



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

MAY 3 2016

MCPB No. 16-026
Site Plan No. 820150060
Black Hill
Date of Hearing: March 10, 2016

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance ("Zoning Ordinance"), the Montgomery County Planning Board ("Planning Board") is authorized to review Site Plan applications; and

WHEREAS, under Section 59-7.7.1.B.1, the Planning Board reviewed this Site Plan under the procedures and standards of the Zoning Ordinance in effect prior to October 29, 2014, including the zoning then in effect; and

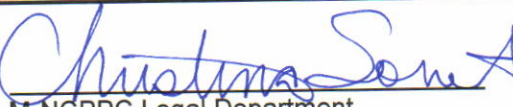
WHEREAS, on January 23, 2014, Black Hill Germantown, LLLP, C/O Lerner Enterprises ("Applicant") filed an application for approval of a Site Plan for 649 residential units (including 82 MPDUs), 7,325 square feet of commercial uses, public amenities, parking facilities, landscape and lighting on 29.55 acres of TMX-2 zoned-land, located north of Father Hurley Boulevard/ Ridge Road (MD 27), between Crystal Rock Drive and I-270 ("Subject Property"), in the Germantown West Policy Area and Germantown Employment Area Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820150060, Black Hill ("Site 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 February 29, 2016, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 10, 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

Approved as to
Legal Sufficiency:

 4/13/16
M-NCPPC Legal Department

WHEREAS, on March 10, 2016 the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Presley, seconded by Commissioner Wells-Harley, with a vote of 5-0; Commissioners Anderson, Dreyfuss, Fani-Gonzalez, Presley, and Wells-Harley voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820150060 for 649 residential units (including 82 MPDUs), 7,325 square feet of commercial uses, public amenities, parking facilities, landscape and lighting, the Subject Property, subject to the following conditions:¹

Previous Approvals

1. Project Plan Conformance
The Applicant must comply with the conditions of approval for the amended Project Plan No. 92012004A.
2. Preliminary Plan Conformance
The Applicant must comply with the conditions of approval for the amended Preliminary Plan No. 12012021A.
3. Public Roads Infrastructure Site Plan
The Applicant must comply with the conditions of approval for the amended Site Plan No. 82013025A.
4. Stormwater Management (SWM)
The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service ("DPS") Water Resources Section in its SWM concept letter dated January 29, 2016, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the DPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The DPS Water Resources Section will review, approve, and inspect all landscaping within the SWM easements and facilities.
5. Recreation Facilities
 - a) Prior to the Certified Site Plan approval, the Applicant must meet the square footage requirements for all of the applicable recreational elements and demonstrate to M-NCPPC Staff that each element meets M-NCPPC Recreation Guidelines.
 - b) The Applicant must provide at a minimum the following recreation facilities: an outdoor tot lot, an indoor kid zone, multi-age playground, six picnic tables (6),

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.

benches (20), an open play area, Bocce court (in lieu of Horseshoes), hiker/biker trail, pedestrian network, outdoor swimming pool, indoor community space, and indoor fitness center.

6. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to the public artwork(s), pedestrian system (trails and sidewalks), bicycle network, private streets, electric charging stations, on-street parking facilities, linear parks (tot lot, multi-age playground, and dog-friendly park), outdoor pavilions, trash receptacles, seating areas, and bike facilities (transit plaza).

7. Public Use Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 6.3-acres of public use space (23.1% of net lot area) on-site.
- b) The public use spaces include: the Main Street Parks (East and West), Main Street Streetscape, the neighborhood parks (along 5th Street), the retail plaza (near Buildings M-1 and M-3), and the south residential linear park (near Buildings N-1, S-1 and W-1).
- c) The Applicant must construct the streetscape improvements, including the undergrounding of utilities, along the Property's frontage along the public and private roadways, consistent with their respective Certified Site Plan.
- d) Before the issuance of use and occupancy certificates, all associated public use space areas on the Property must be completed concurrently with the Development Program for Phase 2A, as delineated on the Certified Site Plan.

8. Public Art

The Planning Board accepts the recommendations of the Art Review Panel as described in their letter dated January 25, 2016 and hereby incorporates them as conditions of approval.

- a) The Applicant must install the public art concept designed by artist Pard Morrison and the Arts on the Block organization, as presented to the Planning Board's Art Review Panel on November 18, 2015, and illustrated in the Certified Site Plan.
- b) Any significant changes to the concept must be presented to the Art Review Panel and approved by M-NCPPC Staff before Certified Site Plan.
- c) Significant changes to the concept may require a Site Plan Amendment.
- d) The Certified Site Plan must contain site details for the Pard Morrison artwork(s) that clearly indicate the overall dimensions, prescribed materials, necessary lighting fixtures, footers and fasteners to ensure adequate safety and proper inspection of the artworks by the Arts and Humanities Council of Montgomery County ("AHCMC") and DPS. This information will come from the engineered drawings, certified by the structural engineer.
- e) The Certified Site Plan must contain site details for the Arts on the Block artwork(s), including but not limited to the overall dimensions, prescribed

materials, and a description of the installation techniques to ensure adequate safety and proper inspection of the artworks by the Arts and Humanities Council of Montgomery County ("AHCMC") and DPS.

- f) The actual location(s) of the mosaic artwork(s) by Arts on the Block will be indicated on the Certified Site Plan.
- g) The installation of the Arts on the Block mosaic artworks will occur in accordance with the Development Program for Phase 2A, and as delineated on the Certified Site Plan.
- h) The appropriate signage should also be clearly visible on-site, specifically identifying the title of the piece, artist name, materials, completion date, and overall dimensions.
- i) Prior to final inspection of the public artwork(s), the Applicant must submit to the Public Art Coordinator with the Maryland – National Capital Park and Planning Commission (M-NCPPC) at least three images of the artwork(s) on-site and information regarding the 1) associated project number, 2) title of the piece, 3) date of completion, 4) description of materials used, and 5) address. This information will be added to the existing inventory of the public artworks throughout the County (<http://www.mcatlas.org/art/>).

9. Circulation Systems

- a) The bicycle spaces must be in a secured, well-lit location (weather protected preferred). The specific location(s) and site details of the public bicycle rack(s) must be included in the Certified Site Plan.
- b) The Applicant must provide a minimum of 5-foot wide sidewalks along the street edge. The dimension of the sidewalks must be indicated on the Certified Site Plan.
- c) Private Street B must have "sharrows" marked on the pavement and be specified on the Certified Site Plan. Sharrows must be installed when the road is built to the standard as specified in Preliminary Plan No. 12012021A.
- d) The Applicant must install "Bicyclists May Use Full Lane" signs consistent with the Manual on Uniform Traffic Control Devices (MUTCD) on both sides of Private Street B and specified on the Certified Site Plan. The signs must be installed when the road is built to the standard as specified in Preliminary Plan No. 12012021A.
- e) Private Main Street (North and South sections) must have separated bicycle lanes marked on the pavement and be specified on the Certified Site Plan. Bike lanes to be installed when the road is built to the standard as specified in Preliminary Plan No. 12012021A.
- f) Prior to the certification of the Site Plan, the Applicant must satisfy the conditions of approval as prescribe by the Montgomery County Department of Permitting Services – Right of Way Division (DPS-ROW) in a letter dated January 20, 2016. DPS-ROW will send confirmation regarding their approval to M-NCPPC.

10. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Services (MCFRS) Fire Code Enforcement Section in its letter dated January 15, 2016, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCFRS may amend if the amendments do not conflict with other conditions of Site Plan approval.

- a) On-street parking is prohibited within the fire lanes.
- b) Provide no parking signage details, in accordance with Fire Lane Establishment Order dated January 14, 2016, in the Certified Site Plan.

11. Moderately Priced Dwelling Units (MPDUs)

The Planning Board accepts the recommendations of Department of Housing and Community Affairs (DHCA) in its letter dated January 29, 2016, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.

- a) The development must provide a minimum of 12.5 percent MPDUs on-site consistent with the requirements of Chapter 25A.
- b) DHCA will need to review and approve the unit mix of the MPDUs at Certified Site Plan.

12. Site Design

- a) In order to enhance the quality of the streetscape, the building facades must be oriented toward the roadways or the public use spaces.
- b) The exterior architectural character, proportion, materials, and articulation of the MPDUs must be substantially similar to the exterior architectural character, proportion, materials, and articulation of the market-rate units.
- c) The retaining walls along Crystal Rock Drive will be terraced. The edges of the retaining walls will be softened with landscaping or activated with public artwork(s).
- d) Direct access from the individual entrances of the multi-family units to the pedestrian sidewalk will be provided along Crystal Rock Drive and Century Blvd., whenever the topography is most feasible. The feasibility will be determined by the number of stair risers, with a maximum change in elevation to be no greater than 6 consecutive risers between landings.
- e) The trash compactor area (on Lot 19) will be sufficiently screened from Century Blvd. and Dorsey Mill Road with a solid masonry wall and evergreen landscape plantings.
- f) Provide playground plan enlargements and site details specifically identifying the materials, footers and adequate fall zones on the Certified Site Plan.

13. Building Lot Terminations (BLTs)

- a) The Applicant must provide proof of purchase and/or payment of 14.17 BLTs to the DPS prior to the issuance of the building permit(s) for density in excess of the base 0.5 FAR (2,345,760 sf.) of combined construction of residential and non-residential square footage.
- b) Prior to the release of each building permit, the Applicant must submit to DPS a certified running tabulation of the individual building square footages and the cumulative total square footage against the 0.5 FAR.

14. Landscaping

- a) Shade trees along the pathways and trails will be professionally pruned so as not to obstruct the views of vehicles, bikes and pedestrians.
- b) Provide a streetscape detail demonstrating an adequate clearing height along the pathways.
- c) The streetscape design along the private streets will include street trees (at a maximum of 30 feet on-center), pedestrian oriented street lights (at a maximum of 60 feet on-center), public art, and street furniture.
- d) The shade trees within the parking facility will be spaced at a maximum of 30 feet on-center.

15. Lighting

- a) Before issuance of the any building permit, the Applicant must provide certification to M-NCPPC Staff from a qualified professional that the lighting plans conform to the Illuminating Engineering Society of North America (IESNA) standards for mixed-use development.
- b) All onsite down-lights must have full cut-off fixtures.
- c) Deflectors will be installed on all fixtures causing potential glare or excess illumination.
- d) Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
- e) The maximum height of the light pole must be consistent with the associated lighting details as indicated on the Certified Site Plan. The maximum height will include the mounting base, and must not exceed 25-feet.

16. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement 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-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:

- a) Prior to the release of the first building permit, M-NCPPC Staff will review the cost estimate of the materials and facilities, in order to establish the total surety amount.

- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private roads, public artwork(s), pathways and associated improvements within the relevant blocks of development. The surety must be posted before issuance of any building permit within each relevant block of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by inspection and potential reduction of the surety.
- d) The bond or surety for each block shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific sheets depicting the limits of each block.

17. Development Program

The Applicant must construct the development in accordance with the Development Program description for parts 1 and 2 that will be reviewed as part of the Certified Site Plan.

18. 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, SWM concept approval letter, development program, and Site Plan Resolution (and other applicable resolutions) on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
- c) 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."
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape Plans.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Site Plan No. 820150060, submitted via ePlans to the M-NCPPC as of the date of the Staff Report February 29, 2016, 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 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 Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.*

A development plan, diagrammatic plan or a schematic development plan are not required for this development. As discussed in the concurrent Project and Preliminary Plan Amendments, this Site Plan conforms to the Amended Project Plan No. 92012004A.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The residential and commercial uses are allowed in the TMX-2 zone, and the Site Plan fulfills the purposes of the zone by 1) demonstrating conformance with the Sector Plan, 2) encouraging land assembly, 3) providing a variety of housing opportunities, 4) promoting the effective use of transit facilities, and 5) providing for BLTs. Under the Optional Method of development, greater densities are permitted, but additional public facilities and amenities must be provided by the Applicant. The Site Plan meets all of the development standards of the zone. With respect to building height, setbacks, and the density of this development is under all the maximum standards allowed. With respect to public use space and green spaces, this development exceeds the 20% requirement.

Requirements of the TMX-2 Zone

Based on the following data table, which sets forth the development standards approved by the Planning Board and binding on the Applicant, and based on other evidence and testimony of record, the Application meets all of the applicable requirements of the TMX-2 Zone.

Site Plan - Data Table for the TMX-2 Zone

	Approved Project Plan No.	Amended Project Plan No.	Site Plan Application No.
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	920120040	92012004A	820150060
Gross Tract Area	4,691,520 sf. (107.70 ac.)	4,691,520 sf. (107.70 ac.)	1,287,260sf. (29.55 ac.)
Roadway Dedication(s)	462,005 sf. (10.61 ac.)	469,661 sf. (10.78 ac.)	N/A
Net Tract Area	4,229,515 sf. (91.70 ac.)	4,221,751 sf. (96.92 ac.)	² 1,287,260sf. (29.55 ac.)
Uses:			
Residential Market-Rate	440units	1,089 units	567 units
Residential - MPDUs	12.5%	12.5%	12.63%
Total Residential	1,618 units	1,229 units	649 units
Retail	91,400 sf.	91,400 sf.	7,325 sf.
Density:			
Commercial	0.31 (1,432,440 sf.)	0.31	7,325 sf.
Residential	0.39 (1,851,560 sf.)	0.39	895,615 sf.
Total	0.70 (3,284,000 sf.)	0.70	902,940 sf.
Public Use Space:			
On-site Public Use Space	41.24%	51%	23.1%
Parking Lot Green Area			5%
Max. Building Heights (feet)	35 - 143	35 - 143	35- 143
Min. Building Setbacks (feet):			
From I-270	200	200	830'
Adj. to Public ROW	0	0	0
Adj. to Residential Zone	90	90	90
From Parkland	170	170	170
Total Parking (spaces):	6,295	6,188	945
On-street Parking	Provided	Provided	170
Off-street Parking	Provided	Provided	775
Handicap Accessible	Provided	Provided	32
Bicycle Parking	Provided	Provided	48

3. *The locations of the buildings and structures, the open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

² Net tract area is roughly 30% of the gross tract area for entire development.

a. Buildings and Structures

There are 16 total multi-family buildings proposed in Phase 2A. The multi-family buildings front onto the public roadways (Century Blvd. and Crystal Rock Drive), Main Street, Street C, and 5th Street. The Board finds the locations of the buildings and structures to be adequate, while meeting the aesthetic concerns established by the Sector Plan, and do not pose any safety concerns on the site. With the addition of the carports and plantings, the surface parking facilities are adequately buffered from the street edge.

b. Public Use Space & Recreation Amenities

Phase 2A will provide 23.1% public use space; which exceeds the 20% public use space requirement. In accordance with the Development Program, the following spaces will be constructed with this Application:

- 1) The Community Clubhouse is located at the end of Main Street (near the southwest boundary). The public facilities are located on the first floor of Building V-1 (clubhouse/ multi-family building), and will be open to the residents in the other multi-family buildings. The clubhouse will include an outdoor swimming pool with dining space, indoor fitness center, indoor business center, indoor billiards room, indoor game room, indoor pet spa, etc.
- 2) The Main Street public use space is located in the center of the development, and functions as the community's formal gathering space. The actual green space is approximately 85-feet by 805-feet and includes: 2 outdoor pavilions, outdoor seating areas, public art, and open lawn areas. A sculpture by Pard Morrison and artistic pavers by Arts on the Block (public art components) will be incorporated into the design to activate and engage the end-users.
- 3) Neighborhood Green Space will include the linear neighborhood park (adjacent to Buildings S-1 and N-1), 5th Street parks (four green space areas along 5th Street), and the transit plaza (located at the intersection of Crystal Rock Drive and Street B). The linear park consists of 5 different recreational areas. These public facilities are open to the public and provide regional connections. The community will benefit from the use of an 8-foot wide hiker/biker trail, two playgrounds (a tot lot and multi-age facilities), two open play areas, seating and an outdoor pavilion. The neighborhood parks along 5th Street will provide

outdoor seating and dining areas, open lawn areas, a bocce ball court and community garden areas. The transit plaza is approximately 7,000 square feet, and provides bikes racks, an open lawn area, and seating areas directly adjacent to the bus stop along Crystal Rock Drive.

The Applicant will fulfill the recreational requirements by providing a number of different active and passive facilities including but not limited to: a pedestrian trail system, bike facilities, and shared use pathways, an outdoor swimming pool, outdoor seating areas, playgrounds, and open lawn areas.

c. Landscaping and Lighting

The landscape plantings will screen the surface parking areas, enhance the open space areas and SWM facilities, soften the hard edges of the retaining walls and buildings, and add ornamental color and texture to the built environment. The open spaces, landscaping, and site details will adequately and efficiently address the needs of the end-users. The shade trees within the surface parking facilities and along the streetscape will decrease the heat island effects and provides adequate shade for pedestrians and parked vehicles. Interior lighting will create enough visibility to provide adequate safety, but not so much as to cause glare on the adjacent roads or properties.

d. Vehicular and Pedestrian Circulation

The vehicular, pedestrian and bicycle circulation systems are fully integrated throughout the development. The streetscapes and the community culture are enhanced by overlapping circulation systems. Due to the low volume and low speeds anticipated on Street C and 5th Street, it is assumed that bicyclists will be able to share the lane with vehicles. No special bicycle signing is expected to be needed on Street C or 5th Street. Street B runs through the heart of development and still is considered to be the main serving north-south bicycle route upon completion of the entire development. Street B is the street where most of the vehicles entering the site as it dissects the development and provide access to the parking facilities. In order to establish this street as the main north-south on-street bicycle route through the development, sharrows will be provided on the street in addition to signage indicating that bicyclists may use the full lane of Street B.

North and South Main Street will have an enhanced bicycle route. This street operates as a couplet (one-way pair) with vehicles on North Main

heading only west and vehicles on South Main heading only east. This was done to accommodate a central green space between North and South Main Street. The Department of Fire and Rescue Services needs 20-foot free and clear space on both North and South Main Streets, because the multi-family buildings will front onto Main street. This required 20-foot wide travel lanes. In order to accommodate fire access and still create an environment that was hospitable to pedestrians and bicyclists, separated bicycle lanes are being constructed in the 20-foot wide lanes. The lanes will be designed to run along the median side of North and South Streets with the bicyclists traveling the same direction as vehicles. There will be a striped buffer between the bicycle lane and the vehicular travel lane. The striped buffer reduces the width of the travel lane for the vehicle; while also providing a high quality east-west bicycle route that also runs through the heart of the development.

The vehicular circulation design directs traffic round and through the development with minimal impacts to pedestrian circulation. Both circulation systems also efficiently and adequately provide a safe atmosphere for the end-users. The Board finds that the circulation along the public and private roadways is safe and efficient.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

This Site Plan will provide a mix of uses near the proposed CCT Station with building heights and setbacks that are consistent with the Sector Plan recommendations. Each of the buildings and structures are compatible with the other uses and the existing and proposed adjacent developments.

In accordance with the Sector Plan, the development will provide a mix of uses near the Dorsey Mill CCT station. The building heights and setbacks are consistent with the Sector Plan recommendations, both along I-270 and adjacent to the Cloverleaf community. As compared to the original approval, the location of the retail uses in Buildings K-1 and M-1 have shifted slightly away from the central green space. However, the total amount proposed in Phase 2A is well below the maximum allowed and is still located along the streetscape. Therefore, the original intent of the retail uses will be fulfilled. These uses will continue to activate the street edge along Century Blvd. and provide a mix of uses within walking distance of the CCT station.

In order to reinforce a strong sense of place, the circulation systems, streetscape, building facades and public use spaces create compatible linkages with the existing and proposed developments.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The FFCP for this development was originally approved on August 15, 2013 as No. 820120250 Crystal Rock – Public Roads Infrastructure Plan and was subsequently updated to include the Dorsey Mill Road interchange (Site Plan Amendment No. 82013025B) on December 17, 2015. Site Plan Amendment A (No. 82013025A) was approved concurrently with this Site Plan and will be updated to include the modifications made to Dorsey Mill Road and the associated SWM facilities. The SWM concept plan was approved for Phase 2A specifically on January 29, 2016 with conditions, as prescribed in the approval letter.

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 MAY 3 2016 (which is the date that this Resolution is mailed to all parties of record); and

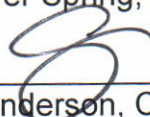
BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

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 Presley, seconded by Commissioner Dreyfuss, with Chair Anderson and Commissioners Dreyfuss and Presley voting in favor, and Vice Chair Wells-Harley and Commissioner Fani-González absent, at its regular meeting held on Thursday, April 21, 2016, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board