



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

MAY 23 2016

MCPB No. 16-011  
Site Plan No. 81984002B  
Artery Plaza  
Date of Hearing: May 12, 2016

**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, on July 11, 1984, the Planning Board, by Resolution dated September 13, 1984, approved Site Plan No. 819840020, for 366,854 square feet of office uses and 26,796 square feet of retail uses on 2.19 acres of CBD-2 (now CR-5.0 C-5.0 R-5.0 H-145) zoned-land, located in the northwest quadrant of the intersection of Wisconsin Avenue and Bethesda Avenue ("Subject Property"), in the Bethesda CBD Policy Area, *Bethesda CBD Sector Plan Area* ("Sector Plan") and *Bethesda Purple Line Station Minor Master Plan Amendment* ("Minor Master Plan Amendment") area; and

WHEREAS, on December 10, 2014, the Planning Board approved an amendment to the Site Plan No. 819840020 (MCPB No. 14-87) to make minor modifications to the interior public amenity space, the public use space along Bethesda Avenue, and the exterior architecture at the Bethesda Avenue and Wisconsin Avenue building entrances on the Subject Property; and

WHEREAS, on October 21, 2015, JBG/Bethesda Avenue, LLC, JBG/7200 Wisconsin, LLC, and JBG/Woodmont II, LLC ("Applicant") filed an application for approval of an amendment to the previously approved site plans to construct up to 543,170 square feet of office uses and 43,441 square feet of nonresidential (retail, restaurant, or service) uses on the Subject Property; and

WHEREAS, the application to amend the site plan was designated Site Plan No. 81984002B, Artery Plaza ("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 April 29, 2016, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

Approved as to  
Legal Sufficiency:

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*Christina Sowa* 5/4/16  
MNCPPC Legal Department

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WHEREAS, on May 12, 2016, 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 subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 81984002B for up to 543,170 square feet of office uses and 43,441 square feet of nonresidential (retail, restaurant, or service) uses, subject to the following conditions:<sup>1</sup> All conditions imposed by the approval of Site Plan No. 819840020 in the Planning Board Resolution dated September 13, 1984, as amended by Planning Board Resolutions dated September 26, 1986, and August 12, 1992, and as amended by Site Plan Amendment No. 81984002A in Resolution No. 14-87, dated December 10, 2014, are superseded by the conditions contained herein.

1. Sketch Plan Conformance

The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 320150050.

2. Preliminary Plan Conformance

The Applicant must comply with the conditions of approval for Preliminary Plan Amendment No. 11983015A.

**Environment**

3. Forest Conservation

Prior to any clearing, grading, demolition, or the issuance of any building permit for new construction, the Applicant must pay the fee-in-lieu payment for the afforestation requirement of 0.36 acres (or as determined on the FFCP signature set).

**Public Use Space, Facilities and Amenities**

4. Public Use Space, Facilities, and Amenities

- a. The Applicant must provide a minimum of 13,235 square feet of public open space (12.7% of net lot area) on-site, as illustrated on the Certified Site Plan.
- b. The Applicant must construct Bethesda CBD streetscape standards, including but not limited to street trees, street lighting, brick paving, and the

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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.



undergrounding of utilities, along the Subject Property's frontage, as shown on the Certified Site Plan.

- c. Before the issuance of the final use and occupancy certificate, all public open space areas must be completed.
- d. The Applicant must operate the art gallery in the lobby of 7200 Wisconsin Avenue for public viewing on weekdays from 8:00 a.m. to 6:00 p.m., holidays excepted. Future changes to the hours of operation may be approved by the Planning Director or his or her designee.
- e. The Applicant must provide wall space in the lobby art gallery, free of charge, for the Bethesda Arts and Entertainment District Board to exhibit one piece of art at any one time by a local artist. The Applicant will have final approval over all works of art included in the lobby art gallery. In addition, the Applicant must provide a plaque to be mounted on the wall of the lobby art gallery next to the contributed art piece, stating that the art is provided by the Bethesda Arts and Entertainment District.
- f. The Applicant must install tables, chairs, benches, umbrellas, and planters in the plaza located at the intersection of Wisconsin Avenue and Bethesda Avenue, as shown on the Certified Site Plan.

5. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the *CR Zone Incentive Density Implementation Guidelines* for each one.

a. Major Public Facilities

The Applicant must provide the Application's share of the cost of the on-street alignment of the Capital Crescent Trail on the north side of Bethesda Avenue.

b. Transit Proximity

The Subject Property is located within ¼ mile of a Metrorail station, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance.

c. Connectivity and Mobility

i. Minimum Parking

The Applicant must not provide more than 959 parking spaces on the Subject Property.

d. Quality Building and Site Design

i. Architectural Elevations

The Applicant must design and construct the ground floors of the building to provide visibility into and out of the ground floor spaces. Entrance doors must be placed substantially as shown on the Certified Site Plan.

ii. Exceptional Design

The Applicant must construct the building in a manner consistent with the architectural elevations included in the Certified Site Plan.

- iii. **Structured Parking**  
The Applicant must provide 564 parking spaces within above-grade structures and 395 parking spaces within below grade structures on the Subject Property.
  - e. **Protection and Enhancement of the Natural Environment**
    - i. **Building Lot Termination ("BLT")**  
The Applicant must purchase BLT easements in an amount equal to 7.5% of the incentive density floor area. One BLT must be purchased for each 31,500 square feet of gross floor area. The Applicant must purchase 0.28 BLTs.
    - ii. **Vegetated Roof**  
The Applicant must install a vegetated roof with a soil depth of a minimum of 4 inches covering a minimum of 60% of the buildings' roofs, excluding space for mechanical equipment.
    - iii. **Vegetated Wall**  
The Applicant must install a vegetated wall on the exterior wall of the existing above-grade parking garage in the existing office building at 7200 Wisconsin Avenue, covering an area of approximately 1,500 square feet, as illustrated on the Certified Site Plan.
6. **Maintenance of Public Amenities**  
The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to, pedestrian pathways, landscaping, hardscape, and public open space and appurtenances.

## **Transportation & Circulation**

7. **Pedestrian & Bicycle Circulation**
- a. The Applicant must provide 87 bicycle parking spaces for long-term private use and 18 bicycle parking spaces for short-term public use.
  - b. The private spaces must be on-site in a secured, well-lit bicycle room within the garage and/or building, and the public spaces must be inverted-U racks installed in a location convenient to the main entrance (weather protected preferred). The specific location(s) of the public and private bicycle parking must be identified on the Certified Site Plan.
8. **Traffic Mitigation**  
The Applicant must enter into a Traffic Mitigation Agreement ("TMAg") with the Planning Board and the Montgomery County Department of Transportation ("MCDOT") to participate in the Bethesda Transportation Management District.



## Site Plan

### 9. Building Height

The development is limited to the maximum height of 145 feet, as measured from the approved building height measuring point.

### 10. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the latest approved architectural drawings included in the Certified Site Plan, as determined by Staff.

### 11. Landscaping

- a. Before issuance of the final residential use and occupancy certificate or similar final inspection for this Site Plan, all on-site amenities including, but not limited to, streetlights, sidewalks/pedestrian pathways, streetscape and related improvements, hardscape, benches, trash receptacles, bicycle facilities, and public open space amenities must be installed.
- b. The Applicant must install the landscaping no later than the next growing season after completion of construction and site work.

### 12. Lighting

- a. Before approval of the Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the Illuminating Engineering Society of North America (IESNA) recommendations in effect on the date of this resolution for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations in effect on the date of this resolution.
- b. Deflectors must be installed on all up-lighting fixtures to prevent excess illumination and glare.
- c. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

### 13. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit or sediment and erosion control permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement, as specified in Section 59.7.3.4.K.4, with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.k.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount;

- b. The cost estimate must include applicable Site Plan elements including, but not limited to, plant materials, on-site lighting, and exterior site furniture, retaining walls, railings, curbs, gutters, sidewalks and associated improvements; and
- c. The bond or surety must be tied to the development program, and completion of plantings and installation of particular materials and facilities covered by the surety will be followed by inspection and release of the surety.

14. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

15. Certified Site Plan

Before approval of the Certified Site Plan, the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the final forest conservation approval letter, stormwater management concept approval letter, development program, and Sketch Plan resolution, Preliminary Plan resolution and Site Plan resolution on the approval or cover sheet(s).
- b. Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- c. Modify data table to reflect development standards approved by the Planning Board. The data table must reflect all of the existing and approved development on the entire Subject Property.
- d. Ensure consistency of all details and layout between Site and Landscape plans.
- e. Modify the landscaping plan to show the inclusion of three umbrellas in the plaza.
- f. Show on the Site Plan a building height measuring location for the approved building that is in accordance with Section 59.4.1.7.C.2 of the Zoning Ordinance.
- g. Show the location of the vegetated wall on applicable Site Plan and landscape plan sheets. Include the plants for the vegetated wall in the plant list.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Artery Plaza Site Plan No. 81984002B, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and



BE IT FURTHER RESOLVED that having considered 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, with the conditions of approval, that:

1. *The development satisfies any previous approval that applies to the site.*

The Applicant submitted the Application concurrently with a sketch plan application and an amendment to the approved preliminary plan. This Site Plan is consistent with the development approved under the sketch plan and preliminary plan amendment.

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

This finding is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

3. *The development satisfies any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

This finding is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

- a. Development Standards

The Subject Property includes approximately 3.02 acres zoned CR-5.0 C-5.0 R-5.0 H-145. The Application satisfies the applicable development standards as shown in the following data table:

### Data Table

Table 1 - Site Plan Project Data Table				
Section	Development Standard	Permitted/ Required	Approved in Sketch Plan	Approved in Site Plan
59 – 4	Gross Tract Area (sf)	n/a	131,545	131,545
4.5.4.B.2.b	Density CR-5.0, C-5.0, R-5.0, H-145 Commercial FAR/GAF Residential FAR/GFA <b>TOTAL FAR/GFA</b>	 5.0/657,725 5.0/657,725 5.0/657,725	 4.46/586,611 0/0 4.46/586,611	 4.46/586,611 0/0 <b>4.46/586,611</b>
4.5.4.B.2.b	Building Height (feet) CR-3.0, C-5.0, R-5.0, H-145	145	145	145
4.5.4.B.3	Minimum Setback From R.O.W.	0'	0'	0'
4.5.4.B.1	Open Space Public Open Space (%/sq. ft.)	10/10,450	12.7/13,235	12.7/13,235
6.2	Parking spaces, minimum-maximum	959-1,928	959	959

b. Optional Method Public Benefits

In accordance with the Zoning Ordinance, Section 59-4.7.1, the Site Plan proposes the following phased public benefits to satisfy the requirements: Major Public Facilities, Transit Proximity, Connectivity and Mobility, Quality of Building and Site Design, and Protection and Enhancement of the Natural Environment.



**Table 2 - Site Plan Public Benefits Calculations**

Public Benefit	Incentive Density Points		
	Approved Under Sketch Plan	Requested	Approved Under Site Plan
<b>Major Public Facilities</b>	<b>7.6</b>	<b>7.6</b>	<b>7.6</b>
<b>Transit Proximity</b>	<b>40</b>	<b>40</b>	<b>40</b>
<b>Connectivity and Mobility</b>			
<b>Minimum Parking</b>	<b>10</b>	<b>10</b>	<b>10</b>
<b>Quality of Building and Site Design</b>			
<b>Architectural Elevations</b>	<b>20</b>	<b>20</b>	<b>20</b>
<b>Exceptional Design</b>	<b>7.5</b>	<b>7.5</b>	<b>7.5</b>
<b>Structured Parking</b>	<b>14.1</b>	<b>14.1</b>	<b>14.1</b>
<b>Protection and Enhancement of the Natural Environment</b>			
<b>Building Lot Termination</b>	<b>2.5</b>	<b>2.5</b>	<b>2.5</b>
<b>Vegetated Wall</b>	<b>5</b>	<b>5</b>	<b>5</b>
<b>Vegetated Roof</b>	<b>10</b>	<b>10</b>	<b>10</b>
<b>TOTAL</b>	<b>116.7</b>	<b>116.7</b>	<b>116.7</b>

#### Major Public Facilities

In accordance with the Minor Master Plan Amendment, the Application will contribute its share of the cost of the on-street alignment of the Capital Crescent Trail on the north side of Bethesda Avenue.

The points are calculated as follows:

$$\{[(0 + 0)/104,500 * 2] + [(1,993/104,500) * 4]\} * 100 = 7.6$$

#### Transit Proximity

The Subject Property is located within ¼ mile of the entrance to the Bethesda Metro Station, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance. The full 40 points are awarded as provided in the Zoning Ordinance for CR-zoned properties that are within ¼ mile of a Metrorail station.

#### Connectivity and Mobility

*Minimum Parking:* The Application provides fewer than the maximum number of allowed parking spaces. The maximum number of allowed spaces is 1,928, but the Application will provide 959 spaces.

The points are calculated as follows:

$$[(1,928/959)/(1,928/959)]*10 = 10$$

Quality of Building and Site Design

*Architectural Elevations:* The building is designed to provide ground-floor transparency. The ground-floor façade is primarily glass, readily allowing views into and out of the building. The building will have at least three public entry doors on Bethesda Avenue serving the retail spaces and the office lobby. The Certified Site Plan will document these and other design elements and substantial conformance with the building design will be required of the Applicant. The full 20 points are awarded because the Subject Property is located in an area where architectural elevations are a priority of the Sector Plan.

*Exceptional Design:* Incentive density of up to five points is appropriate for development that meets at least four of the following criteria, and ten points for development that meets all of them:

- Provides innovative solutions in response to the immediate context
- Creates a sense of place and serves as a landmark
- Enhances the public realm in a distinct and original manner
- Introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way
- Uses design solutions to make compact infill development living, working, and shopping environments more pleasurable and desirable on a problematic site
- Integrates low-impact development methods into the overall design of the site and buildings, beyond green building or site requirements.

The building design is a unique response to the urban and architectural setting of the Subject Property. The design focuses on achieving a richly articulated massing, broken down into a series of different volumes that reduce the perceived scale of the overall building from the public realm through the use of setbacks and a cantilevered section above the adjacent two-story retail building. This sculptural treatment of an infill site accentuates the importance of the corner of Woodmont and Bethesda Avenues, creating an iconic building that defines the site while acting as a transition between the taller buildings towards the north and east and the lower ones towards the south and west.

The expression of multiple volumes is highlighted by the use of two different architectural envelopes for the upper volumes and a unique retail



storefront design for the building base. The building will rely on quality materials and innovative façade systems, like curtain wall and decorative rain screen panel systems, to ensure lasting performance and aesthetic appeal.

A major goal of the Application is to create high quality retail space with a generous floor to ceiling height that will appeal to many different businesses. The base will be pedestrian-oriented, with entrances at grade with the sidewalk.

The Application is awarded 7.5 points.

*Structured Parking:* The Application is awarded 14.1 points for structured parking consisting of 564 above-grade spaces and 395 below-grade spaces. This incentive is granted on a sliding scale based on the percentage of spaces provided above and below grade.

The points are calculated as follows:

$$[(564/959)*10] + [(395/959)]*20 = 14.1$$

#### Protection and Enhancement of the Natural Environment

*Building Lot Termination:* The Applicant must purchase BLT easements in an amount equal to 7.5% of the incentive density floor area. One BLT must be purchased for each 31,500 square feet of gross floor area. With these parameters, the Applicant must purchase 0.28 BLTs, for 2.5 points.

The points are calculated as follows:

$$((118,527*7.5\%)/ 31,500)*9 = 2.5$$

*Vegetated Roof:* The Application is awarded 10 points for providing vegetated roofs with a soil depth of at least 4 inches and covering at least 60% of the total roof excluding space for mechanical equipment.

*Vegetated Wall:* The Application is awarded five points for a vegetated wall that will be placed on the exterior wall of the existing above grade parking garage that is part of the existing office building at 7200 Wisconsin Avenue. The vegetated wall will screen the parking garage from the approved office building. The green screen is located on a blank garage façade. The green screen will cover 30% of the blank wall. The green screen will be comprised of a three-dimensional welded wire trellis system that will be attached to the garage face. Two different species of vine will

be planted on the green screen. American wisteria is a deciduous vine with purple blooms that emerge during early summer. Boston Ivy is an evergreen climbing vine.

c. General Requirements

i. *Site Access*

The existing driveways provide well-integrated access from Bethesda Avenue to the Subject Property, and they will continue to do so for the approved building also.

ii. *Parking, Queuing, and Loading*

The approved office building and the existing office building will share a parking garage and loading spaces for adequate off-street parking and loading.

iii. *Open Space and Recreation*

The Application has a 10 percent public open space requirement, which yields a requirement of 10,450 square feet of open space. The Application will provide 13,235 square feet of public open space. A portion of the public open space will be provided in the previously approved, and now existing, Artery Plaza at the intersection of Wisconsin Avenue and Bethesda Avenue. This plaza will be improved with new landscaping, benches, tables, chairs, umbrellas, and a colorful fabric shade for the existing trellis.

iv. *General Landscaping and Outdoor Lighting*

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for year-round use and enjoyment by office employees, business owners, and visitors. The Application will transform existing streetscape along the frontage on Bethesda Avenue with new street trees, improved sidewalk, and street lighting.

As shown in the Development Standards table, the Site Plan meets all of the general requirements and development standards of Section 4.5 of the Zoning Ordinance, the optional method public benefits provisions of Division 4.7 of the Zoning Ordinance, and the



general development requirements of Article 59-6 of the Zoning Ordinance.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

a. Chapter 19, Erosion, Sediment Control, and Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept on January 6, 2016. According to the approval letter, the stormwater management concept meets stormwater management requirements via environmental site design to the maximum extent practicable through the use of green roofs.

b. Chapter 22A, Forest Conservation

The Board finds that as conditioned the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

The Application is in compliance with the Environmental Guidelines and Forest Conservation Law. The Application is subject to a forest conservation plan that has been submitted with the Application. Although no forest exists on or near the Subject Property, there is an afforestation requirement of 0.36 acres. The forest conservation requirements will be addressed offsite by a payment of a fee-in-lieu.

6. *The development provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities.*

The Site Plan provides safe and well-integrated parking and circulation patterns. Driveways will provide well-integrated vehicular access from Bethesda Avenue to structured garages, which will be shared between the approved building and the previously existing on-site office building. The garages will ensure adequate off-street parking. Pedestrians will access the Subject Property via sidewalks along the Subject Property frontage, with street trees, perennials, and shrubs.

The Site Plan includes sidewalk and streetscape upgrades to the Subject Property's frontage along Bethesda Avenue. These enhancements will also facilitate improved pedestrian connections from nearby neighborhoods by offering improved access to existing and planned bikeways, transit, shared use paths, and retail uses.

The Application provides safe and well-integrated buildings, open spaces and site amenities. The building height of 145 feet provides an appropriate transition



from taller buildings proposed for the Apex Building site to the lower buildings further away from the center of the Metro Core District.

The open spaces shown on the Site Plan are also well integrated into the Application. The Site Plan reflects streetscaping improvements along Bethesda Avenue, which will include sidewalks and street trees. The Application will also provide enhancements to the existing Artery Plaza at the intersection of Wisconsin Avenue and Bethesda Avenue, including new landscaping, tables, chairs, benches, planters, and umbrellas. These enhancements will create increased appreciation for this plaza, and integrate it into the improvements elsewhere on the site.

7. *The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

The Subject Property is within the boundaries of the *Bethesda CBD Sector Plan* and *Bethesda Purple Line Station Minor Master Plan Amendment*. The Subject Property is in the Metro Core District of the Sector Plan. A goal of the Sector Plan is to provide additional employment opportunities in the Bethesda CBD. Given its close proximity to the Bethesda Metrorail station, the Sector Plan recommends the highest densities and largest concentration of employment-generating uses in the Metro Core District. The Future Land Use Map (Figure 4.5) of the Sector Plan recommends medium to high intensity office use for the block containing the Subject Property.

The Application will facilitate the redevelopment of an existing, underutilized building in the Metro Core District and will provide additional employment opportunities within walking distance of the Metrorail station and other transit services, including the future Purple Line. The ground-floor retail and restaurant uses will help to activate Bethesda Avenue, consistent with the goals of the Sector Plan. In addition, the Applicant will contribute to the cost to construct the on-street alignment of the Capital Crescent Trail on the north side of Bethesda Avenue, as recommended in the Minor Master Plan Amendment.

8. *The development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

The development in the Application will be served by adequate public facilities, including police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.



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 § 59-7.3.4.H; 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 MAY 23 2016 (which is the date that this Resolution is mailed to all parties of record); and

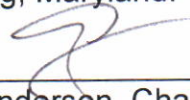
MAY 23 2016

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 Dreyfuss, seconded by Commissioner Fani-González, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss, Presley, and Fani-González voting in favor at its regular meeting held on Thursday, May 12, 2016, in Silver Spring, Maryland.

  
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Casey Anderson, Chair  
Montgomery County Planning Board