



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

MCPB No. 15-99
Sketch Plan No. 320150060
Pooks Hill Sketch Plan
Date of Hearing: July 30, 2015

SEP 15 2015

RESOLUTION

WHEREAS, under Section 59.7.1.2 of the Montgomery County Code the Montgomery County Planning Board ("Planning Board" or "Board") is authorized to review sketch plan applications; and

WHEREAS, on May 1, 2015, Pooks Hill JV, LLC ("Applicant"), filed an application for approval of a sketch plan for construction of i) up to 549,755 square feet of residential development, plus 97,000 square feet of residential development for moderately priced dwelling units ("MPDUs"), which per Section 59.4.7.3.D.6.c.iii. does not count against base density, for up to 650 multi-family units, including 15% MPDUs, and ii) up to 294,593 square feet of non-residential uses, including 259,593 square feet of existing hotel uses¹ on 19.38 acres of CR 1.0: C 1.0, R 0.75, H 160 zoned-land, located on Pooks Hill Road, approximately 1,200 feet west of Rockville Pike (MD 355) ("Subject Property") in the Bethesda- Chevy Chase Master Plan ("Master Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320150060, Pooks Hill ("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 July 17, 2015, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on July 30, 2015, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board 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 subject to certain binding elements and conditions, on the motion of Commissioner

¹ The application included reference to 35,000 square feet of potential future hotel expansion, which was not intended by the Applicant to be reviewed with this Sketch Plan.

Approved as to
Legal Sufficiency:

Fani-Gonzalez, seconded by Commissioner Wells-Harley with a vote of 4-0; Commissioners Anderson, Fani-Gonzalez, Presley and Wells-Harley voting in favor. Commissioner Dreyfuss was absent from the hearing.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320150060, Pooks Hill, for 809,348 square feet of development to include i) a maximum of 549,755 square feet of multi-family residential uses, plus 97,000 square feet of residential development for MPDUs per Section 59.4.7.3.D.6.c.iii., within two new residential buildings, including up to 650 multi-family residential units including up to 15% MPDUs, and ii) 259,593 square feet of non-residential uses within the existing hotel building, all on one lot, the Subject Property consisting of 19.38 gross acres, subject to the following binding elements and conditions:²

A. Binding Elements. The following site development elements are binding under Section 59.7.3.3.B of the Montgomery County Zoning Ordinance:

1. Maximum density and height;
2. Approximate location of forest conservation areas;
3. General location and extent of green space and internal open space;
4. General location of all vehicular access points; and
5. Public benefit schedule.

All other elements are illustrative.

B. Conditions. This approval is subject to the following conditions:

1. Density

The development is limited to a maximum total density of 809,348 square feet, including a maximum of 549,755 square feet of multi-family residential density in the residential buildings (plus 97,000 square feet of residential development for MPDUs per Section 59.4.7.3.D.6.c.iii), including up to 650 multi-family dwelling units, and a maximum of 259,593 square feet of existing commercial density in the hotel building.

2. Height

The development is limited to a maximum height of 160 feet.

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 at the time of Site Plan. Total points must equal at least 100 and be chosen from at least three categories

² 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.

as required by Section 59.4.5.4.A.2 as modified by Section 59.4.7.3.D.6.a.v. The requirements of Division 59.4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit proposed. Final points will be established at Site Plan approval.

- a. Transit Proximity, achieved through location within a mile of the Grosvenor Metrorail Station with enhancements to improve the access relationship between the development and the Station;
- b. Connectivity and Mobility, achieved through minimum parking;
- c. Diversity of Uses and Activities, achieved through affordable housing;
- d. Quality of Building and Site Design, achieved through structured parking, exceptional design and architectural elevations; and
- e. Protection and Enhancement of the Natural Environment achieved through building lot terminations, vegetated wall, tree canopy, vegetated area, and cool roof.

4. Building Lot Terminations ("BLTs")

Prior to release of any building permit, the Applicant must provide proof of purchase and/or payment for the required BLTs.

5. Moderately Priced Dwelling Units ("MPDUs")

The development must provide a minimum of 15 percent MPDUs in accordance with Chapter 25A.

6. Green Area

The Applicant must provide on-site a minimum of 45% of the Net Lot Area (17.92 acres) as Green Area.

7. Design Improvements

At the time of site plan, the Applicant must address the following design elements:

- a. Further develop the relationships between the residential buildings and Pooks Hill Road, focusing on the pedestrian experience;
- b. Enhance the visual interest of the base of the residential buildings and promote pedestrian activity with architectural, landscape, and/or public art elements;
- c. Further refine the residential building elevations to modulate massing of long facades;
- d. Create direct and inviting visual and pedestrian access from Pooks Hill Road to the central plaza to include landscape, hardscape, and/or public art elements;
- e. Create opportunities for pedestrian activities within the landscaped area along Pooks Hill Road;

- f. Provide street level building entrances for each residential building; and
- g. Screen loading and service areas from Pooks Hill Road.
- h. Further develop the central plaza to:
 - i. More clearly delineate the limits of vehicular access and to define pedestrian and seating areas, through the use of bollards, paving, landscaping, lighting and similar methods.
 - ii. Identify opportunities for pedestrian paths to the required Green Area.
- i. All retaining walls should be designed to provide year round visual appeal through use of materials, plantings and/or public art.

8. Future Coordination for Preliminary and Site Plan

In additional to any other requirements of Chapter 59, Zoning Ordinance, the Applicant must address the following when filing the site plan:

- a. Demonstration of how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements;
- b. Implementation of transportation improvements and mitigation measures;
- c. Forest conservation requirements;
- d. Noise Analysis; and
- e. Streetscape details.

BE IT FURTHER RESOLVED that, having given full consideration to the recommendations and findings of its Staff as presented at the hearing and 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, the Planning Board finds that, as conditioned herein, the elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan. Specifically, the Planning Board FINDS the Sketch Plan meets all applicable findings under § 59.7.3.3.E:

1. *The Sketch Plan meets the applicable objectives, general requirements, and standards of the Zoning Ordinance.*

- a. The Sketch Plan meets the objectives of Section 59.4.5.1. Intent Statement, with regard to a project in the CR zone as follows:
 - i. *"Implement the recommendations of applicable master plans."*

Multi-family Unit

The Master Plan recommends providing new housing opportunities and increasing the supply of affordable housing, expanding mobility choices for residents, improving pedestrian and bicyclists safety and access, and identifying and protecting environmental features. The Project will upgrade the physical environment along Pooks Hill by replacing underutilized

surface parking lots with two residential buildings that increase the amount of housing in the area, including the provision of new MPDUs. Safety and access for pedestrians will be improved through upgraded and improved streetscape and lighting along Pooks Hill Road and new pedestrian paths into the Subject Property. Pooks Hill Road can accommodate shared bikes lanes which will further increase bicyclists' safety when traveling through the surrounding area. The on-site environmental features will be protected through the placement of conservation easements and enhancements to the stream valley buffer at the time of Forest Conservation Plan approval. The Master Plan reconfirms higher density zoning and land use patterns for the Subject Property which is in keeping with the existing CR1.0 C.1.0 and R0.75 H 160 zoning.

Hotel Unit

The Master Plan recommends the existing hotel in this location. Environmental features of the Hotel Unit will be protected as part of the Forest Conservation Plan approval.

The Project conforms to the general objectives and recommendations of Bethesda-Chevy Chase Master Plan.

- ii. *"Target opportunities for redevelopment of single-use areas and surface parking lots with a mix of uses."*

Multi-family Unit

The site is currently developed with surface parking lots that accommodate employee, visitor and overflow parking for the Hotel Unit – the Bethesda Marriott and Conference Center. The Subject Property will be redeveloped with residential development in close proximity to the Grosvenor Metrorail Station; a higher density development with underground parking. Recreational amenities and green space for residents and visitors will be included in the redevelopment.

Hotel Unit

All development on the Hotel Unit included in this Sketch Plan is existing and not proposed for redevelopment with this Application.

- iii. *"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."*

Multi-family Unit

The project provides a variety of unit types as well as 15% MPDUs. The Multi-family buildings' distance to the Grosvenor Metrorail Station will allow for a variety of mobility options as the Applicant considers ways to enhance the walk shed, in addition to the existing bus service along the Pooks Hill Road adjacent to the site for better access from the project to the Metro Station, creating some mobility options for future residents, beyond the private automobile. The Project places all required parking underground thereby eliminating the need for parking between the building and the street.

Hotel Unit

The Hotel provides proximity to the Grosvenor Metrorail Station through its shuttle service added to the existing bus service along the Pooks Hill Road creating mobility options for hotel users and visitors, beyond the private automobile. The existing parking located between the hotel and the street will not change under this Application.

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

Multi-Family Unit

The two buildings containing the Multi-family Units will be up to 160 feet in height. Placement of both buildings was designed to maintain views to and from the abutting property and buildings to the west, and to minimize impacts to the site's natural topography. The uses, densities, and heights are compatible with the adjoining neighborhoods to the south and west as these properties are developed with higher density multi-family residential buildings with similar heights.

Hotel Unit

The building height and density of the existing hotel development maintains compatible relationships with adjoining neighborhoods.

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

Multi-Family Unit

The project proposes up to 650 multi-family units with 15% of the units to be developed as MPDUs, increasing the County's supply of MPDU's near public transit (bus stops and a Metrorail station). New housing near the Metrorail station will offer residents greater public transportation access to

employment opportunities in the county and surrounding metropolitan area.

Hotel Unit

No new employment opportunities are provided under this Application, but it does retain the existing Hotel.

- vi. *"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 Application will provide the required public benefits from a minimum of three categories to achieve the desired incentive density above the standard method limit.

- b. The Sketch Plan meets the applicable development standards of Section 59.4.5.4 and Article 59.6: GENERAL DEVELOPMENT REQUIREMENTS, as shown in the Data Table below. The balance of required development standards for this project will be reviewed, as appropriate, at the site plan stage.

Project Data Table for the CR1.0 C1.0 R0.75 H160 Zone			
Development Section 59 4.5.4	Standard	Permitted/Required	Approved
Gross Tract Area			844,348 sf. (19.38 ac)
Previous Dedications			63,797 sf. (1.46 ac)
Proposed Dedications			0
Net Lot Area			780,595 sf. (17.92 ac)
Maximum Density, max. total		1.0 FAR (844,348 sf)	0.96 FAR (809,348 sf.)
<i>Residential, max.</i>		0.75 FAR (633,261 sf)	0.65 FAR (549,755 sf.)
<i>Non-Residential, max.</i>		1.0 FAR (844,348)	0.31 FAR (259,593 sf.) ¹
MPDUs, min. (%)		12.5%	15%
MPDU Gross Floor Area, excluded from density calculation per Section 59.4.7.3.D.6.c.iii. ²			97,000 sf.
Building Height (feet)		160	160
Green Space Requirement (%) of Net Lot		45%	45% (8.1 acres) ³
Parking (spaces) <i>Multi-family</i>		Baseline Maximum: 1 space/studio; 1.25 space/one bedroom, 1.5/two bedroom; 2.0 / three bedroom ²	TBD at Site Plan ⁴
<i>Hotel</i>		602	TBD at Site Plan ⁴

¹The 259,593 square footage includes the existing Bethesda Marriott Hotel. It does not include the Applicant's requested 35,000 square foot addition to the hotel unit, as no information on location and massing was submitted with the Sketch Plan Application.

²For projects providing 15% MPDU's, the Gross Floor Area (GFA) of all MPDU's is exempt from the calculation of FAR under Section 4.7.3.D.6.c.iii (646,755 GFA of total building minus the 97,000 GFA for MPDU's =549,755 sf)

³Per Section 7.3.3 E.4 of the Zoning Ordinance, the property is required to satisfy only a green area requirement of 45% of lot area, based on the property's zoning in effect on October 30, 2014 and the open space requirement set forth for CR zoned property is not required. The 45% requirement is based upon the entire 19.38 acres which includes both the Multi-family Unit of 6.0 acres and the hotel unit parcel of 11.92 acres, plus previous dedications

⁴The property qualifies as a reduced parking area because of its CR zoning and the maximum requirement for parking spaces is shown for informational purposes. The actual number of parking spaces will be determined at Site Plan.

2. The Sketch Plan substantially conforms to the recommendations of the Master Plan.

As discussed in more detail above, the Application substantially conforms to the recommendations of the Master Plan by providing new housing including the provision of affordable housing through the construction of MPDUs; prohibiting higher density residential development from encroaching on one family residential areas by redeveloping only those properties that are zoned for higher densities;

protecting environmental resources through the use of conservation easements and stream restoration efforts; and by ensuring safe and adequate access for pedestrian and bicycle circulation patterns through new sidewalks into the site and bikes lanes on Pooks Hill Road. As built, the Hotel will continue to substantially conform to recommendations of the Master Plan with respect to land use, density and no disturbance to existing environmental resources.

3. *The Sketch Plan satisfies 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. *The Sketch Plan under Section 7.7.1.B.5 for a property where the zoning classification on October 29, 2014 was the result a Local map Amendment, satisfy any green area requirement in effect on October 29, 2014; any green area under this provision includes and is not in addition to any open space requirement of the property's zoning on October 30, 2014.*

The R-H zoning classification for the Subject Property on October 29, 2014, was not the result of a Local Map Amendment. Under Section 59.7.7.1.5 (b) of the Zoning Ordinance, any property with a green area requirement under the Zoning Ordinance in effect on October 29, 2014 must continue to meet the green area standard and is not required to fulfill the open space requirement of the zoning designation in place on October 30, 2014. The green area for this Property is 45% or 8.1 acres, and satisfies this requirement.

5. *The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.*

Multi-Family Unit

The multifamily development is compatible in height and scale with the existing hotel and high-rise multi-family developments nearby. The development conditions for improvement to the site design along Pooks Hill Road will create a welcoming pedestrian space as it transitions to the mid-rise residential developments across the street.

The project upgrades the physical environment along Pooks Hill Road by replacing surface parking lots with new residential units and a street presence and will create pedestrian linkages between the Subject Property and the surrounding residential developments.

Hotel Unit

All development on the Hotel Unit included in this Sketch Plan is existing.

6. *The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.*

Multi-family Unit

As conditioned to more clearly delineate the limits of vehicular access and to define pedestrian and seating areas, through the use of bollards, paving, landscaping, lighting and similar methods, the Application provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. Automobile and service access to the Multi-family Unit is separated. Automobile and bicycle access to each residential building will be from the main driveway via Pooks Hill Road into the paved plaza. Each building will have a separate access point for trucks and loading located off of Pooks Hill Road and away from the main driveway to ensure safe and efficient vehicular circulation to and from the Property. All residential parking will be located in garages underneath each tower and accessible from the paved plaza area via the main driveway. Proposed streetscape improvements along Pooks Hill Road and the new pedestrian sidewalk leading from the roadway into Property will create a new pedestrian experience for residents and visitors. The new pedestrian connection will activate the previously undeveloped property.

Hotel Unit

Two vehicular entrances are located off of Pooks Hill Road. The main entrance to the parking facility has a median accommodating separate ingress and egress. Both entrances allow full turning movements for ingress and egress. All parking access is controlled by gates. Loading and servicing facilities are located on the north side of the hotel unit and accessible from the parking area closest to the building. A secondary entrance for service vehicles is located at the eastern edge of the Property away from the vehicular entrance which ensures safe and efficient vehicular circulation on the Site.

Pedestrian access is via existing concrete sidewalks along Pooks Hill Road which connect with sidewalks along both sides of the hotel building's vehicular entrance and extend to the hotel's entrance and lobby. Pedestrian circulation is accommodated by concrete sidewalks located in the parking facility which leads to sidewalks that provide access to the hotel.

The residential buildings and the hotel meet this finding by providing satisfactory vehicular, pedestrian and bicycle access and circulation, and parking and loading.

7. *The Sketch Plans proposes an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.*

Per Section 59.4.7.1.B, General Public Benefit Considerations, in approving any incentive FAR based on the provision of public benefits, the Planning Board must consider:

1. the recommendations of the applicable master plan;
2. *CR Zone Incentive Density Implementation Guidelines*;
3. any design guidelines adopted for the applicable master plan area;
4. the size and configuration of the site;
5. the relationship of the site to adjacent properties;
6. the presence or lack of similar public benefits nearby; and
7. enhancements beyond the elements listed in an individual public benefit that increase public access to, or enjoyment of, the benefit.

The Planning Board finds that the public benefits proposed by the Applicant as set forth in the following table are appropriate in concept, and appropriate for further detailed review. Final determination of public benefit point values will be determined at Site Plan(s).

The project proposes the following public benefits in order to achieve the requested incentive density consistent with the CR Zone regulations and guidelines:

Public Benefits Calculations		
Public Benefit	Incentive Density Points	
	Max Allowed	Proposed
59.4.7.3B: Transit Proximity	20	20
59.4.7.3C: Connectivity and Mobility		
Minimum Parking	10	7
59.4.7.3D: Diversity of Uses and Activities		
Affordable Housing (MPDUs)	No limit	30
59.4.7.3E: Quality of Building and Site Design		
Structured Parking	20	19.7
Exceptional Design	10	5
Architectural Elevations	20	10
59.4.7.3F: Protection and Enhancement of the Natural Environment		
Building Lot Terminations	30	8.3
Vegetated Wall	10	5
Tree Canopy	15	7.5
Vegetated Area	10	5

Vegetated Roof	15	7.5
Cool Roof	10	5
TOTAL		130.0

Transit Proximity

The Subject Property is located within one mile of the Grosvenor Metrorail Station. However, the Board found that distance alone does not meet the intent of transit "proximity," which requires a better relationship of place. At this time the Planning Board supports some of the 20 points proposed based on the transit proximity criteria contained in Section 59.4.7.3 of the Zoning Ordinance, and in fact encourages the Applicant to include Transit Proximity as a public benefit. However, at site plan the Applicant must propose a solution to improve access between the project and the Metro Station so that there is a comfortable "walkshed."

Connectivity and Mobility

Minimum Parking: The Applicant will provide fewer than the maximum number of parking spaces permitted under the Zoning Ordinance and proposed 7 points.

Diversity of Uses and Activities

Affordable Housing: The Applicant proposed 30 points for providing 15% of the multi-family units as MPDUs. Final number of MPDU units to be determined at Site Plan.

Quality of Building and Site Design

Structured Parking: The Applicant proposed 19.7 points for structured parking with 755 parking spaces located in two below-ground parking garages and 10 surface parking spaces. The final parking counts will be determined at Site Plan.

Exceptional Design: The design and placement of the two multi-family buildings seeks to minimize impacts to the site's topography and to attain visual compatibility with the surrounding residential communities. The current site design does not maximize the connection between the residential buildings and the larger public realm. At site plan, the Applicant will need to further develop this relationship in order to achieve the requested points

Architectural Elevations: The Applicant must further develop the design to break-up the massing of the building facades. At Site Plan, the Applicant will need to further develop these design elements in order to achieve the requested points.

Protection and Enhancement of the Natural Environment

BLTs: Up to 30 points can be granted for the purchase of Building Lot Termination ("BLT") easements or payment to the Agricultural Land Preservation

Fund. A BLT equals 31,500 square feet. The formula for determining points in this Application is as follows: the difference between the Application's Gross Floor Area ("GFA") (809,348 square feet) minus the standard Method GFA (422,174) times the incentive density 0.75 equals 29,038 square feet divided by 31,500 square feet which equals 0.92 or 8.3 points.

Vegetated Wall: For the residential buildings, garage and retaining walls visible from a public street will be at least 30% covered in vegetation.

Tree Canopy: This project will provide and retain a tree canopy that meets the coverage requirements set forth in Section 59.4.7.3.F of the Zoning Ordinance for protecting tree canopy coverage with at least 15% years of growth.

Vegetated Area: The project will provide planting areas covering at least 5,000 square feet in a minimum of 12" soil.

Vegetated Roof: Vegetated roofs will be installed on each residential building. The vegetated roof will cover at least 33% of each roof and excluding the area for mechanical equipment with adequate soil depth in excess of 2 inches.

Cool Roof: Each residential building will provide a cool roof with a minimum solar reflectance index ("SRI") of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum of SRI of 25 for slopes above 2:12. The final design will be determined at the time of site plan.

8. *The Sketch Plan establishes 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 hotel will remain as existing. The residential buildings will be built in two phases, and detailed phasing plan will be provided at time of site plan.

BE IT FURTHER RESOLVED that at the time of site plan the Planning Board may approve changes to this Sketch Plan under certain circumstances. If the Applicant proposes to change a condition of approval or binding element, or agrees to a change proposed by another party, the proposed change must satisfy the requirements for approval of a sketch plan and site plan, including Section 59.4.5.1, Section 59.7.3, and the Master Plan. If Staff proposes to change a condition of approval or binding element, however, the Board may approve the change if necessary to ensure conformance with Section 59.4.5.1, Section 59.7.3, or the Master Plan. In other words, for the Board to approve an Applicant-proposed change of a binding element it must find consistency with applicable standards; for the Board to approve a modification to a Staff-proposed binding element that the Applicant has not agreed to, the Board must find that the

proposed change is necessary to meet the site plan approval standards, including conformance with zoning or Master Plan requirements.

Alternatively, based on detailed review of a site plan, the Board may find that any element of the approved Sketch Plan, including a binding element, does not meet the requirements of the zone, Master Plan, or other findings necessary to approve a site plan, and deny the site plan application.

The Board's review of sketch plans is governed by Section 59.7.3.3, which provides that "in approving a sketch plan" the Board must find that certain elements of the plan are "appropriate in concept and appropriate for further detailed review at site plan." Because the Board's approval of a sketch plan is in concept only and subject to further detailed review at site plan, it necessarily follows that the Board may find, based on detailed review of a site plan, that any element of a sketch plan does not meet the requirements of the zone, master plan, or other requirements for site plan approval. The Board does not have the authority at the time of sketch plan to predetermine that any element of the Sketch Plan will satisfy all applicable requirements for site plan approval. As a practical matter it would be unwise for it to do so, due to the limited detail contained in a sketch plan and the sketch plan's unlimited validity period. If the Board were unable to require changes to binding elements at the time of site plan to ensure compliance with all code and master plan requirements, the Board might have decided to approve fewer elements of this Sketch Plan as binding.

Although the Board does not have the authority to provide complete certainty about the conditions of approval or binding elements of a sketch plan, this does not mean that the Board should or will require changes to an approved sketch plan without good reason. To do so would be inefficient and unfair to Applicants and community members whose expectations about the future shape of development will be formed by what the Board approves in a sketch plan; 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 elements of the plans for Sketch Plan No. 320150060, Pooks Hill, stamped received by M-NCPPC on July 10, 2015 are required except as modified herein; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and effective the date of this Resolution is SEP 15 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).

* * * * *

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 and Commissioners Presley and Fani-González voting in favor, and Vice Chair Wells-Harley and Commissioner Dreyfuss absent, at its regular meeting held on Thursday, September 3, 2015, in Silver Spring, Maryland.



Casey Anderson, Chair
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