

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

DATE MAILED:

April 1, 2025

MCPB No. 25-014
Preliminary Plan No. 120240070
7749 Old Georgetown Road
Date of Hearing: January 16, 2025

CORRECTED 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; Commissioners Bartley, Hedrick, Linden, Chair Harris and Vice Chair Pedoeem voting in favor.

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Approved as to
Legal Sufficiency: /s/ Emily Vaias
M-NCPPC Legal Department

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 following conditions:¹

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.²

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.

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. See also Montgomery County Code §50.2.2.A (“applicant”).

² 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.

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 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 5 in the staff report, the proposed lot and complies with the basic requirements, including size, density and setbacks 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

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:

1. **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.
2. **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.
3. **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.
1. **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 in compliance with the Bethesda Design Guidelines. This includes undergrounding overhead utilities and providing lighting, street trees, benches, and trash receptacles as recommended by the Bethesda Streetscape Standards.

- Enhance bike connectivity.

As conditioned, the Project will construct the southern side of the 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.

- 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.

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 ¹ | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | |
| Net Change | | | | | | 46 | -39 |

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

¹ 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 ³ | 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 |

³ 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.

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:

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 |
| TOTALS | 270 | | 10 | | 4 | | 4 |

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-bioretention, 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 Corrected Resolution constitutes the written opinion of the Board in this matter, and the date of this Corrected Resolution remains

February 14, 2025

(which is the date 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 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 27, 2025, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board