

MAY 4 2012



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

MCPB No. 12-44
Site Plan No. 81986047A
Project Name: 7900 Beechcraft Avenue - Ecology
Hearing Date: April 19, 2012

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-11-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, the Planning Board approved Site Plan No. 819860470, to allow construction of a fueling station and truck parking area on approximately 3.02 net acres of I-4-zoned property located at 7900 Beechcraft Avenue ("Property"), in the Gaithersburg Vicinity Master Plan ("Master Plan") area; and

WHEREAS, on February 27, 2012, Clean Energy, ("Applicant"), filed a site plan amendment application, which was designated Site Plan No. 81986047A ("Amendment" or "Site Plan"), for approval of the following modifications:

1. Modification of parking area at center of site;
2. Relocation of storage building and frame trailer to rear of site;
3. Relocation of fuel tanks; and
4. Addition of fence around an equipment compound.

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated April 6, 2012 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on April 19, 2012, Staff presented the Amendment to the Planning Board as a consent item for its review and action; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 81986047A, subject to all site development elements as shown on the "CNG Fueling Station – Ecology Services" drawings stamped by The Maryland-National Capital Park and Planning Commission on February 17, 2012.

Approved as to
Legal Sufficiency:

Christina Sorenson 4/4/12

8787 Georgia Avenue, Spring, Maryland 20910 Chairman's Office: 301.495.4005 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

BE IT FURTHER RESOLVED, unless amended, all other conditions of approval for Site Plan No. 819860470 remain valid and in full force and effect; and

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, the Montgomery County Planning Board FINDS, the proposed modifications to the Site Plan do not alter the overall design character of the development in relation to the original approval and the site remains compatible with existing and proposed development adjacent to the site. The modifications do not impact the efficiency, adequacy, or safety of the site with respect to vehicular and pedestrian circulation, open space, landscaping, or lighting. The density, heights, and green area are unchanged and remain in conformance; the setbacks from property lines and the road exceed the minimum requirements; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this written Resolution is MAY 4 2012 (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 written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

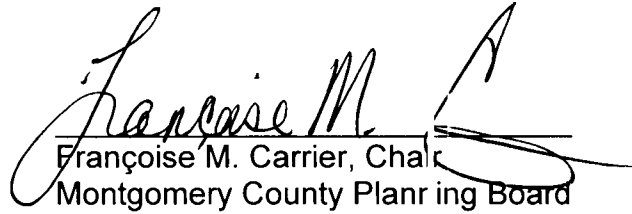
* * * * *

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 Commissioner Presley, seconded by Commissioner Anderson, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson,

MCPB No. 12-44
Site Plan No. 81986047A
7900 Beechcraft Avenue - Ecology
Page 3

Dreyfuss, and Presley voting in favor of the motion at its regular meeting held on Thursday, April 19, 2012, in Silver Spring, Maryland.



Françoise M. Carrier, Chair
Montgomery County Planning Board