



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

MCPB No. 19-049
Adequate Public Facilities Determination
Koons Mazda
Date of Hearing: April 25, 2019

APR 26 2019

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 8, Section 8-31(b), the Montgomery County Department of Permitting Services (“MCDPS”) may issue a building permit only if the Planning Board has made a timely determination that public facilities will be adequate to serve the proposed development encompassed by the permit application; and

WHEREAS, this provision applies to each applicant for a building permit on a recorded lot for which no valid finding of adequate public facilities (“APF”) has been made, including any recorded lot for which an original finding of adequate public facilities has expired; and

WHEREAS, on February 14, 2016 Koons of Silver Spring, Inc. (“Applicant”) filed an application for approval of an APF determination for a 4,540-square-foot building extension on approximately 5.28 acres zoned IM-2.5 H-50, located at 311 Automobile Blvd., Silver Spring on Lot 2 (“Subject Property”) in the Fairland Master Plan (“Master Plan”) area; and

WHEREAS, Applicant’s application for the APF determination was designated Adequate Public Facilities Test No. APF201902 (“Application”); and

WHEREAS, Planning Board staff (“Staff”) issued a memorandum to the Planning Board, dated April 11, 2019, setting forth its analysis and recommendation for approval of the Application subject to certain conditions (“Staff Report”); and

WHEREAS, on April 25, 2019, the Planning Board held a public hearing on the Application at which it received evidence submitted for the record on the Application and at which time the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below.

Approved as to
Legal Sufficiency: 

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board adopts the Staff's recommendation set forth in the Staff Report and hereby approves the Adequate Public Facilities determination subject to the following conditions¹:

- 1) This APF determination is limited to the addition of 4,540 square feet (gross floor area) for a total maximum of 50,011 square feet of vehicle sales and vehicle service use or similar land uses with the same or fewer projected peak hour trips.

BE IT FURTHER RESOLVED, that this Adequate Public Facilities determination will remain valid for 60 months from the date of mailing of this Planning Board Resolution and that prior to the expiration of this validity period, a request for an extension must be filed; and


BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is APR 26 2019 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Vice Chair Dreyfuss, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González and Cichy voting in favor, and Commissioner Patterson absent at its regular meeting held on Thursday, April 25, 2019, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

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.