily Vaias

M-NCPPC Legal Department

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density with associated PIP payment on the Subject Property, subject to the following binding elements and conditions:¹

A. Binding Elements. The following site development elements are binding under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements are illustrative.

Conditions. This approval is subject to the following conditions:

1. **Density**
 The Sketch Plan is limited to a maximum of 246,000 square feet of total development comprised of up to 240,000 square feet of residential uses and up to 6,000 square feet of nonresidential uses.
2. **Height**
 The development is limited to a maximum average building height of 175 feet, as measured from the building height measuring point to be illustrated on the Certified Site Plan.
3. **Incentive Density**
 The development must be constructed with the public benefits listed below unless modifications are made under Section 59.7.3.3.I. Total points must equal at least 100 and be chosen from at least 4 categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval.
 - a) Connectivity and Mobility, achieved by providing fewer than the maximum parking spaces under the Zoning Ordinance;
 - b) Diversity of Uses and Activities achieved by providing units designed with enhanced accessibility for the disabled;
 - c) Quality of Building and Site Design, achieved through architectural elevations, exceptional design, and structured parking; and

¹ 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.

- d) Protection and Enhancement of the Natural Environment achieved through the purchase of building lot terminations, cool roof, energy conservation and energy generation, and a recycling facility plan.

4. Streetscape

The Applicant must install the Bethesda Streetscape Standard along the entire Site Frontage, including the undergrounding of utilities.

5. Park Impact Payment

The Applicant must make a Park Impact Payment (PIP) to the M-NCPPC prior to the release of the first above-grade building permit. The final amount will be determined at Site Plan.

6. Green Cover

- a) At the time of Site Plan, the Applicant must provide a minimum 35% of Site Area as green cover as described in Section 2.4.1 of the *Bethesda Downtown Sector Plan* and Section 2.3.2 of the associated *Design Guidelines*; any proposed tree canopy must utilize tree species and canopy sizes at 20-year maturity per the *M-NCPPC Approved Trees Technical Manual*.
- b) Green roof areas credited towards the Green Cover requirement must be built in place and avoid the use of tray systems.
- c) The green cover credit on the rooftops must meet or exceed the minimum of intensive green roof standards, with a depth of appropriate media that is 6 inches or deeper.

7. Bethesda Downtown Plan Design Guidelines

At the time of Site Plan, the Applicant must demonstrate the following:

- a) Comments have been addressed from the Design Advisory Panel as specified in their June and July 2023 meeting minutes; and
 - b) Project conformance for street typology, parks and open space, site design, building form, creative placemaking, and any site-specific guidelines in accordance with the *Bethesda Downtown Plan Design Guidelines*.
8. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated November 27, 2023, and incorporates them as conditions of the Sketch Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Sketch Plan approval.
 9. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration (“SHA”) in its letter dated November 15, 2023, and incorporates them as conditions of the Sketch Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by SHA if the amendment does not conflict with any other conditions of the Sketch Plan approval.

10. Future Coordination for the Preliminary and Site Plans

In addition to any other requirements for Preliminary Plans under Chapter 50 and Site Plans under Chapter 59, the following must be addressed during the appropriate application review:

- a) The Applicant must submit and receive approval of a Preliminary/Final Forest Conservation Plan;
- b) Provide and receive approval of a stormwater management concept plan consistent with Chapter 19 of the Montgomery County Code, which also addresses the recommendations of the *Bethesda Downtown Sector Plan*, Water Quality Section (2.4.2.B) and the associated Design Guidelines on Pages 54-62 of the Sector Plan;
- c) Incorporate Bird-Safe Design elements into the building's architecture with emphasis on Glass Coverage and Glazing, per pages 80-81 of Bethesda Downtown Plan Design Guidelines;
- d) Provide a noise analysis as part of the Preliminary Plan submission;
- e) Provide a Canopy Exhibit and supplemental tree planting along streets and public spaces to support a minimum of 50 percent overall canopy cover, on a plan-wide basis, per the Sector Plan recommendations;
- f) Address the SITES & LEED recommendations of the Sector Plan;
- g) Submit a draft Energy use/generation model as required by the latest Bethesda Implementation Guidelines;
- h) Submit a Recycling Facility Plan;
- i) Explore architectural methods and/or visual amenities to minimize impacts of the blank wall on the northeastern façade;
- j) Dedicate additional public right-of-way, if necessary, on the Site's frontages on St. Elmo Avenue and Old Georgetown Road in compliance with the *2018 Master Plan of Highways and Transitways*; and
- k) At Preliminary Plan, the Applicant must participate in the implementation of the Bicycle Master Planned designated bicycle facilities along the Site's St. Elmo Avenue frontage.

11. Validity

A site plan must be submitted within 36 months after the date the resolution is sent per Section 59.7.3.3.G.

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 that as conditioned the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan and that the Sketch Plan:

1. Meet the objectives, general requirements, and standards of this Chapter;

Table 1: 7749 Old Georgetown Road Sketch Plan Data Table for CR- 5.0, C- 5.0, R-5.0, H-175' Zone, Optional Method, Section 59.4.5.4

Development Standard	Permitted/ Required	Proposed
Tract Area	<i>n/a</i>	31,367 sf (0.72 ac)
Prior Dedication	<i>n/a</i>	12,367 sf (0.28 ac)
Proposed Dedication	<i>n/a</i>	0 sf
Site Area¹ (Tract Area minus Dedications)	<i>n/a</i>	19,000 sf (0.44 ac)
Mapped Density CR-5.0, C-5.0, R-5.0, H-175' Residential (GFA/ FAR)	156,835 sf (5.0)	240,000 sf (7.65)
Commercial (GFA/FAR)	156,835 sf (5.0)	6,000 sf (0.19)
Total Mapped Density (GFA/FAR)	156,835 sf	156,835 sf (3.0)
Bethesda Overlay Zone Density	<i>n/a</i>	89,165 sf (2.84)
MPDU requirement	15%	15%
Total GFA/FAR		246,000 sf (7.84)
Building Height, max average	175 ft	175 ft
Public Open Space (min s.f.)	0%	0%

¹ Site area is determined by tract area minus any previous and proposed dedications per Section 59.4.1.7.A

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

The Project substantially conforms to the recommendations for the Property included in the 2017 *Bethesda Downtown Sector Plan*. Specifically, this Sector Plan builds on the past successes of Downtown Bethesda to create a truly sustainable downtown by focusing on components that will bolster the elements most in need of enhancement. The recommendations include:

Parks and open spaces, including new civic greens at Veteran’s Park, Bethesda Farm Women’s Cooperative Market, Capital Crescent Trail and new urban parks, pathways and gateways.

Affordable housing, including the preservation of existing market-rate affordable housing, providing a mix of housing options and the provision of Moderately Priced Dwelling Units in exchange for development incentives.

Environmental innovation, including more energy-efficient buildings, better stormwater management, improved sidewalks and bicycle routes, and other measures to enhance community health and quality of life.

Economic competitiveness, based on new development, public amenities and proximity to public transit to attract businesses and visitors from throughout the region, and foster entrepreneurship and innovation.

The Property is designated as site 36 on pages 111 and 112 of the Sector Plan. Woodmont Triangle is an eclectic, mixed-use district that balances high-rise residential development with small-scale retail and arts amenities. This district serves as an office and retail center during the day, and as a restaurant district during the evenings and weekends. Woodmont Triangle is primarily a commercial area, containing both retail and office uses. Residential uses were once limited, but since the *2006 Woodmont Triangle Amendment*, additional apartments and condominiums have been developed in the district. The predominance of low buildings on small parcels in Woodmont Triangle creates a strong contrast with the higher density residential blocks that have recently developed in the district as well as in the Metro Core. Parking lots and decks, both public and private, occupy the limited number of otherwise vacant properties. The area has little open space and few visually distinctive buildings. Lack of distinguishing characteristics among the streets creates orientation problems for visitors. Despite its lack of visual quality, the district’s diverse business activity, low-scale buildings and low-speed street pattern contribute to the area’s appeal. Due in part to its angled roadway system that creates triangles within the Triangle, this district features oddly configured and dispersed retail spaces, and difficult accessibility and visibility from major roadways. However, these conditions have allowed a more diverse and local boutique retail environment to flourish.

Specifically, the Project addresses the following goals as outlined in the Sector Plan and Woodmont Triangle District sections of the Sector Plan:

- *Improve intersections and environment for pedestrians and bikes through lighting and safety measures.*

The Project will update the Old Georgetown Road frontage, and the intersection of, and frontage along, St. Elmo Avenue with the Bethesda Streetscape standards. This includes undergrounding overhead utilities and providing lighting, street trees, benches, and trash receptacles as recommended by the Streetscape Standards.

- *Enhance bike connectivity.*

The Project will participate in the implementation of master planned bicycle lanes on St. Elmo Avenue as envisioned by the 2018 *Bicycle Master Plan* and will also provide short term bicycle parking on the exterior of the building to support the multimodal activity to the proposed retail space, and long-term bicycle parking for the users of the building.

- *Increase environmental innovation, including more energy efficient buildings, better stormwater management, improved sidewalks and bicycle routes, and other measures to enhance community health and quality of life.*

The Project will result in significant improvements to the treatment of stormwater management on-site, as there are no known stormwater management facilities located on the Property. As recommended by the Sector Plan, the Project will achieve 35% green cover by providing green roof. Additionally, the Project is located within the High Performance Area and will meet the requirements in the Sector Plan and Bethesda Overlay Zone for exceeding current energy efficient standards for buildings by 17.5%.

- *Continue the Constrained Long-term Parking Policy and promote incentives to reduce parking.*

Given its proximity to transit, the Project will provide significantly fewer than the maximum number of parking spaces on-site. The Project proposes to provide a minimum of 143 parking spaces on-site. This is well below the maximum number of parking spaces allowed by the Zoning Ordinance.

- *Promote infill development with higher densities and building heights nearest the central core of Downtown Bethesda to accommodate future growth.*

The Property is currently improved with low-density, aging commercial buildings. Given its location within walking distance of the Bethesda Metro Station, the Project is proposing to redevelop the site with a 17-story mixed-use, transit-oriented development.

Environmental Recommendations

St. Elmo Avenue is identified in the Sector Plan as a Canopy Corridor. Canopy Corridor designations are intended to create green corridors that connect parks, trails, stream buffers, and denser forest networks beyond the Bethesda boundaries. The corridors also align with recommended bike and pedestrian priority streets where tree canopy becomes a crucial element to enhance shade and comfort while also providing an ecological benefit.

In aligning the proposed development with these goals, the Applicant proposes improvements to the St. Elmo Avenue streetscape as well as providing a landscaped urban boulevard on Old Georgetown Road. The streetscape will improve the pedestrian realm for the benefit of the greater Woodmont Triangle neighborhood.

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

The Property is currently developed with several one to three story commercial buildings, with parking and associated curb cuts. The Project will replace the single-use commercial with a mixed-use building featuring ground floor retail and residential above.

c. 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 Applicant proposes to provide parking within a below grade parking garage. The building will activate the ground floor with retail uses and provide multi-family units within walking distance to the Bethesda Metro Station. The streetscape on Old Georgetown Road and St. Elmo Avenue will also be enhanced with Bethesda Streetscape standards including bicycle lanes on St. Elmo Avenue to encourage a variety of mobility options for the users of

the building.

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

The Woodmont Triangle features a mix of older single story commercial buildings, mid-range office buildings, and newer mixed-use and residential towers. The surrounding properties vary in building heights ranging from one story commercial to 22-story residential (St. Elmo apartments currently under development). This Proposal, featuring a new 17-story mixed-use residential building, will be compatible with the surrounding density, heights, and mix of uses found within the Woodmont Triangle.

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

Woodmont Triangle is primarily a commercial area, containing both retail and office uses. Residential uses were once limited, but since the 2006 Woodmont Triangle Amendment additional apartments and condominiums have been developed in the district. This Proposal that includes ground floor retail and residential above, will contribute to balancing the amount of residential with the existing retail and office uses.

- f. 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 4 categories to achieve the desired incentive density above the standard method limit. The proposed categories are discussed in further detail in Finding 6 below. Final determination of public benefit points will be determined at the time of Site Plan.

- 2. Substantially conforms to the recommendations of the applicable master plan;***

As discussed in Finding 1.a above, the Project substantially conforms to the 2017 *Bethesda Downtown Sector Plan*.

3. *Satisfy 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. *Achieve compatible internal and external relationships between existing and pending nearby development;*

The Proposal will achieve compatible relationships between existing and pending nearby development. The massing will provide a setback from the existing commercial building to the south on Old Georgetown Road as recommended by the *Bethesda Design Guidelines* and provide setbacks above the base on the Old Georgetown Road and St. Elmo façade to reduce perceived bulk and mass from the street views.

5. *Provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading;*

All vehicular access will be provided from St. Elmo Avenue. Separate, adjacent bays will be provided for loading and garage access on the eastern side of the Site. The pedestrian experience will be significantly improved with a wide street buffer, enhanced with trees and understory planters. The sidewalk will be at least 10-foot-wide, in compliance with the Bethesda Downtown Streetscape Guidelines. St. Elmo Avenue is a canopy corridor, which envisions a double row of trees. This is an especially constrained Site, and the Applicant is strongly encouraged to add as much vegetation as possible on either side of the clear pedestrian zone. The dimensions and elements of the streetscape will be finalized in coordination with Montgomery County Department of Transportation at the time of Preliminary Plan. The grade and material of the sidewalk will extend across the loading and garage bays to increase the visibility of pedestrians to motorists.

As conditioned, the Applicant will also participate in the future installation of the master-planned, striped bike lanes envisioned along St. Elmo in the 2018 *Bicycle Master Plan*. The Applicant will continue to coordinate with MCDOT and SHA on any potential modifications to the intersection of St. Elmo Avenue and Old Georgetown Road to accommodate the bike lanes.

All onsite vehicular parking will be provided in the below-grade parking garage, accessed from St. Elmo. The Applicant has indicated that they are providing approximately 143 spaces on-site, which is fewer than the minimum required based on the requirements of the underlying zoning. However, it is important to note that this Site is located within the Bethesda Parking Lot District which allows redevelopment projects to provide as few as zero spaces onsite. The final number of parking spaces will be determined at the time of Site Plan. On-street parking is envisioned along the Site frontage. The final number of spaces will be identified in the future Site Plan Application.

Bicycle parking is required for both the residential and the commercial uses proposed on the Site. Long-term bicycle parking will be provided within the parking garage. Short-term bicycle parking is shown within the public right-of-way but outside the pedestrian clear zone on St. Elmo Avenue.

The site access, circulation, parking, and loading is satisfactory and will be further refined with future regulatory applications.

6. *Propose 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 of the Zoning Ordinance, 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 following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site, as described below.

For the proposed development, the Zoning Ordinance requires 100 points in 4 categories. The Applicant proposes to exceed the 100-point requirement utilizing 4 categories. Although at the time of Sketch Plan review only an outline of public benefits needs to be approved, the following table shows both the categories and points for the public benefits requested at Sketch Plan to demonstrate the project's ability to meet the requirement to provide sufficient benefit points.

Table 2: Public Benefit Calculations- Division 59-4.7 as Modified by BOZ 59-4.9.2

Public Benefit	Maximum Points Allowed	Proposed
Connectivity and Mobility		
Minimum Parking	20	14.8
Diversity of Uses and Activities		
Enhanced Accessibility	20	7.5
Quality Building and Site Design		
Architectural Elevations	20	15
Exceptional Design	30	25
Structured Parking	20	20
Protection and Enhancement of the Natural Environment		
Building Lot Terminations (BLT)	30	4.9
Cool Roof	15	10
Energy Conservation and Generation	25	15
Recycling Facility Plan	10	5
Total Points	100 (required)	117.2

Per Section 59.4.9.2.C.4.g of the Zoning Ordinance, the Bethesda Overlay Zone eliminates the category for Transit Proximity, increases the maximum amount of public benefit points available in certain categories, and requires a minimum amount of public benefit points for Exceptional Design and Energy Conservation and Generation. Applicable to this Sketch Plan are the Overlay Zone's increase in maximum points available for Minimum Parking (from 10 to 20 maximum points), Architectural Elevations (from 20 to 30 maximum points), Exceptional Design (from 10 to 30 maximum points), Cool Roof (from 10 to 15 maximum points), and Energy Conservation and Generation (from 15 to 25 maximum points).

CONNECTIVITY AND MOBILITY

Minimum Parking

The Applicant requests 14.8 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. Final determination will be made at Site Plan and the Planning Board supports the category at this time.

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DIVERSITY OF USES AND ACTIVITIES

Enhanced Accessibility

The Applicant requests 7.5 points for constructing dwelling units with interiors that satisfy the American National Standards Institute (ANSI). Points for this incentive are granted on a sliding scale calculated on the percentage of complying units. Final determination of complying units will be made at Site Plan. The Planning Board supports the category at this time.

QUALITY BUILDING AND SITE DESIGN

Architectural Elevations

The Applicant requests 15 points for providing architectural elevations as part of the Certified Site Plan showing particular elements of the design such as minimum amounts of transparency, maximum separation between doors, and other design priorities of the applicable Sector Plan and implementing design guidelines. While the Planning Board supports the category at this time, we recommend the Applicant include elements enhancing the corner design at the time of Site Plan to strengthen the category.

Exceptional Design

The Applicant requests 25 points for building and/or site design that enhances the character of a setting. As a site receiving an allocation of Bethesda Overlay Zone density, the Project is subject to the Design Advisory Panel review, which will award points based on the quality of the design. The Applicant asserts that the Project fulfills many recommendations of the *Bethesda Downtown Sector Plan* and Design Guidelines which was presented to the Bethesda Design Advisory Panel twice in June and July of 2023. At their July 2023 meeting, the Panel voted that the Project is on track to meet a minimum 10 design excellence points with options for the corner design to be included in the Site Plan level review. The Planning Board supports this category with final points to be determined at the time of Site Plan.

Structured Parking

The Applicant requests 20 points for providing structured parking in a below grade parking structure. The Planning Board supports the category at this time.

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PROTECTION AND ENHANCEMENT OF THE NATURAL ENVIRONMENT

Building Lot Termination (BLT) Purchase

The Applicant requests 4.9 points for the purchase of BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. 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 the Applicant's request at this time.

Cool Roof

The Applicant requests 10 points for proposing to provide a cool roof that will collectively meet or exceed a solar reflectance index (SRI) of 75 with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12. The Planning Board supports the category at this time.

Energy Conservation and Generation

The Applicant is requesting 15 points for providing a building that exceeds applicable energy efficiency standards by 17.5%. A draft energy model will be required at the time of Site Plan. The Planning Board supports the category at this time.

Recycling Facility Plan

The Applicant requests 5 points for providing a recycling facility plan at the time of Site Plan. Points are granted for plans that satisfy the Montgomery County Executive Regulation 15-04AM and/or Montgomery County Executive Regulation 18-04. Additional points may be granted for recycling plans that exceed the applicable regulations and for facilities that are integrated into building and site design, are readily accessible and easy to find without being visually disruptive. The Applicant will provide a Recycling Facility Plan for review by the Montgomery County Department of Environmental Protection at the time of Site Plan review. The Planning Board supports the category at this time.

- 7. Establish a feasible and appropriate provisional phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.***

The project will be built in one phase.

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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 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 Sketch Plan No. 320240010, 7749 Old Georgetown Road, 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:

December 27, 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 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, its regular meeting held on Thursday, December 21, 2023, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board

ATTACHMENT B

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