



Item # 9
MCPB 01-20-05

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Office of the Chairman, Montgomery County Planning Board

MEMORANDUM

DATE: January 14, 2005
 TO: Montgomery County Planning Board
 VIA: Rose Krasnow, Chief *RK*
 Development Review Division
 FROM: Michael Ma, Supervisor *Ma*
 Development Review Division
 (301) 495-4523



REVIEW TYPE: **Site Plan Review**
 CASE #: **8-00023A**
 PROJECT NAME: **Edgemoor IV**
 APPLYING FOR: **Approval of 12 multifamily MPDUs**
 REVIEW BASIS: **Site Plan Review is required in the TS-R Zone**

ZONE: **TS-R (Transit Station Residential)**
 LOCATION: **North side of Hampden Lane, approximately 175 feet east of Arlington Road**
 MASTER PLAN: **Bethesda CBD**
 APPLICANT: **Housing Opportunities Commission of Montgomery County**
 FILING DATE: **December 1, 2004**
 HEARING DATE: **January 20, 2005**

STAFF RECOMMENDATION: Approval of 12 Moderately Priced Dwelling Units, on 0.12 acres, with the following conditions:

1. Prior Approval
The terms and conditions of all applicable prior regulatory approvals and agreements remain in full force and effect, except as affected by the conditions of this site plan amendment.
2. Moderately Priced Dwelling Units (MPDUs)
The proposed development shall provide 12 MPDUs on-site.
3. Stormwater Management
The proposed development is subject to Stormwater Management Concept approval conditions dated January 5, 2005.

4. Development Program

Applicant shall construct the proposed development in accordance with a Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of signature set of site plan. The Development Program shall include a phasing schedule as follows:

- a. Street trees, on-site landscaping and associated facilities shall be completed prior to occupancy of the building, but no later than six months after completion of the proposed building.
- b. Public sidewalk, along the site frontage and extending to the existing sidewalk to the west of the site, shall be completed prior to occupancy of the building.
- c. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
- d. Phasing of stormwater management, sediment/erosion control, recreation, community paths, or other features.

5. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of signature set of plans.

6. Signature Set

Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Opinion.
- b. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- c. Replace the proposed cherry tree with two Littleleaf Linden trees in the front yard.
- d. Provide at least 5 feet between the proposed street tree and lamp.
- e. Extend a five-foot-wide sidewalk approximately 65 feet west beyond the property frontage to an existing five-foot-wide sidewalk.

BACKGROUND

The subject 0.12-acre property is part of the Edgemoor development. It was acquired by the developer of Edgemoor to build a 3-story, multi-family building of 12 units to satisfy the MPDU requirement for the entire development. Site Plan 8-00023 for the subject property was approved by the Planning Board with conditions on April 27, 2000.

Subsequent to the approval of site plan 8-00023, the developer reached an agreement with the Department of Housing and Community Affairs (DHCA) to convey the property to the County instead of building the required 12 MPDUs. The Housing Opportunities Commission of Montgomery County (HOC), the contract purchaser of the subject property, proposes to amend the approved site plan to construct 12 transitional housing units with a counselor office within a three-story building.

SITE PLAN REVIEW ISSUES

Development Potential of Adjacent Properties

The subject property is located on the north side of Hampden Lane, in the middle of the block between Woodmont Avenue and Arlington Road (see Vicinity map on page 5). There are a number of detached homes, which have been converted to commercial uses, on either side of the subject property along the north side of Hampden Lane. Adjacent property owners are concerned about the impact of the proposed development on the development potential of their properties.

Adjacent Property Owners' Concerns

Through a letter to Charles R. Lochr and Peter Engel dated December 6, 2004, four adjacent property owners expressed their concerns about the proposed HOC development on the subject property. A copy of the letter is attached. The property owners believe that the development of the site will block the ability of adjacent owners to assemble the required 18,000 square feet for the TS-R zone, and prohibit the development of a consolidated project on this block which would better achieve the intent of the TS-R zone and the Master Plan goals for this area and might provide more MPDUs for the Bethesda downtown area.

The adjacent property owners argue that since the County, not the developer, now owns the property, the County should work with adjacent property owners to develop all the properties together as a consolidated project instead of building a three-story building for 12 units in the middle of the block.

Applicant's Position

On December 14, 2004, HOC staff and their consultants held a meeting with the community to present the proposed development. Adjacent property owners' concerns were discussed at the meeting. In response to adjacent property owners' letter, HOC staff Peter Engel prepared a letter

dated January 3, 2005, stating HOC's intent to move forward with the proposed plan. A copy of the letter is attached.

Department of Housing and Community Affairs (DHCA)

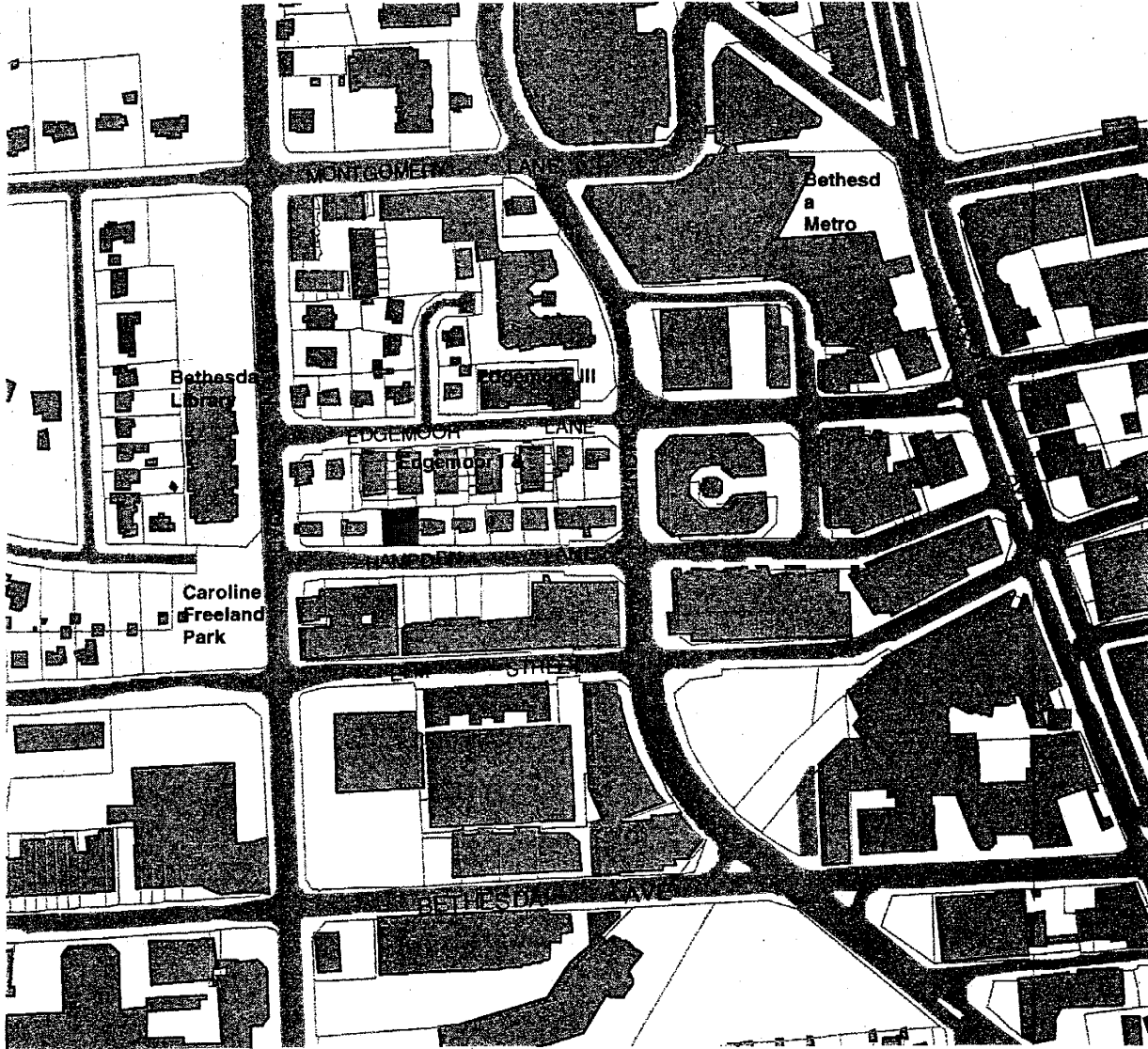
DHCA and Commission staff met with the adjacent property owners on December 23, 2004 to discussed their concerns. DHCA staff indicated at the meeting that HOC needs to move forward with the proposal in order to meet the deadline for certain federal funding for the project. DHCA staff, however, agreed that they would consider working with the owners to achieve a consolidated project if the owners can meet with a developer and prepare a feasible proposal within 60 days.

Staff Position

Although Staff understands the property owners' argument and agrees that a consolidated project may be a better solution for this part of the block, the applicant (HOC) is amending an approved plan which allows 12 MPDUs to be built on the subject property. Unfortunately, this issue was raised at this stage of the process, which does not allow adequate time for negotiation and consideration of alternatives. Staff recommends approval of the amended plan with the understanding that DHCA staff would continue to work with the property owners as they indicated at the December 23 meeting.

PROJECT DESCRIPTION: Site Vicinity

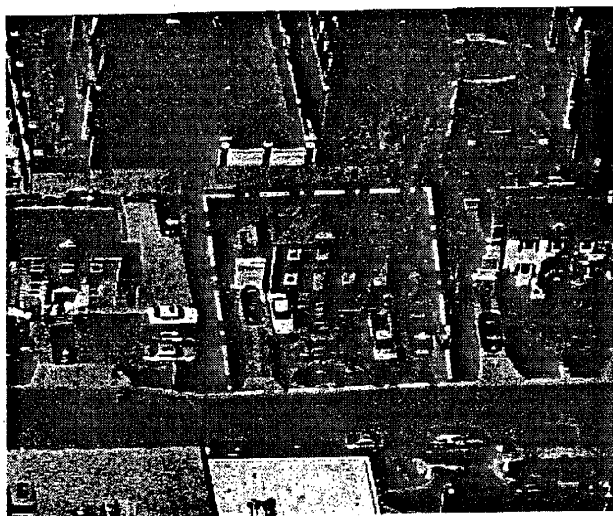
The subject property is located in the Bethesda Central Business District, on the north side of Hampden Lane between Arlington Road and Woodmont Avenue. It is served by Hampden Lane, which forms the south boundary of the site.



Confronting properties to the south across Hampden Lane consist of several commercial centers and a parking facility. Adjoining property to the north is developed with luxury townhouses, as part of Edgemoor I and II. To the west, between the subject site and Arlington Road, are two one-family detached houses, which have been converted to commercial use. To the east are also two converted one-family detached houses, which have been converted to commercial offices. The one-acre Caroline Freeland Urban Park is located approximately 150 feet west of the site on Arlington Road between Hampden Lane and Elm Street. The Montgomery County Bethesda Library is located at the intersection of Montgomery Lane and Arlington Road, just 150 feet to the west of the site. The site is within 1,000 feet of the entrance to the Bethesda metro station.

PROJECT DESCRIPTION: Site Description

The site consists of one existing lot, Lot 3, Block 24D of the Edgemoor Subdivision. The lot is currently improved with a one-family detached house, which has been converted to commercial office use. The topography of the lot is basically level with a gradual slope falling from west to east. No significant vegetation is present.



aerial view from south



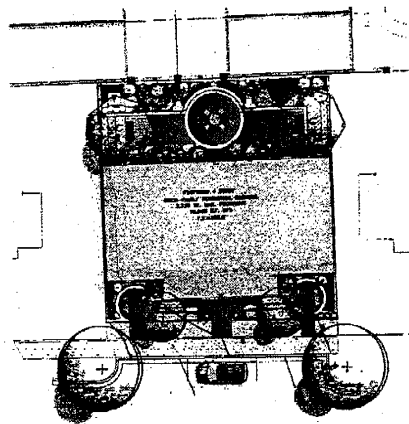
aerial view from east

PROJECT DESCRIPTION: Proposal

The Housing Opportunities Commission of Montgomery County (HOC), the contract purchaser of the subject property, proposes to amend the approved site plan to construct 12 transitional housing units with a counselor office within a three-story building. The proposed dwelling units, six one-bedroom and six studio apartments, are being constructed to satisfy the requirements for MPDUs for the adjacent development known as Edgemoor I, II, and III.

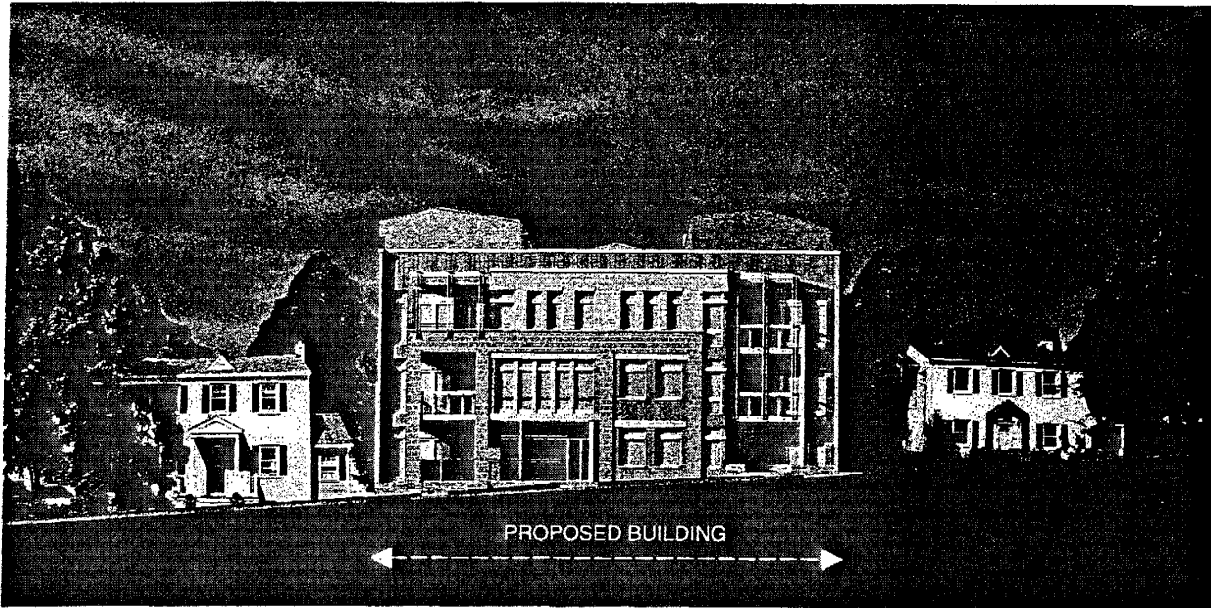
Previously Approved Development

The previously approved site plan 8-00023 proposed a three-story brick building with a maximum height of 38 feet. The building consists of 12 MPDUs: 6 one-bedroom and 6 studio apartments. The building has the appearance of a garden apartment building with a single, centrally located entrance. The front and rear facades are nearly identical with the exception that the eight-foot deep indentations included on the front facade are absent on the rear facade. Side elevations include four shuttered windows and two recessed brick keyholes, which are proposed to break up the otherwise blank side facades. Because the building is constructed to the side property lines, it is not possible to include functioning windows in order to accommodate future development of the adjacent lots.



Amended Building Design

The proposed building is a three-story building with a basement for a total of 12 transitional housing units. A one-bedroom unit, a counselor's office, a building manager's office and associated spaces will be located in the basement, which has window openings to a lightwell in the front yard. The proposed building façades contain modern architectural features and articulations, which will provide visual interest along the street frontage. The height, setbacks, location and footprint of the proposed building are similar to those shown on the previously approved site plan.



VIEW FROM HAMPDEN LANE

Parking

Pursuant to Section 59-E-1.3 (a) of the Zoning Ordinance, seven parking spaces will be provided off-site in the underground parking garage of Edgemoor III. Edgemoor III, a high-rise residential building located on Montgomery Lane, is located one block north of the subject site and was approved by the Planning Board on June 17, 1999. The walking distance from the subject site to the pedestrian entrance of the garage is approximately 850 feet and will require walking around the block. A waiver of Section 59-E-1.3 (a) which requires off-site parking be located within 500 feet, was granted through the previous site plan approval.

Open Space

The Transit Station, Residential Zone (TS-R), requires that a minimum of 10% of the net lot area be devoted to Public Use Space and that 25% be devoted to active and passive recreational purposes. The public use space is located along the Hampden Lane frontage and is proposed to include brick paving, a seating area, low stone walls and landscape planting. The active and passive recreational area is located behind the building and will also contain seating, landscape planting, stone retaining walls, decorative fencing, lighting and sculpture.

98-01 and 98-02 added lot 3
dpa-oo-2 changed the development 3- 12 transitional

The amenities and services for the proposed mid-rise building including parking and exercise facilities will be provided I the approved high rise building proposed for Montgomery Lane

nov 23 199 for dpa -02 (12 units)

still the case?///

all previous condisions 8-0023A

MCPB
Item #
03/2/06

MEMORANDUM:

DATE: Tuesday, February 14, 2006

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief, Development Review Division
Carlton Gilbert, Zoning Supervisor, Development Review Division

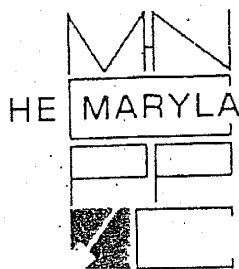
FROM: Dan Janousek, Development Review Division
(301) 495-4564

SUBJECT: **Local Map Amendment No. G-842:** *Hampden Lane Associates*, request reclassification of 22,611 square feet of land from the R-60 Zone to the TS-R Zone for 97,853 square feet of residential space and 60 total residential units; located at 4913, 4915, 4919 and 4921 Hampden Lane, Bethesda – *Approval* (Action required for hearing on 3/17/06).

Development Plan Amendment No. 06-2: *Hampden Lane Associates*, request an amendment that moves the development plan for transitional housing from 4917 Hampden Lane to 4913 Hampden Lane; located at 4913 and 4917 Hampden Lane, Bethesda – *Approval* (Action required for hearing on 3/17/06).

FILING DATE: November 1, 2005

PUBLIC HEARING: March 17, 2005



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Date Mailed: **MAY 11 2005**

Action: Approved Staff Recommendation
Subject to Conditions

Motion of Commissioner Robinson, seconded
by Commissioner Bryant, with a vote of 4-1.
Chairman Berlage and Commissioners
Bryant, Perdue, and Robinson voting in favor;
Commissioner Wellington voting against.

**MONTGOMERY COUNTY PLANNING BOARD
OPINION**

Site Plan No.: 8-00023A
Project: Edgemoor IV
Date of Hearing: January 20, 2005

The date of this written opinion is MAY 11 2005 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules, thirty days from the date of this written opinion. This site plan shall remain valid as provided in Section 59-D-3.8.

INTRODUCTION

On January 20, 2005, Site Plan Review #8-00023A was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application.

THE SUBJECT PROPERTY

The subject property is located in the Bethesda Central Business District, on the north side of Hampden Lane between Arlington Road and Woodmont Avenue ("Subject Property"). It is served by Hampden Lane, which forms the south boundary of the site.

Confronting properties to the south across Hampden Lane consist of several commercial centers and a parking facility. Adjoining property to the north is developed with

luxury townhouses, as part of Edgemoor I and II. To the west, between the Subject Property and Arlington Road, are two one-family detached houses, which have been converted to commercial use. To the east are also two converted one-family detached houses, which have been converted to commercial offices. The one-acre Caroline Freeland Urban Park is located approximately 150 feet west of the site on Arlington Road between Hampden Lane and Elm Street. The Montgomery County Bethesda Library is located at the intersection of Montgomery Lane and Arlington Road, just 150 feet to the west of the site. The site is within 1,000 feet of the entrance to the Bethesda metro station.

The site consists of one existing lot, Lot 3, Block 24D of the Edgemoor Subdivision. The lot is currently improved with a one-family detached house, which has been converted to commercial office use. The topography of the lot is basically level with a gradual slope falling from west to east. No significant vegetation is present.

BACKGROUND

The 0.12-acre Subject Property is part of the Edgemoor development. It was acquired by the developer of Edgemoor to build a 3-story, multi-family building of 12 units to satisfy the Moderately Priced Dwelling Unit ("MPDU") requirement for the entire development. Site Plan 8-00023 for the subject property was approved by the Planning Board with conditions on April 27, 2000.

Subsequent to the approval of site plan 8-00023, the developer reached an agreement with the Montgomery County Department of Housing and Community Affairs ("DHCA") to convey the property to the County instead of building the required 12 MPDUs. The Housing Opportunities Commission of Montgomery County ("HOC"), the contract purchaser of the Subject Property, submitted this amendment to the approved site plan.

PROPOSED DEVELOPMENT

HOC proposes to construct 12 transitional housing units with a counselor office within a three-story building. The proposed dwelling units, seven one-bedroom and five studio apartments, are being constructed to satisfy the requirements for MPDUs for the adjacent development known as Edgemoor I, II, and III.

SUMMARY OF TESTIMONY AND EVIDENCE IN RECORD

At the hearing, Staff recommended approval of the proposed amendment in accordance with its analysis and recommendations set forth in the staff report dated January 14, 2005.

Both DHCA and HOC indicated that they had no objections to Staff's recommendations:

Several speakers testified that they did not agree with DHCA's decision to accept the Subject Property in fee simple in full satisfaction of the developer's requirement to provide 12 MPDUs. There was also testimony questioning whether it was proper to allow construction of transitional housing on the Subject Property as proposed by HOC given that the property donated was to satisfy MPDU requirements. In rebuttal, DHCA responded that the MPDU legislation (Chapter 25A of the Montgomery County Code) explicitly allows for donation of land by developers in satisfaction of their MPDU requirements.

In addition, several neighboring property owners expressed their concerns with the proposed development at the hearing. The primary concern of the neighboring property owners is that approval of this project would hinder the overall development potential of the properties on the same block. Since the Subject Property is in the middle of the block and the master plan recommends coordinated development of the area under the TSR zone, which requires an 18,000 square-foot minimum for rezoning, the neighboring property owners are concerned that moving forward with the proposed development on the Subject Property would restrict their ability to develop their properties in accordance with the master plan objectives for the area. The owners acknowledged that they were aware of the proposed MPDU development on the Subject Property when it was approved in 2000 but stated that they contacted Planning Staff regarding the approved development and was assured that they would be notified as the project progressed. Despite these assurances, the owners testified that they had only recently learned of the transfer of the Subject Property to DHCA and of HOC's plans to construct transitional housing on the site.

In response, DHCA testified that it was not required to individually notify the neighboring property owners of the transfer of the Subject Property and that the transfer was properly noticed in the newspapers. Moreover, DHCA stressed that the owners knew of the 2000 approval for development of the MPDUs under which the Subject Property could have been developed at any time since the approval. Nonetheless, DHCA and HOC testified that they were open to proposals by the neighboring property owners for coordinated development of the properties on the block. However, they pointed out that HUD has approved grants to HOC for the development of the Subject Property that require that the site be under construction by June 15, 2005. DHCA and HOC stated that any agreement for joint development of the block must fully compensate them for the grants they would be losing from HUD. DHCA stressed that the owners have had since 2000 to come up with a proposal and, to date, none has been presented. DHCA stated that, given the HUD deadlines, it has to move forward with the development at this time.

At the hearing, Commissioner Wellington expressed her objection to the proposed development. She stated her disappointment that the 12 MPDUs that were approved in 2000 were still not yet constructed and, under the proposed development, will be developed

as transitional housing. In addition, she indicated that she found that the proposed development would hinder the coordinated development of the block and limit the potential for providing more MPDU units in contradiction to the goals of the master plan.

FINDINGS

Based on all of the testimony and evidence presented and on the staff report, which is made a part hereof, the Montgomery County Planning Board finds:

1. The site plan is consistent with the approved development plan DPA 00-2 for Edgemoor in terms of land use, density, and amenity areas.
2. The Site Plan meets all of the requirements of the TS-R zone as demonstrated in the project Data Table on pages 9-10 of the Staff Report.
3. The locations of the buildings and structures, the open spaces, the landscaping, the recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient.

a. Buildings

The location of the building is adequate, safe, and efficient. The proposed three-story building is located approximately 7 feet back from the right-of-way line and 17 feet behind the proposed curb. The building will be constructed to each side property line and approximately 23 feet from the rear property line. The building is located parallel with Hampden Lane and is arranged to provide direct access to the street and to conform to the existing development patterns in the neighborhood.

b. Open Spaces

The open spaces are adequate, safe, and efficient. The TS-R zone requires that a minimum of 10% of the net lot area be devoted to public use space. Based on the net lot area of the subject site, a minimum of 512 square feet must be provided. The plan proposes 608 square feet. The public use space is located along Hampden Lane in front of the proposed building. The public use space will include special paving, landscaped areas, and areas for seating.

A minimum of 25% (1,280 square feet) active and passive recreation space must also be provided. The plan indicates that 1,651 square feet will be provided. The outdoor passive recreation space is provided in the rear (north side) of the building adjacent to the Edgemoor I townhouse section.

The plan proposes a nicely landscaped outdoor room enclosed by a wood lattice fence approximately 7½ -8 feet high. Stone retaining walls, accent lighting, patio furniture and a stone pedestal and sculpture are proposed to help create and enhance the space. A combination of brick and flagstone paving is proposed for the patio area.

The stormwater management concept for the proposed development was approved with conditions by the Montgomery County Department of Permitting Services (DPS) on February 15, 2000, and reconfirmed on January 5, 2005. The proposed stormwater management concept consists of a waiver of on-site water quality control due to the lack of a suitable storm drain system to connect to. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

c. Landscaping and Lighting

The landscaping and lighting are adequate, safe, and efficient. Landscaping is provided along the Hampden Lane frontage and on the north side of the building. Landscaping along Hampden Lane consists of two street trees planted just off-site within the public right-of-way. A Yoshino Cherry tree will be provided in the front yard between the building entrance and the seating area. Shrub masses and ornamental grasses are proposed as foundation planting and help define the public use space. A Washington Globe streetlight is proposed on the east side of the property frontage within the public street right-of-way.

The landscaping proposed for the passive recreation space located on the north side of the building will consist of shade tolerant species. Uplighting is proposed to highlight a stone pedestal and sculpture. The rear property line of the site is bounded by an approximately eight-foot-tall, unfinished concrete retaining wall. The plan proposes a lattice-type fence in front of the wall for screening.

d. Recreation

The recreation facilities are adequate, safe, and efficient. Recreation demand is satisfied as shown in the Recreation Calculations table on pages 10-11 of the Staff Report. Recreation requirements for the proposed 12 units in Edgemoor IV will be met by both on-site and off-site facilities provided in conjunction with Edgemoor III and in nearby Caroline Freeland Park.

e. Vehicular and Pedestrian Circulation

The vehicular and pedestrian circulation is adequate, safe, and efficient. Three on-street parallel parking spaces will be provided on the north side of Hampden Lane. A parking waiver was granted by the Planning Board through the previous site plan approval pursuant to Section 59-E-4.5, Performance Standards, of the Zoning Ordinance. The purpose of the waiver is to request relief from the requirements of Section 59-E-1.3, Distance from Establishment Served, which requires that parking be located within 500 feet walking distance of the entrance of the establishment served. In this case, 7 parking spaces will be provided approximately 850 feet from the building's entrance as part of the underground parking structure of Edgemoor III high-rise residential building. In order to ensure and promote pedestrian access to the parking spaces, the applicant will extend a five-foot-wide sidewalk approximately 65 feet west beyond the property frontage to an existing five-foot-wide sidewalk. This issue was identified and discussed at the time of the Development Plan Amendment DPA-002 and it was noted that it would be necessary for the applicant to seek a parking waiver at the time of site plan approval.

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

The proposed development is compatible with existing and proposed adjacent development. There are no setback requirements in the TS-R zone. The zone was written to provide flexibility in areas around transit stations where high-density residential use is desirable. The provision of affordable housing within the Central Business District of Bethesda, within easy walking distance of the Metro, is also much needed and a goal of the Master Plan.

The subject three-story building is located between existing two-story buildings, which have been converted to commercial uses. The activity associated with the proposed residential use will not cause a negative effect on adjacent residential or commercial uses.

5. The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The proposed development is exempt from Forest Conservation requirements because it occurs on a tract less than one acre in size where activity will not result in the clearing of more than 30,000 square feet of existing forest and reforestation requirements would be less than 10,000 square feet.

6. That based on uncontested evidence, all legal requirements for noticing the amended site plan have been met.
7. That the approval requires that HOC provide 12 MPDUs and that the determination of whether a particular housing unit is an MPDU is within the jurisdiction of DHCA.
8. That the TS-R zone does not require that properties be developed to their maximum potential, nor does it require cooperation with neighboring property owners in order to build in the zone. Since there is nothing in the Zoning Ordinance that requires HOC to coordinate development with the neighboring property owners, the Board does not have authority to deny approval based on the concerns raised by the neighboring property owners. However, the Board strongly encourages DHCA and HOC to continue negotiations with the neighboring property owners to try and coordinate development of the area in accordance with the goals of the master plan.

PLANNING BOARD ACTION AND CONDITIONS

The Montgomery County Planning Board APPROVES Site Plan Review No. 8-00023A for 12 Moderately Priced Dwelling Units on 0.12 acres in the TS-R zone with the following conditions:

1. Prior Approval
The terms and conditions of all applicable prior regulatory approvals and agreements remain in full force and effect, except as affected by the conditions of this site plan amendment.
2. Moderately Priced Dwelling Units (MPDUs)
The proposed development shall provide 12 MPDUs on-site.
3. Stormwater Management
The proposed development is subject to Stormwater Management Concept approval conditions dated January 5, 2005.
4. Development Program
Applicant shall construct the proposed development in accordance with a Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of signature set of site plan. The Development Program shall include a phasing schedule as follows:
 - a. Street trees, on-site landscaping and associated facilities shall be completed prior to occupancy of the building, but no later than six months after completion of the proposed building.

- b. Public sidewalk, along the site frontage and extending to the existing sidewalk to the west of the site, shall be completed prior to occupancy of the building.
 - c. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
 - d. Phasing of stormwater management, sediment/erosion control, recreation, community paths, or other features.
5. Clearing and Grading
No clearing or grading prior to M-NCPPC approval of signature set of plans.
6. Signature Set
Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:
- a. Development program, inspection schedule, and Site Plan Opinion.
 - b. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
 - c. Replace the proposed cherry tree with two Littleleaf Linden trees in the front yard.
 - d. Provide at least 5 feet between the proposed street tree and lamp.
 - e. Extend a five-foot-wide sidewalk approximately 65 feet west beyond the property frontage to an existing five-foot-wide sidewalk.

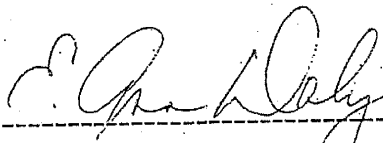
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[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

APPROVED AS TO LEGAL SUFFICIENCY
DYD 4/29/05
M-NCPPC LEGAL DEPARTMENT

CERTIFICATION OF BOARD VOTE ADOPTING OPINION

At its regular meeting, held on **Thursday May 5, 2005**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on the motion of **Commissioner Bryant, seconded by Commissioner Wellington, with Acting Chair Perdue and Commissioners Bryant, Robinson, and Wellington** voting in favor of the motion, and with Chairman Berlage absent, **ADOPTED** the above Opinion which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Site Plan No. 8-00023A, Edgemoor IV.**



Certification as to Adoption of Opinion
E. Ann Daly, Technical Writer
