

# Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

February 14, 2025

MCPB No. 25-017  
Preliminary Plan No. 120240070  
7749 Old Georgetown Road  
Date of Hearing: January 16, 2024

## **RESOLUTION**

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on August 7, 2024, Stonebridge (“Applicant”) filed an application for approval of a preliminary plan of subdivision of property that would create one lot for up to 270 multifamily units with 15% MPDUs and up to 6,000 square feet of commercial uses on 0.72 acres of land in the CR-5.0, C-5.0, R-5.0, H-175 and Bethesda Overlay Zone (BOZ), located in the southeast quadrant of the intersection of Old Georgetown Road & St. Elmo Avenue (“Subject Property”), in the Bethesda CBD Policy Area and 2017 *Bethesda Downtown Sector Plan* (“Sector Plan”) area; and

WHEREAS, Applicant’s preliminary plan application was designated Preliminary Plan No. 120240070, 7749 Old Georgetown Road (“Preliminary Plan” or “Application”); and

WHEREAS, the Application was submitted for concurrent review and approval with Site Plan No. 820240090, and Forest Conservation Plan No. F20241020; 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 January 6, 2025, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on January 16, 2025, 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, and Commissioners Bartley, Hedrick, and Linden, voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120240070 to create one lot for up to 270 multifamily units with 15% MPDUs and up to 6,000 square feet of commercial uses on the Subject Property, subject to the

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Approved as to  
Legal Sufficiency: /s/ Matthew Mills  
M-NCPPC Legal Department

following conditions:<sup>1</sup>

### **General Approval**

1. This Preliminary Plan is limited to one lot for up to 270 multi-family dwelling units with 15% MPDUs and up to 6,000 square feet of retail uses.<sup>2</sup>

### **Adequate Public Facilities**

2. The Adequate Public Facilities (“APF”) review for the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

### **Plan Validity Period**

3. The Preliminary Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and before the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

### **Outside Agencies**

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated December 4, 2024 and incorporates them as conditions of the Preliminary 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 Preliminary Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration (“MDOT SHA”) in its letter dated November 1, 2024, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MDOT SHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
7. Before the issuance of MDOT SHA access permits, the Applicant must satisfy the Maryland State Highway Administration’s requirements for access and improvements.
8. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Water

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<sup>1</sup> 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. See also Montgomery County Code §50.2.2.A (“applicant”).

<sup>2</sup> The retail space can be changed to other commercial uses if there is no adverse impact on the Preliminary Plan and the APF findings and it is approved by Staff.

Resources Section in its stormwater management concept letter dated October 28, 2024, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

9. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its letter dated December 3, 2024, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

### **Other Approvals**

10. Before approval of a record plat or any demolition, clearing or grading for the Subject Property, the Applicant must receive Staff certification of any subsequent Site Plan(s) associated with this Preliminary Plan. The number and location of site elements including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks and bikeways is determined through site plan review and approval.
11. If an approved site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan amendment.

### **Transportation**

#### **Frontage Improvements on Existing Roads**

12. The Applicant must satisfy all necessary requirements of MCDPS to ensure construction of the following frontage improvements:
  - a. St. Elmo Avenue: Eight-foot-wide (8 ft) sidewalk with a five-foot-wide (5 ft) vegetated street buffer, and a five-foot-wide (5 ft) separated bike lane on the south side of the street with two-foot-wide (2 ft) buffer striped with flex posts along the Site frontage. This will transition to five-foot-wide (5 ft) striped bike lanes with no buffer to the east of the Site; the Applicant will install striped lanes beyond the site frontage to Norfolk Avenue. The portion of this bikeway to the east of the site that is striped with no buffer should be placed between the travel lane and the curbside parking. The Applicant’s participation in bike lane striping shall not require milling or overlay in the right-of-way.
  - b. A variable sidewalk width with a minimum width of ten-feet (10 ft) and a six-foot-wide (6 ft) vegetated street buffer.

### **Record Plats**

13. No above-grade building permits shall be issued before recordation of plat(s).
14. The record plat must show necessary easements.

### **Certified Preliminary Plan**

15. The certified Preliminary Plan must contain the following note:
  - a. Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.
16. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
  - a. Show resolutions and approval letters on the certified set.
  - b. Clearly label extent of Public Access Easement including truncation area.
  - c. Update street sections to show variable sidewalk width on Old Georgetown Road.

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as 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:

- 1. The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.**

The layout of the subdivision is appropriate for the proposed mixed-use building. As demonstrated by Table 6 in Site Plan Finding 1.a, the proposed lot and Proposal complies with the basic requirements contained in Chapter 59 for optional method projects within the CR zone.

Section 50.4.3.E.2.f.iii of the Montgomery County Subdivision Regulations indicate that corner lots at an intersection must be truncated by straight lines joining points 25 feet back from the theoretical property line intersection in each quadrant, which would require a 25-foot truncation at the corner of the Site where St. Elmo Avenue intersects with Old Georgetown Road. When more or less width is needed for traffic safety and operations, the Board may specify a greater or lesser truncation than otherwise required. Historically, Planning and MCDOT have not required full truncations in urban settings to accommodate building placement as long as sight distance and traffic functions are not impeded. The Applicant requests a reduced truncation at this intersection and alternatively proposes a building design and pedestrian zones along both frontages that

achieves a 25-foot build-to-line on Old Georgetown Road and a 15-foot build-to-line on St. Elmo Avenue. In addition to the building design, the Applicant will dedicate a public access easement at the intersection that will achieve an 18-foot truncation. The easement would functionally restrict the installation of any obstructions within the area of the public access easement to ensure vehicular and pedestrian visibility at this intersection. The Project will improve the streetscape along both frontages to enhance safety for all modes of transportation.

The Montgomery County Department of Transportation (MCDOT) has reviewed the proposal and supports the reduced truncation as the additional right-of-way is not necessary for MCDOT purposes. The Planning Board supports the Applicant's request for reduced truncation at the corner of St. Elmo Avenue and Old Georgetown Road in accordance with Section 50.4.3.E.2.f.iii of the Montgomery County Subdivision Regulations.

**2. The Preliminary Plan substantially conforms to the Master Plan.**

**a) Land Use**

As discussed in Site Plan Finding 2.g, the Proposal substantially conforms to the 2017 Bethesda Downtown Sector Plan.

**b) Environment**

St. Elmo Avenue is identified in the Sector Plan as a Canopy Corridor, and as such is intended to create green corridors that connect parks, trails, stream buffers, and denser forest networks beyond the Bethesda boundaries. The proposed plan includes increasing canopy cover in streets and public spaces and achieving 35% green cover on private property through intensive green roofs and tree planting. However, due to limited site space, a double row of trees and wider sidewalks are not feasible for this project. 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 vegetated buffers within St. Elmo Avenue and Old Georgetown Road and will be providing two additional planters on Old Georgetown Road within the Property where outdoor seating is proposed. The streetscape will improve the pedestrian realm for the benefit of the greater Woodmont Triangle neighborhood.

**c) Transportation**

Old Georgetown Road is classified as an Urban Boulevard per the *Bethesda Design Guidelines* which recommends a minimum 25-foot-wide build-to-line from the curb to the building, and a pedestrian through zone ranging from 10-20 feet in width. The Application will provide a build-to-line of 28 feet and a variable pedestrian through zone ranging from 10 to 22 feet with a frontage zone that will provide landscape beds

and outdoor seating areas. St. Elmo Avenue is classified as a Downtown Mixed-Use Street with a 15 to 20-foot-wide build-to-line from the curb to the building, and the Application will provide a 15-foot-wide build-to-line and an 8-foot-wide sidewalk.

As further discussed in Finding 3 below, the Applicant will be implementing the master-planned separated bicycle lanes on St. Elmo Avenue and updating the streetscape per the *Bethesda Design and Streetscape Guidelines*.

**3. Public facilities will be adequate to support and service the area of the subdivision.**

**a) Roads and other Transportation Facilities**

**i. Existing Facilities**

Both frontages have already achieved their master-planned right-of-way (ROW) width with Old Georgetown Road containing 87 feet of existing ROW and St. Elmo Avenue containing 70-feet of existing ROW. No further dedication is required.

**ii. Proposed public transportation infrastructure**

The Applicant will install a separated bike lane on St. Elmo Avenue. This includes a five-foot-wide separated bike lane with a two-foot buffer (striped and with flex posts) along the Site frontage (the south side of St. Elmo Ave) and this will transition to striped bike lanes with no buffer to the east of the Site (to be installed by the Applicant, as conditioned). The portion of this bikeway to the east of the site that is striped should be placed between the travel lane and the curbside parking, which is to remain. The design of these bicycle lanes, which is an interim facility until the final design can be achieved, was coordinated with Montgomery County Department of Transportation (MCDOT) and consistent with the Complete Streets Design Guide for an interim facility. The Applicant will also install enhanced streetscape on Old Georgetown Road, consistent with the Bethesda *Streetscape Standards and Design Guidelines*, to achieve a 22-foot-wide sidewalk with a 6-foot-wide vegetated buffer with street tree plantings.

**b) Local Area Transportation Review (LATR)**

The previous use on the Site was 23,015 square feet of commercial uses, including 18,760 square feet of retail, and 4,255 square feet of office. The proposed 270 high-rise residential units and 6,000 square feet of ground floor retail are estimated to generate a net increase of 46 person trips in the morning peak hour and a net decrease of 39 person trips in the evening peak hour. The 2020-2024 *Growth and Infrastructure Policy* requires a transportation impact study for any project that is estimated to generate a net increase of 50 or more person trips in either the morning or evening peak hours. As that is not the case for this Application, the LATR review

is satisfied with a transportation exemption statement. A summary of the trip generation analysis is provided in Table 1 below.

*Table 1: Trip Generation Analysis*

		ITE Trip Generation Vehicle Rates		Adjusted Vehicle Rates Bethesda CBD Policy Area		Total Person Trips	
		AM	PM	AM	PM	AM	PM
Existing	Strip Retail Plaza (<40K sf)	44	122	27	74	61	167
	Office	11	12	7	8	15	17
Proposed	270 multifamily housing (high-rise)	78	93	62	74	122	145
	6,000 square feet retail <sup>1</sup>	0	0	0	0	0	0
<b>Net Change</b>						<b>46</b>	<b>-39</b>

*Source: Transportation Exemption Statement from Wells and Associates, September 10, 2024, modified by staff*

<sup>1</sup> The presumption that no new person trips are generated applies for up to 15,000 gross square feet of retail space in a building that has least 90 percent of its floor area ratio (FAR) devoted to non-retail uses, as long as no parking spaces for retail customers are included in the site plan. No parking spaces are designated for the proposed retail use on-site. Therefore, all criteria for ancillary uses are met and it is assumed that no trips are generated by the proposed retail use (2022 LATR Guide, page 20).

**c) Schools**

Preliminary Plan No. 120240070 is subject to the FY25 Annual School Test, approved by the Planning Board on June 20, 2024, and effective July 1, 2024. This plan proposes 270 multifamily high-rise units.

**School Adequacy Test**

The project is served by Bethesda Elementary School (ES), Westland Middle School (MS) and Bethesda-Chevy Chase High School (HS). Based on the FY25 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

*Table 2: FY2025 Annual School Test Projections (2028-2029 School Year)*

	Program Capacity	Enrollment	%Utilization	Surplus/ Deficit
Bethesda ES	561	590	105.2%	-29
Westland MS	1,064	865	81.3%	+199
Bethesda-Chevy Chase HS <sup>3</sup>	2,475	2,341	94.6%	+134

*Table 3: FY2025 School Test Results*

	Adequacy Status	Tier 1 Adequacy Ceiling	Tier 2 Adequacy Ceiling	Tier 3 Adequacy Ceiling
Bethesda ES	No UPP	56	84	168
Westland MS	No UPP	325	412	572
Bethesda-Chevy Chase HS	No UPP	314	629	1,001

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school’s adequacy status and ceilings, as determined in the Annual School Test. Under the FY25 Annual School Test, Bethesda ES, Westland MS and Bethesda-Chevy Chase HS do not require any UPP as identified in Table 3. If the project is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

**Calculation of Student Enrollment Impacts**

The calculation of student enrollment impacts is determined by the number of dwelling units multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

With a net of 270 multifamily high-rise units that are not age-restricted, the proposed project is estimated to generate the following number of students based on the subject property’s location within an Infill Impact Area:

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<sup>3</sup> Projected enrollment is modified to estimate the impact of the Charles W. Woodward High School Reopening (CIP P651908) and the Northwood HS Addition/Facility Upgrades (CIP P651907), reflecting the scope of the boundary study approved by the Board of Education on March 28, 2023.



*Table 4: Estimated Student Enrollment Impacts*

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	0	0.202	0.000	0.096	0.000	0.141	0.000
SF Attached	0	0.161	0.000	0.087	0.000	0.126	0.000
MF Low-rise	0	0.065	0.000	0.030	0.000	0.040	0.000
MF High-rise	270	0.039	10.530	0.016	4.320	0.018	4.860
<b>TOTALS</b>	<b>270</b>		<b>10</b>		<b>4</b>		<b>4</b>

As shown in Table 4, on average, this project is estimated to generate 10 elementary school students, 4 middle school students and 4 high school students. The estimated number of students generated do not exceed the adequacy ceilings identified for each school in Table 3. Therefore, no additional UPPs are required and neither are partial payments across multiple UPP tiers.

**d) Other Public Facilities and Services**

Public facilities and services are available and will be adequate to serve the proposed development. The Subject Property is proposed to be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service which has determined that the Subject Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as electrical, telecommunications, gas, police stations, firehouses, and health services are operating according to the Growth and Infrastructure Policy resolution currently in effect and will be adequate to serve the Property.

**4. All Forest Conservation Law, Chapter 22A requirements are satisfied.**

The Application satisfies all applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department’s Environmental Guidelines as further discussed in the findings for Forest Conservation Plan No. F20241020, which is incorporated herein by reference.

**5. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.**

DPS approved a Stormwater Management Concept on October 28, 2024. The concept plan proposes to meet required stormwater management goals via the use of green roof, micro-bioretenion, and a partial waiver.

6. **Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.**

The Applicant does not have actual or constructive notice of any burial site on this Property.

7. **Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.**

No other provisions apply to the Subdivision.

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

February 14, 2025

(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 motion of Vice Chair Pedoeem, seconded by Commissioner Linden, with a vote of 3-0; Chair Harris, Vice Chair Pedoeem and Commissioner Linden voting in favor of the motion, Commissioner Bartley and Hedrick necessarily absent at its regular meeting held on Thursday, February 6, 2025, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair  
Montgomery County Planning Board