



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

JUL 17 2014

MCPB No. 14-49
Site Plan No. 82013023A
7100 Wisconsin Avenue
Date of Hearing: July 10, 2014

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on August 5, 2013, the Planning Board, by Resolution MCPB No. 13-102, approved Site Plan No. 820130230, for 159,584 square feet of mixed-use development with a maximum of 145 multi-family dwelling units, including 15 percent MPDUs and up to 6,500 but no less than 6,000 square feet of retail, on 0.58 acres of CBD-R2 zoned-land, located at 7100 Wisconsin Avenue ("Subject Property"), in the Bethesda Policy Area, Bethesda CBD Sector Plan ("Sector Plan") area; and

WHEREAS, on May 21, 2014, Washington Property Company ("Applicant"), filed a site plan amendment application, which was designated Site Plan No. 82013023A, 7100 Wisconsin Avenue ("Amendment"), for approval of minor modifications to on-site public use space, off-site public amenity space, architecture, paving pattern, green roof, shift of footprint, and modifications to ADA ramps as a result of the detailed design process; and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated June 27, 2014, and revised on July 8, 2014, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on July 10, 2014, Staff presented the Amendment to the Planning Board as a consent item for its review and action, at which time the Planning Board voted to approve the Amendment, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report, approves Site Plan No. 82013023A for minor modifications to on-site public use space, off-site

Approved as to
Legal Sufficiency:

 7/8/14

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public amenity space, architecture, paving pattern, green roof, building footprint, and ADA ramps, and revises Site Plan No. 820130230 conditions of approval 3a, 3b, and 9 as follows:

3. Public Use Space, Facilities and Amenities
 - a. The Applicant must provide a minimum of 17.5% of the net lot area for on-site public use space and a minimum of 36.1% of the net lot area for off-site public use space for the enhancement of Eastham Park.
 - b. The Applicant must provide a minimum of 34.5% of the net lot area for public amenity space, including but not limited to the area along Woodmont Avenue.

9. Site Design
 - a. The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the Certified Site Plan for this amendment, 82013023A, as determined by Staff.

BE IT FURTHER RESOLVED, that unless amended, all other conditions of approval for Site Plan No. 820130230 remain valid and in full force and effect; and

BE IT FURTHER RESOLVED, that except as modified herein, all site development elements as shown on the latest electronic version of the Amendment as of June 27, 2014, submitted via ePlans to the M-NCPPC, shall be required; and

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, the Planning Board FINDS that, unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan, and that all findings remain in effect; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this written Resolution is JUL 17 2014 (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 within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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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 Commissioner Anderson, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor of the motion at its regular meeting held on Thursday, July 10, 2014, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board