

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APR 21 2023

MCPB No. 23-013

Preliminary Plan Amendment No. 11994080C

7340 Wisconsin Avenue

Date of Hearing: March 23, 2023

RESOLUTION

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

WHEREAS, the Planning Board, by Opinion dated July 11, 1994, approved Preliminary Plan No. 119940800, creating one (1) lot on 0.79 acres of land in the CBD-2 zone, located on the south side of Montgomery Lane, west of Wisconsin Avenue (MD 355) ("Subject Property") in the Bethesda CBD Policy Area, Bethesda CBD Sector Plan area, and;

WHEREAS, by Resolution dated December 26, 2013, the Planning Board approved Preliminary Plan Amendment No. 11994080A, (MCPB No. 13-168) to change the previously approved gas station use to a maximum of 192,791 square feet of multi-family residential uses, and a maximum of 15,000 square feet of retail uses, limited to retail, restaurant, or services uses, on the Subject Property; and

WHEREAS, by Resolution dated October 7, 2014, the Planning Board approved Preliminary Plan Amendment No. 11994080B, (MCPB No. 14-73) to reduce the previously approved commercial density to 5,500 square feet and correspondingly increase the residential density to 204,381 square feet, for a total development density of 209, 881 square feet; and

WHEREAS, on September 21, 2022, Greystar Development East, LLC ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plan(s) to increase the maximum number of multi-family dwelling units from 225 to 308 and increase the allowed commercial density from 5,500 square feet to 8,651 square feet on the Subject Property; and

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Approved as to

Legal Sufficiency: /s/ Emily Vais

M-NCPPC Legal Department

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan Amendment No. 11994080C, 7340 Wisconsin Avenue ("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 February 6, 2023 providing its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 23, 2023, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick seconded by Commissioner Bartley, with a vote of 3-0; Chair Zyontz, Commissioners Bartley and Hedrick voting in favor, with Vice Chair Pinero and Commissioner Pedoeem absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan Amendment No. 11994080C to to increase the maximum number of multi-family dwelling units from 225 to 308 and increase the allowed commercial density from 5,500 square feet to 8,651 square feet by approving the following conditions, which supersede all prior conditions in their entirety:¹

General Approval

1. This Preliminary Plan is limited to one (1) lot for 308 multi-family dwelling units and up to 8,651 square feet of commercial uses.

Adequate Public Facilities and Outside Agencies

2. The Adequate Public Facilities ("APF") review for the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

Plan Validity Period

3. The Preliminary Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G).

Outside Agencies

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated January 19, 2023 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations

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.

provided in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

5. Before Montgomery County Department of Permitting Services (“MCDPS”) issuance of a right-of-way permit for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration (“SHA”) in its letter dated December 28, 2022 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations provided in the letter, which may be amended by SHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
7. Before the issuance of access permits, the Applicant must satisfy the Maryland State Highway Administration’s requirements for access and improvements.
8. The Planning Board has reviewed and accepts the recommendations of the MCDPS Fire Department Access and Water Supply Section in its letter December 22, 2022 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations provided in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

Other Approvals

9. Before issuance of any above grade building permit for the Subject Property, the Applicant must receive Staff certification of any subsequent Site Plan(s) associated with this Preliminary Plan. The number and location of site elements including but not limited to buildings, dwelling units, on-site parking, site circulation, and sidewalks and is determined through site plan review and approval. Demolition, grading, and other permits associated with site remediation can be obtained prior to certification of the Preliminary Plan or Site Plan.
10. If an approved site plan or site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan amendment.

Transportation

11. The Applicant must provide the following easements for the following existing roads prior to issuance of the support and excavation permit:
 - a. All land necessary to accommodate a six-foot-wide Perpetual Easement for Public Improvement to be held by MDOT SHA between the existing dedicated right-of-way and the Property line along the Subject Property frontage for Wisconsin Avenue.
12. Before the issuance of the Montgomery County Public Right-of-Way Permit for street improvements, the Applicant must satisfy all necessary requirements of MDOT SHA to ensure construction of a six-foot-wide street buffer and an eight-foot-wide sidewalk along the Property frontage on Wisconsin Avenue. Before issuance of the Public Right-of-Way Permit associated with construction access and support of excavation/tiebacks in the right-of-way, the Preliminary Plan and Site Plan must be certified.
13. Before issuance of the above-grade building permit, the Applicant must satisfy all necessary requirements of MCDPS to ensure construction of the following frontage improvements:
 - a. a six-foot-wide street buffer and an eight-foot-wide sidewalk along the Property frontage on Hampden Lane.
 - b. a six-foot-wide pedestrian/bicycle buffer and an eight-foot-wide sidewalk along the Property frontage on Montgomery Lane.

Certified Preliminary Plan

14. 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 issuance 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.

15. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
 - a. Show resolutions and approval letters on the certified set
 - b. Show, dimension, and label the Perpetual Easement for Public Improvement along Wisconsin Avenue.

- c. Update commercial and residential density figures to be consistent with the Project's associated Site Plan 820230010.

BE IT FURTHER RESOLVED that these preliminary plan conditions of approval for this project supersede previously issued conditions of approval in their entirety.

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or 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 layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.***

The proposed lot has been reviewed for compliance with Chapter 50, the Subdivision Regulations and Chapter 59, the Zoning Ordinance. The layout of the single-lot subdivision, including its size, width, shape, and orientation is appropriate for the mixed-use building located in the CR Zone.

- a) The block design is appropriate for the development or use contemplated***

The block design is existing and appropriate for the proposed development and use. The length, width, and shape of the block are compatible with the development patterns in the Wisconsin Avenue corridor.

- b) The lot design is appropriate for the development or use contemplated***

The Preliminary Plan Amendment does not substantially change the lot design as was previously approved. The size and dimensions of the lot are appropriate for the Project location and proposed mixed-use development.

- c) The Preliminary Plan provides for required public sites and adequate open areas***

- i. Master Planned Sites***

The *Bethesda Downtown Sector Plan* does not recommend specific public sites or open areas to be provided on the subject Site.

ii. ***Local Recreation***

The Preliminary Plan Amendment does not include dedication of land for public recreation purposes. As detailed in accompanying Site Plan 820230010, adequate private, on-site recreational facilities for future residents of the development are proposed and include an outdoor rooftop amenity area.

iii. ***Transportation and Utilities***

Utilities are to be undergrounded along the Site's frontage with Montgomery Lane, Wisconsin Avenue and Hampden Lane.

The Preliminary Plan provides satisfactory general vehicular, pedestrian, and bicyclist circulation, parking, and loading. Vehicular and loading access to the site will be from a single curb cut on Hampden Lane to an internal, subsurface parking structure, eliminating two existing vehicular access points, one each from Montgomery Lane and Wisconsin Avenue. This vehicular access arrangement is an improvement upon the previously approved design as it consolidates loading and vehicle access to the Site's southwestern corner on Hampden Lane, whereas the prior approval had separate loading access at Montgomery Lane. The prior approval included a vehicular drop-off area along Hampden Lane, which this Proposal removes. The removal of the drop-off area further reduces the number of potential vehicle and pedestrian conflict points on Hampden Lane.

Pedestrian access and circulation will be enhanced through inclusion of sidewalks and streetscape elements to the Bethesda Streetscape Standard along the Site's three frontages.

While not part of this proposal, a separate County project is currently underway to install two-way separated bicycle lanes on the south side of Montgomery Lane, including along the Site's frontage. The Montgomery Lane and Wisconsin Avenue streetscape layout proposed are designed to be responsive to the new bicycle facility.

d) The Lot(s) and Use comply with the basic requirements of Chapter 59

The Preliminary Plan Amendment will comply with the requirements of the CR Zone Optional Method and related development standards in Chapter 59. The Proposal utilizes an established lot for multi-family and commercial uses, which are allowed in the CR Zone. The size, width, shape, and

orientation of the lot are appropriate for the zone, location and mix of uses proposed for the Site.

2. *The Preliminary Plan substantially conforms to the Master Plan.*

a) Land Use

The Preliminary Plan Amendment substantially conforms with the 2017 *Bethesda Downtown Sector Plan*. The Property is within the area identified as the “Wisconsin Avenue Corridor” and is designated as part of Site 103 on page 99 of the Sector Plan, which recommended increasing the allowable maximum commercial density from 4.0 FAR to 5.0 FAR and allowable building height from 145 feet to 250 feet². The intent of the increases was “to provide flexible development opportunities and allow future development to better adapt to market conditions”. The character of the proposed development is consistent with the Sector Plan’s recommendations regarding the scope and scale of developed desired for the location. The Preliminary Plan Amendment conforms with the applicable goals of the Sector Plan for the Wisconsin Avenue Corridor as follows:

- i. Encourage infill and reinvestment on underutilized commercial sites and private surface parking lots.*

The Project proposes infill redevelopment of a former gas station site that has sat vacant since prior to the approval of the Sector Plan in 2017.

- ii. Encourage mixed income/affordable housing near transit stations.*

The Proposal will include up to 308 new multi-family residential units including 15 percent MPDUs. A mix of studio, one, two and three-bedroom units are proposed. The development will be within walking distance of the Bethesda Metrorail Station, multiple bus stops, and future Purple Line Station.

- iii. Encourage high-performance buildings and sites nearest the established centers.*

The Site is located in the High-Performance Area as shown on page 65 of the Sector Plan, and provides a design that exceeds the

² The allowable height and commercial density for the Site was increased from CR-5.0 C-4.0 R-4.75 H-145 to CR-5.0 C-5.0 R-4.75 H-250 by Sectional Map Amendment H-122 for the Bethesda Downtown Sector Plan.

energy efficiency standards for the building type by greater than 17.5 percent.

iv. *Improve the pedestrian environment with upgraded streetscapes.*

The Preliminary Plan Amendment provides the appropriate space and layout for the inclusion of streetscape elements to the Bethesda Downtown Streetscape Standard. This will include wider sidewalks, plantings, street trees and furnishings.

v. *Emphasize mixed land uses focused on employment and high density residential.*

A mix of uses including high density residential, Live/Work Units and commercial uses are proposed.

vi. *Create green, active, and walkable sidewalks that are designed to balance pedestrian and retail activity with vehicular and BRT traffic this major corridor.*

The Preliminary Plan Amendment allows for the implementation streetscape improvements to the Bethesda Streetscape Standard on the Site's frontages on Montgomery Lane, Hampden Lane, and Wisconsin Avenue. The Proposal includes its required public open space along the Site's Wisconsin Avenue frontage, which allows for the creation of wider sidewalks and additional landscaping to further enhance the pedestrian realm.

Vehicular access to the Site is consolidated to a single point on Hampden Lane from three existing access points, one from each roadway abutting the Property. The removal of curb cuts from Wisconsin Avenue and Montgomery Lane will reduce points of conflict between vehicles, pedestrians, and bicyclists. The Proposal provides a perpetual easement for public improvement along the Site's Wisconsin Avenue frontage to allow for adequate space for a future BRT line envisioned for the corridor.

The Preliminary Plan Amendment also locates ground-floor commercial uses at the Site's southeast corner, adjacent to the intersection of Wisconsin Avenue and Hampden Lane. The main entry to the residential portion of the development is at the Site's northeast corner. These active spaces will span the Site's Wisconsin Avenue frontage and wrap its corners on to Hampden and Montgomery Lanes. The location of these uses and proposed

street sections, including space for sidewalks and streetscape elements, is consistent with the Bethesda Streetscape Standards.

b) Environment

In pursuit of meeting the environmental recommendations of the Sector Plan, the development proposal includes building and site design strategies that provide benefits for water quality, health, and aesthetic improvement such as green roof, bioretention and increasing Green Cover on-site. Bird-safe design principles are also incorporated into the building design per the Bethesda Downtown Plan Design Guidelines. Details regarding building and site design strategies are included in the accompanying Site Plan 820230010.

c) Transportation

The 2017 *Bethesda Downtown Sector Plan*, the 2018 *Master Plan of Highways and Transitways*, and the 2018 *Bicycle Master Plan* recommend the following master plan facilities along the Property's frontage:

- Montgomery Lane is classified as a Business District Street with a master-planned right-of-way of 70 feet. As shown on Plat No. 19553 70 feet of right-of-way is currently dedicated along the entire Site frontage. The 2017 *Bicycle Master Plan* envisions a two-way separated bike lane along the south (Site) side of the roadway. MCDOT owns and operates this roadway and is currently constructing the bike facility.
- Hampden Lane is also classified as a Business District Street with a master-planned right-of-way of 60 feet. As shown on Plat No. 19553 the right-of-way currently measures at 60 feet and therefore no further dedication is required. No bikeways are master planned along the roadway. MCDOT owns and operates Hampden Lane.
- Wisconsin Avenue is classified as a Major Highway with a master planned right-of-way of 122 feet. MDOT SHA owns and operates Wisconsin Avenue. Currently, there is 55 feet of right-of-way dedicated between the centerline and the property line. The Applicant has received permission from MDOT SHA to achieve the intent of the master planned right-of-way with a six-foot perpetual

easement for public improvement to improve the streetscape within the public realm, while allowing the Applicant to construct a structured parking lot that is located partially within the bounds of the easement, below ground.

- The sidewalks along the Site's three frontages will be improved to meet the requirements of the 2017 *Bethesda Downtown Plan Design Guidelines*.

3. *Public facilities will be adequate to support and service the area of the subdivision.*

a) Roads and other Transportation Facilities

Transportation access is adequate to serve the development proposed by this Preliminary Plan. As is discussed above in Finding 2.c., appropriate right-of-way dedications and public easements have been previously implemented or are proposed with this Application. Improvements to pedestrian facilities in the Site's frontage are proposed.

i. *Existing Facilities*

The Site is well served by the existing road and transportation network of downtown Bethesda. The Bethesda Metrorail Station, multiple bus lines, and future Purple Line Station are located within two blocks of the Site. Existing pedestrian infrastructure in the Site's frontages will be improved to the Bethesda Streetscape Standard. Bicycle access will be improved with two-way separated bicycle lanes on Montgomery Lane, under construction by others.

ii. *Proposed public transportation infrastructure*

The Preliminary Plan Amendment includes provisions for streetscape improvements on the Site's three frontages, to the Bethesda Streetscape Standard. There are no other required or proposed public transportation infrastructure improvements included with the Application.

iii. *Proposed private transportation infrastructure*

The Application provides for private on-site loading and subsurface parking structure. These facilities are accessed from a consolidated curb cut at the Site's southwest corner on Hampden Lane. Consolidating vehicular access to this location, and removing multiple existing, and

previously approved access points to the Site, reduces the number of potential conflict points between vehicles, pedestrians, and bicyclists, and other motorists traveling on Montgomery Lane, Wisconsin Avenue, and Hampden Lane.

b) Local Area Transportation Review (LATR)

The previous use on the Site was a gas station with 12 fueling positions (“pumps”). The proposed 308 high-rise residential units are estimated to generate a net decrease of 14 person trips in the morning peak hour and a net decrease of 118 person trips in the evening peak hour. The *2020-2024 Growth and Infrastructure Policy* requires a transportation impact study for any project that is estimated to generate a net increase of 50 or more person trips in either peak hour. As that is not the case for this Application, the LATR review is satisfied with transportation exemption statement. A summary of the trip generation analysis is provided in Table 2 below.

Table 2: Trip Generation Analysis

		ITE Trip Generation Vehicle Rates		Adjusted Vehicle Rates Bethesda CBD Policy Area		Total Person Trips	
		AM	PM	AM	PM	AM	PM
Existing	Gas Station (12 pumps)	123	167	76	104	161	219
Proposed	308 Residential Units	95	65	75	51	147	101
	3,400 square feet retail ³	0	0	0	0	0	0
Net Change							
						-14	-118

³ The presumption that no new person trips are generated applies for up to 15,000 gross square feet of retail space in a building that has at least 90 percent of its floor area ratio (FAR) devoted to non-retail uses, as long as no parking spaces for retail customers are included in the site plan. No parking spaces are designated for the proposed retail use on-site. Therefore, all criteria for ancillary uses are met and it is assumed that no trips are generated by the proposed retail use.

The presumption that no new person trips are generated applies for up to 15,000 gross square feet of retail space in a building that has at least 90 percent of its floor area ratio (FAR) devoted to non-retail uses, as long as no parking spaces for retail customers are included in the site plan. No parking spaces are designated for the proposed retail use on-site. Therefore, all criteria for ancillary uses are met and it is assumed that no trips are generated by the proposed retail use.

c) Other Public Facilities and Services

General

Public facilities and services are available and will be adequate to serve the proposed 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 which has determined that the Subject Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as electrical, telecommunications, gas, police stations, firehouses, and health services are operating according to the Growth and Infrastructure Policy resolution currently in effect and will be adequate to serve the Property.

Schools

The FY23 Annual School Test, approved by the Planning Board on June 16, 2022 and effective July 1, 2022 is applicable to this application. This plan proposes 308 multifamily high-rise units in a location to be served by Bethesda Elementary School, Westland Middle School, and Bethesda-Chevy Chase High School. Based on the FY23 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Table 3: Applicable FY2023 School Adequacy.

School	Projected School Totals, 2026				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	Percent Utilization	Surplus/ Deficit		Tier 1	Tier 2	Tier 3
Bethesda ES	560	594	106.1%	-34	No UPP	51	78	162
Westland MS	1,105	782	70.8%	+323	No UPP	449	544	710
Bethesda-Chevy Chase HS	2,457	2,356	95.9%	+101	No UPP	281	593	961

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school's adequacy status and ceilings, as determined in the Annual School Test. Under the FY23 Annual School Test, Bethesda Elementary School, Westland Middle School, and Bethesda-Chevy Chase High School do not require any UPP as identified in Table 3. If the project is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

To calculate the number of students generated by the proposed plan, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type; with the subject Application providing a high-rise multifamily unit structure.

With a net of 308 multifamily high-rise units that are not age-restricted, the proposed project is estimated to generate the following number of students based on the subject property's location within an Infill Impact Area:

Table 4. Estimated Student Enrollment Impacts.

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	0	0.195	0.000	0.096	0.000	0.139	0.000
SF Attached	0	0.166	0.000	0.091	0.000	0.116	0.000
MF Low-rise	0	0.059	0.000	0.023	0.000	0.032	0.000
MF High-rise	308	0.034	10.472	0.015	4.620	0.016	4.928
TOTALS	308		10		4		4

As shown in Table 4, on average, this project is estimated to generate 10 elementary school students, 4 middle school students and 4 high school students. The estimated number of students generated do not exceed the adequacy ceilings identified for each school in Table 3. Therefore, no additional UPPs are required, and neither are partial payments across multiple UPP tiers.

4. All Forest Conservation Law, Chapter 22A requirements are satisfied.

a) Forest Conservation Plan/Exemption

A Forest Conservation Exemption, No. 42020043E was confirmed for the Subject Property on October 30, 2019. As such, this Application is subject to Chapter 22A Forest Conservation Law but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(1). The Project meets the particular requirements of the exemption because the proposed activity is conducted on a tract of land less than 1.5-acres, with no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet.

As described above, the Subject Property is located in downtown Bethesda and within the Little Falls Branch watershed which is a Use I-P watershed. The Site is not associated with any environmentally sensitive features such as forest areas, stream buffers, wetlands, 100-year floodplains, steep slopes, or specimen trees. As a result of the confirmed Forest Conservation Exemption and lack of sensitive features onsite, this Application satisfies all applicable Chapter 22A Forest Conservation requirements.

5. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.

This Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS Water Resources Division on December 7, 2022. There are no known stormwater management facilities existing on the Property. The Application will meet stormwater management goals through green roof and micro-bioretenction planter boxes to treat stormwater runoff. A partial waiver of stormwater requirements was requested due to site constraints and was granted with this stormwater concept approval. A detailed review of the stormwater management computations will occur at the time of detailed plan review.

6. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.

The Applicant does not have any notice, actual or constructive, of the existence of a burial site on the Property and none are included in the Montgomery County Cemetery inventory.

7. Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.

There are no other applicable provisions specific to the Property and necessary for approval of the subdivision.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is APR 21 2023 (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 the motion of Commissioner Hedrick, seconded by Commissioner Pedoeem, with a vote of 4-0; Vice Chair Piñero, and Commissioners Bartley, Hedrick, and Pedoeem, voting in favor of the motion, Chair Zyontz necessarily absent, at its regular meeting held on Thursday, April 13, 2023, in Wheaton, Maryland and via video conference.



Roberto Piñero, Vice Chair
Montgomery County Planning Board