



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

MCPB No. 20-088  
Site Plan No. 81985114B  
Montgomery Airpark Business Center  
Date of Hearing: September 10, 2020

**SEP 23 2020**

**RESOLUTION**

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on December 19, 1985, the Planning Board, by MCPB Opinion, approved Site Plan No. 819851140, for the construction of 397,267 square feet of office uses on 53.13 acres of I-1 zoned-land, located along Woodfield Road/MD 124 immediately to the south of its intersection with Airpark Road ("Subject Property"), in the Rural East Policy Area and 1968 *Master Plan for the Rock Creek Planning Area* ("Master Plan") area; and

WHEREAS, on July 29, 2014, the Planning Director approved an administrative amendment to Site Plan No. 819851140 (Staff memo dated July 29, 2014) to construct two fenced play areas totaling 3,070 square feet on Lot 5, Block "B" (2.44 acres), Montgomery Airpark Business Center on Plat #16078; and

WHEREAS, on April 21, 2020, Casey Holdings LLC ("Applicant") filed an application for approval of an amendment to the previously approved site plan to remove the Subject Property, identified as Lot 4, Block "B" (1.24 acres), Montgomery Airpark Business Center on Plat #16078 from the previously approved site plan because the Zoning Ordinance no longer requires site plan approval for the proposed land use in the IL-1.0, H-50 zone; and

WHEREAS, the application to amend the site plan was designated Site Plan No. 81985114B, Montgomery Airpark Business Center ("Site 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 August 28, 2020, setting forth its analysis of, and recommendation for approval of the Application, subject to no conditions ("Staff Report"); and

WHEREAS, on September 10, 2020, 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, at the hearing, the Planning Board voted to approve the Application subject to no conditions because the approved land use is not subject to the legal findings necessary to approve a site plan in the IL-1.0, H-50 zone, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 81985114B for the removal of the Subject Property from the previously approved site plan because the Zoning Ordinance no longer requires site plan approval for the approved land use in the IL-1.0, H-50 zone and, as such, imposes no conditions of approval and makes no site-plan related findings as part of this Resolution.<sup>1</sup>

BE IT FURTHER RESOLVED that all previous site plan conditions of approval for this project are nullified.

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

BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; 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 SEP 23 2020 (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

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<sup>1</sup> 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.

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 Vice Chair Fani-González, seconded by Commissioner Patterson, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor at its regular meeting held on Thursday, September 10, 2020, in Silver Spring, Maryland.



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Casey Anderson, Chair  
Montgomery County Planning Board