



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

MCPB No. 17-041
Preliminary Plan No. 12002020B
Chevy Chase Lake Block B
Date of Hearing: May 25, 2017

JUN 19 2017

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on November 22, 2002, the Planning Board approved Preliminary Plan No. 120020200, creating one lot for a maximum of 174,016 square feet of retail uses and 48,708 square feet of office uses on 5.0 acres of land in the C-1, C-2, and R-30 zones, located in the southeast quadrant of the intersection of Connecticut Avenue and Manor Road ("Subject Property"), in the Bethesda/Chevy Chase Policy Area and Chevy Chase Lake Sector Plan ("Sector Plan") area; and

WHEREAS, on February 21, 2006, the Planning Board approved Preliminary Plan Amendment No. 12002020A to increase the office use floor area to 74,356 square feet on the Subject Property; and

WHEREAS, on August 9, 2016, Bozzuto Development Company and Chevy Chase Land Company ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plan to create two lots for a maximum density of 789,450 square feet of total development, including up to 681,746 square feet of multi-family residential uses, consisting of up to 534 dwelling units (including 12.9% MPDUs), and up to 107,704 square feet of nonresidential (retail, restaurant, or service) uses on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan No. 12002020B, Chevy Chase Lake ("Preliminary 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 May 12, 2017, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

Approved as to
Legal Sufficiency:

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MNCPPC Legal Department
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WHEREAS, on May 25, 2017, 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, on May 25, 2017, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Dreyfuss, seconded by Commissioner Fani-Gonzalez, with a vote of 5-0; Commissioners (listed in alphabetical order) Anderson, Cichy, Dreyfuss, Fani-Gonzalez, and Wells-Harley voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 12002020B to create two lots for a maximum density of 789,450 square feet of total development, including up to 681,746 square feet of multi-family residential uses, consisting of up to 534 dwelling units (including 12.9% MPDUs), and up to 107,704 square feet of nonresidential (retail, restaurant, or service) uses on the Subject Property by adding the following conditions:¹ All conditions imposed by the approval of Preliminary Plan No. 1200200200 and Preliminary Plan Amendment 12002020A are superseded by the conditions contained herein.

1. Approval is limited to two lots for a maximum density of 789,450 square feet of total development, including up to 681,746 square feet of multi-family residential uses, consisting of up to 534 dwelling units (including 12.9% MPDUs), and up to 107,704 square feet of nonresidential (retail, restaurant, or service) uses.
2. The maximum number of MPDUs per condition 1 above will be determined at the time of site plan approval.
3. The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 320160030.
4. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its stormwater management concept letter dated December 16, 2016, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

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.

5. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated April 28, 2017, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
6. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements which are associated with each plat, as required by MCDOT.
7. The Applicant must dedicate and show on the record plat(s) the following:
 - a. Approximately sixty-seven feet from the existing right-of-way centerline along the Subject Property frontage of Lot 2 for Connecticut Avenue to support a minimum right-of-way width of 120 feet.
 - b. Thirty-five feet from the existing right-of-way centerline along the Subject Property frontage for Manor Road to support a minimum right-of-way width of 70 feet.
8. Prior to issuance of Maryland State Highway Administration (“MDSHA”) access permits, the Applicant must satisfy the provisions for access and improvements as required by MDSHA.
9. The Applicant must participate in the Bethesda Transportation Management District, when and if it is expanded to include Chevy Chase Lake. Alternatively, the Applicant must participate in another similar County transportation demand management program implemented in Chevy Chase Lake. Participation in either of these programs will be through a Traffic Mitigation Agreement (TMAg) or another similar vehicle approved by Staff.
10. The record plat must reflect a common use and access easement for the benefit of the public over all trails, sidewalks and paths not included in a public right-of-way or private street parcel. The easement must be created by a deed approved by the M-NCPPC Office of the General Counsel and recorded in the Montgomery County Land Records.
11. The Applicant must provide private roads, Street A and Street B, including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private utility systems and other necessary improvements as required by either the Preliminary Plan or the subsequent Site Plan within the delineated private road area (collectively, the “Private Road”), subject to the following conditions:
 - a. If there are no structures above or below the Private Road, the record plat must show the Private Road in a separate parcel. If there are structures above or below the private Road, the record plat must clearly delineate

the Private Road and include a metes and bounds description of the boundaries of the Private Road.

- b. The Private Road must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq.
 - c. The Private Road must be designed and constructed according to the Montgomery County Road Code Standard MC-2005.01 per the modified typical section specified by the subsequent Site Plan.
 - d. Prior to issuance of any building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Road has been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Preliminary Plan or a subsequent Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.
 - e. Prior to recordation of the plat, the Applicant must submit to Staff an agreement or other legal instrument that assigns responsibility for the long-term maintenance of the portion of the Private Road that crosses the Purple Line public right-of-way. To the extent possible, the agreement must conform to the requirements set forth in the covenant recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338. The agreement must be approved by the Commission's Office of the General Counsel, recorded in the Montgomery County Land Records, and referenced on the plat.
12. The certified Preliminary Plan must contain the following note:
Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval.
13. The record plat must show necessary easements.

14. No clearing, grading, or recording of plats prior to certified site plan approval.
15. Final approval of the number and location of buildings, on-site parking, site circulation, and sidewalks will be determined at Site Plan.
16. Include the stormwater management concept approval letter and Preliminary Plan resolution on the approval or cover sheet(s) of the certified Preliminary Plan.
17. The Applicant must construct all road and frontage improvements within the rights-of-way shown on the approved Preliminary Plan to the full width mandated by the Sector Plan and/or to the design standards imposed by all applicable road codes.
18. Prior to recordation of any plat, Site Plan No. 820160190 must be certified by Staff.
19. Prior to certification of the Preliminary Plan, the Applicant must correct the parcel labels on the lotting diagram on Sheet PP-3.
20. The Adequate Public Facility (“APF”) review for the Preliminary Plan will remain valid until November 22, 2022.

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 Preliminary Plan substantially conforms to the Master Plan.*

Planning Themes of the Sector Plan

As conditioned, the Application substantially conforms to the recommendations for the Subject Property included in the *Chevy Chase Lake Sector Plan* and the approved Design Guidelines for Chevy Chase Lake, and has been designed to respond to and incorporate the specific recommendations for the Subject Property. One of the primary objectives of the Sector Plan is to preserve the distinct character of Chevy Chase Lake and build on the existing community assets to create a better Center with more housing, shops, open space and better pedestrian and vehicular access.

The Application responds to the three main planning themes in the Sector Plan (page 19):

- *Preserve the well-established community character of Chevy Chase by protecting existing residential areas, and focusing new development and redevelopment in the Center and by defining a standard for compatibility;*

The development, located entirely within the Center, will facilitate the creation of a vibrant, mixed-use, transit-oriented Center. The Application's design displays particular sensitivity to the surrounding residential uses and will promote compatibility with the existing character of Chevy Chase Lake. The Application will closely follow the Sector Plan Design Guidelines and the traditional architecture conveyed through the detailing of the façades, silhouettes, and roof elements, and will be compatible with the existing, distinctive character of the community.

- *Enhance quality of life and connectivity within and to the Chevy Chase Lake community by promoting pedestrian-oriented mixed-use development within the Center, improving access to different modes of transportation throughout the community; and*

As recommended in the Sector Plan, the Application provides for a mix of uses, including street activating uses such as ground-floor retail and restaurants, within close proximity to the existing residential communities and the proposed Purple Line station. The Application will substantially improve the pedestrian environment and vehicular access within Chevy Chase Lake. The Application includes the construction of new internal streets that will provide a more efficient means of transportation and access to neighborhood commercial services in the Center. The design of the internal streets will create an enjoyable and safe pedestrian space that is buffered from vehicular traffic. The Application also will provide streetscape improvements along Manor Road and Connecticut Avenue to provide enhanced pedestrian connections. In addition, the Application will provide key bicycle-oriented amenities along this important biking corridor, including a dedicated bike lane along Connecticut Avenue (cycle track), storage facilities, a bike share station and a network of shared-use internal streets.

- *Create new choices in the Chevy Chase Lake Center with new opportunities for local shopping, housing, public spaces and transit.*

The Application will contain a significant amount of new residential development. As recommended in the Sector Plan, the Application will provide diverse housing opportunities including a variety of unit sizes and layouts to facilitate the availability of new housing, in a range of types and rents. The Application will provide housing opportunities for a variety of income levels, including a minimum of 12.9% MPDUs.

Additionally, the Application provides a significant amount of neighborhood retail and service uses, including restaurants that will support the surrounding residential communities. The Application includes a new grocery store that will provide a desired amenity for existing and future residents of Chevy Chase Lake and will also anchor and support the on-site retail. The Subject Property is located in close proximity to the future Purple Line station which, in combination with the on-site pedestrian and vehicular circulation, will provide for improved access to the commercial services and facilities.

Land Use

The Sector Plan provided specific recommendations for the development of the Subject Property, which the Application addresses:

Chevy Chase Lake East Shopping Center (CRT2.0, C2.0, R2.0, H80 and CRT2.0, C1.0, R1.75, H120): In 2002, the Planning Board approved a preliminary plan for 248,372 square feet of commercial development at the Chevy Chase Lake shopping center, on the east side of Connecticut Avenue. This included 174,016 square feet of retail and 74,356 square feet of office uses. At the time the Sector Plan was approved, the development was unbuilt, though the approval remains valid until at least 2022. The Sector Plan recommended that trips associated with the development on the Subject Property be capped at 503 total AM peak hour trips and 1,051 total PM peak hour trips. This trip cap is intended to mirror the traffic impacts for the previous preliminary plan and associated trip credits approved for this site. The Application will conform to this recommendation and Block B will not exceed the cap.

The Sector Plan recommends a maximum building height of 120 feet on the portion of the Subject Property adjacent to Connecticut Avenue and the Purple Line station. The Sector Plan recommends that the remainder of the Subject Property have a maximum building height of 70 feet for mixed use commercial/residential uses. Building heights of 70 feet can accommodate six stories of mixed uses, which is an appropriate scale—five stories of residential above ground-floor retail. The structures will step down in height from a maximum of 120 feet to 70 feet to allow a transition between taller buildings along Connecticut Avenue and the lower existing residential buildings at the end of Chevy Chase Lake Drive.

The Application's scale of buildings provides a sense of enclosure in the plaza and signals that the blocks between Manor Road and Chevy Chase Lake Drive are a distinct and identifiable Center.

The Sector Plan recommends that the Subject Property also include a public open space, to be approximately ½-acre in size, which will be privately owned and maintained. This space should serve as a gathering place for existing as

well as new residents and should have the amenities necessary to make it an appealing destination for the entire community. The Application conforms to the recommendation by providing an approximately ½-acre new public open space (Neighborhood Square) with benches, lighting, lawn, landscaping, hardscape, and other programming opportunities and amenities that will activate the space.

The Sector Plan recommends redevelopment of the Subject Property to also include the portion of New Street B-1 from Manor Road to the southern property line of the shopping center site, with dedication of, or provision of public access easements for, the full-width right-of-way, and construction of the full-width roadway, including sidewalks, street trees, and streetscape pavers, as described in the Design Guidelines for the Sector Plan. The Application includes constructing the portion of the new master-planned street between Chevy Chase Lake Drive and Manor Road on the Subject Property (designated Street B in the Application), including sidewalks, street trees, and streetscape pavers as described in the design guidelines, to provide vehicular, pedestrian, and bicycle access to the future Purple Line station, adjacent neighborhoods, and roadways.

Environment

Tree Canopy

Page 49 of the Sector Plan states that:

the expansive tree cover in Chevy Chase Lake - 50 percent of the Plan Area - is an important part of the community's character, as well as its ecological health. One of the goals of the Plan is to maximize tree cover for new development with overall goals of 25 to 30 percent tree canopy cover in the Chevy Chase Lake Center area. [emphasis added]

From the earliest stages of the Department's review of the Application, the site design included underground structure under the virtually entire Subject Property. In recognition that planting trees over structure severely limits their ability to grow to full maturity, Staff requested that the Applicant provide generously sized planting beds to accommodate and sustain the trees so that they will achieve the Sector Plan canopy goals for the Application and ultimately replace the form and function of the mature trees to be removed. This was memorialized in Sketch Plan Condition of approval 7.j., which requires that at the time of site plan approval, the Applicant must "Maximize, to the extent possible, tree cover for new development with overall goals of 25 to 30 percent tree canopy for the Chevy Chase Lake Center area."

The Application, as submitted, does not meet this condition or the tree canopy goals of the Sector Plan. The Applicant proposed only about 500 cubic feet of soil per tree. This soil volume is insufficient to support the long-term growth and

health of the trees in this new development and will result in stunted trees. In acknowledgement of this built-in limitation on the potential growth of these canopy trees, the Applicant's canopy measurements submitted in the canopy exhibit were specifically reduced by 75%.

In defense, the Applicant has provided a case study of tree plantings thriving nine years after installation in a setting similar to that proposed for the Application. Staff recognizes that in the early years after planting, trees can experience strong initial growth as their roots begin to fill out their enclosure. However, the Sector Plan goal is for the longer-term (20-year plus) growth and health of the tree canopy. Unless appropriate soil volumes are provided, the planting beds would become choked as root systems expand within a confined, undersized space. The trees would remain stunted, and decline and then die off without ever having provided the mature canopy emphasized by the Sector Plan (nor would they replace the form and function of the specimen tree resources removed).

It is important to distinguish here also between trees on the ground, even adjacent to streets, and trees over structure. Street trees planted in new developments, including Chevy Chase Lake, are typically located between the road and sidewalk, away from the buildings. This allows the tree roots to grow not only within the tree pit or continuous amended soil panel, but under the adjacent sidewalk and road as well. This provides significant accessible soil volume beyond the formally prepared planting bed to support the long-term growth of these trees. Over structure, the tree roots lack this natural proximity to surrounding soils, and must be provided with additional soil volumes directly adjoining where they are planted.

For other developments, including most recently 8015 Old Georgetown Road in Bethesda and Elizabeth Square in Silver Spring, the Planning Board has voted to support Staff recommendations to require significant soil volumes to support the health and prospective growth of trees over structure. An informal review of cities and municipalities across the country, including in California, Colorado, Florida, Maryland, Ohio, and the District of Columbia, has shown minimum required soil volumes of 900 – 1,500 cubic feet of soil per tree for medium-sized trees and 1,000 – 2,700 cubic feet of soil per tree for large trees.

In order to increase the soil volume available to the trees on the Subject Property, Staff presented a revised site design at the public hearing. The revised site design reduces the footprint of the underground parking structure, so that most of the Neighborhood Square and Street A are not above the underground structure. This change allows trees that are planted in those locations to have access to a significantly larger soil volume than they would have had if planted over structure. A condition of approval included in the accompanying Site Plan

820160190 Resolution requires that before the Site Plan is certified, the Site Plan must be modified to show the reduced underground garage footprint and that approximately five trees that were to be planted along Street B will instead be moved to Street A or the public open space, where they will not be above structure.

As conditioned, the Application is in substantial conformance with the tree canopy recommendations of the Sector Plan.

- 2. Public facilities will be adequate to support and service the area of the approved subdivision.*

Transportation

The Application has a valid transportation APF approval through Preliminary Plan 12002020A and can proceed without additional transportation analysis, provided that the Block B development does not exceed the previously approved weekday peak-hour trip generation of 503 morning and 1,051 evening vehicular trips. As approved under this Application, and illustrated in the Staff Report, the Application is anticipated to generate 389 net new morning peak hour trips and 789 net new evening peak hour trips. This trip generation results in a net decrease of 114 morning peak hour trips and 262 evening peak hour trips from the previous APF review.

Other Public Facilities

Public facilities and services are available and will be adequate to serve the development. The Subject Property is proposed to be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the Subject Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as schools, police stations, firehouses, and health services are operating according to the Subdivision Staging Policy resolution currently in effect and will be adequate to serve the Subject Property. Electrical, telecommunications, and gas services are also available to serve the Subject Property.

- 3. The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.*

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application meets all applicable sections. The size, width, shape, and orientation of the lots are appropriate for the location of the subdivision taking into account the

recommendations included in the applicable master plan, and for the type of development or use contemplated. As discussed above, the Application substantially conforms to the *Chevy Chase Lake Sector Plan*. The Application complies with the land use recommendations for the Subject Property as well as the applicable urban design, roadway, and general recommendations outlined in the Sector Plan. As evidenced by the Preliminary Plan, the Subject Property is sufficiently large to efficiently accommodate the mix of uses.

Under Section 4.5.4 of the Zoning Ordinance, the dimensional standards for the lots will be determined with approval of the subsequent site plans.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

A. Forest Conservation

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

Although there is no forest on the Subject Property, there is an afforestation requirement of approximately 1.03 acres. Additionally, there is offsite forest clearing associated with road and utility connections that clear approximately 0.13 acres of forest. The reforestation requirement based on forest clearing is approximately 0.26 acres. The total reforestation and afforestation requirement is approximately 1.29 acres. The Applicant will address the requirements via payment of a fee-in-lieu or an offsite bank. However, there are opportunities to provide some or all of the credit in adjacent land controlled by the same owner. For example, the Applicant could meet the forest conservation requirements by providing a Category I Easement along the Coquelin Run, as recommended in the Sector Plan. A forest conservation bank could be created to provide credit for future phases of this project or for other projects. There is no opportunity for onsite landscape credited towards forest conservation as the onsite planting areas (including the off-structure areas) are designated for mitigation tree plantings provided for the removal of certain vegetation subject to a variance, as discussed below.

B. Forest Conservation Variance

Section 22A-12(b)(3) of the Forest Conservation Law identifies certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these Protected Trees, including removal or any disturbance within a Protected Tree's critical root zone ("CRZ"), requires a variance under Section 22A-12(b)(3) ("Variance"). Otherwise such resources must be left in an undisturbed condition.

This Application will require the removal or CRZ impact to 23 Protected Trees as identified in the Staff Report. In accordance with Section 22A-21(a), the Applicant requested a Variance, and the Board agrees that the Applicant would suffer unwarranted hardship by being denied reasonable and significant use of the Subject Property without the Variance.

The Board makes the following findings necessary to grant the Variance:

1. *Granting the Variance will not confer on the Applicant a special privilege that would be denied to other applicants.*

The Subject Property is located adjacent to a planned mass transit station where increased density is recommended in the Sector Plan. Furthermore, the Sector Plan specifically recommends the redevelopment of the Subject Property with mixed-use development, public open space, and a new public street. Therefore, the variance request would be granted to any applicant in a similar situation.

2. *The need for the Variance is not based on conditions or circumstances which are the result of the actions by the Applicant.*

The variance is based on development allowed under the existing zoning and Sector Plan, along with the need to provide the associated infrastructure and utility connections.

3. *The need for the Variance is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is a result of the current Application on the Subject Property and is not related to land or building use on a neighboring property.

4. *Granting the Variance will not violate State water quality standards or cause measurable degradation in water quality.*

The Subject Property currently is mostly impervious with very little or no stormwater management. Therefore, a redevelopment that provides stormwater management will ultimately improve the associated water quality. MCDPS approved the stormwater management concept for the Application on December 16, 2016. The stormwater management concept will meet required stormwater management goals using micro-bioretenion and green roofs. The remaining volume will be treated with three underground water quality vaults. Therefore, the Application will not violate State water quality standards or cause measurable degradation in water quality.

Mitigation for the Variance is at a rate that approximates the form and function of the Protected Trees removed. The Board approved replacement of Protected Trees at a ratio of approximately one inch caliper for every four inches DBH of removal. No mitigation is required for Protected Trees impacted but retained.

5. *All stormwater management requirements shall be met as provided in Montgomery County Code Chapter 19, Article II, titled "Storm Water Management," Sections 19-20 through 19-35.*

This finding is based in part upon the determination by MCDPS that the Stormwater Management Concept Plan meets applicable standards.

The MCDPS Stormwater Management Section approved the stormwater management concept on December 16, 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 micro-bioretenion and green roofs. The remaining volume will be treated with three underground water quality vaults.

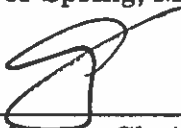
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUN 19 2017 (which is the date that this Resolution is mailed to all parties of record); and

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 Vice Chair Wells-Harley, seconded by Commissioner Fani-González, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Fani-González, and Cichy voting in favor, and Commissioner Dreyfuss absent at its regular meeting held on Thursday, June 15, 2017, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board