



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

MCPB No. 15-150  
Site Plan No. 82007010B  
Hampden Lane  
Date of Hearing: December 17, 2015

**DEC 28 2015**

**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; and

WHEREAS, on November 24, 2008, the Planning Board, by Resolution MCPB No. 08-67, approved Site Plan No. 820070100 for 60 multi-family dwelling units, including 15% moderately priced dwelling units, on 0.74 gross acres of TS-R-zoned-land, located in the northeast quadrant of the intersection of Hampden Lane and Arlington Road ("Subject Property"), in the Bethesda CBD Policy Area and Bethesda CBD Sector Plan ("Sector Plan") area; and

WHEREAS, on March 28, 2014, the Planning Director approved an amendment to the previously approved site plan, designated Site Plan No. 82007010A, to reduce the number of dwelling units from 60 to 55, to reduce the number of parking spaces from 88 to 69, to reduce the active and passive recreational space, and to make minor revisions to the landscaping on the Subject Property; and

WHEREAS, on September 10, 2015, Toll MD IV, Limited Partnership ("Applicant") filed an application for approval of an amendment to the previously approved site plans to: 1) expand the footprint of the proposed building by moving the northern exterior wall of the building by approximately three feet and four inches; 2) increase the on-site public use space from 2,174 square feet to 2,233 square feet; 3) increase the on-site active and passive use space from 6,077 square feet to 7,849 square feet; 4) make minor adjustments to the green-roof strip and micro-bioretenion areas; 5) make minor adjustments to sidewalks and landscaping on the Subject Property; and 6) update the data table with the revised area calculations; and

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 82007010B, Hampden Lane ("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 December 4, 2015, setting forth its analysis and recommendation for approval of the Application ("Staff Report"); and

WHEREAS, on December 17, 2015, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 82007010B for the modifications listed above.

BE IT FURTHER RESOLVED that all site plan conditions of approval for this project 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 Hampden Lane, Site Plan No. 82007010B, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required; and

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference, and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan as revised by previous amendments, and all findings remain in effect.

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 Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 28 2015 (which is the date that this resolution is mailed to all parties of record); and

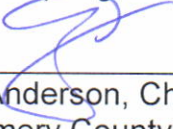


BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland 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 Fani-González, seconded by Commissioner Presley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss, Presley, and Fani-González voting in favor at its regular meeting held on Thursday, December 17, 2015, in Silver Spring, Maryland.

  
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Casey Anderson, Chair  
Montgomery County Planning Board