

# Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**DATE MAILED:**

**April 8, 2025**

MCPB No. 25-029  
Site Plan No. 820240100  
Black Hill Townes  
Date of Hearing: March 20, 2025

## **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 April 17, 2024, Lerner Enterprises (“Applicant”) filed an application for approval of a site plan for 69 townhouse dwelling units (including a minimum of 12.5% MPDUs), common open space areas, natural surface trail, and other site related improvements on 5.74 acres of CR-0.75, C-0.5, R-0.5, H-145, T zoned-land, located north of the intersection of Crystal Rock Drive and Bellerive Drive, Germantown (“Subject Property”), in the Germantown West Policy Area and 2009 *Germantown Employment Area Sector Plan* (“Sector Plan”) area; and

WHEREAS, the site plan application for the Subject Property was designated Site Plan No. 820240100, Black Hill Townes (“Site Plan” or “Application”); and

WHEREAS, the Application was submitted for concurrent review and approval with Forest Conservation Plan No. F20240570; 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 March 7, 2025, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on March 20, 2025, 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 Vice Chair Pedoeem, with a vote of 4-0; Chair Harris, Vice Chair Pedoeem, and Commissioners Hedrick and Linden, voting in favor with Commissioner Bartley necessarily absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820240100 for 69 townhouse dwelling units (including a minimum of 12.5% MPDUs),

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2425 Reedie Drive, Floor 14, Wheaton, MD 20902 | Phone: 301-495-4605  
[www.montgomeryplanningboard.org](http://www.montgomeryplanningboard.org) | [mcp-chair@mncppc.org](mailto:mcp-chair@mncppc.org)

Approved as to  
Legal Sufficiency: /s/ Matthew Mills  
M-NCPPC Legal Department

common open space areas, natural surface trail, and other site related improvements on the Subject Property, subject to the following conditions:<sup>1</sup>

### **Density, Height, and Housing**

1. Density

The Site Plan is limited to a maximum of 130,000 square feet of residential use for 69 townhouse dwelling units on the Subject Property (Lot No. 24).

2. Height

The development is limited to a maximum height of 50 feet, as measured from the building height measuring points, as illustrated on the Certified Site Plan.

3. Moderately Priced Dwelling Units (MPDUs)

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated February 18, 2025, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.
- b) The development must provide 12.5 percent MPDUs or MCDHCA-approved equivalent consistent with the requirements of Chapter 25A and the applicable Master Plan.
- c) Before issuance of any building permit for any residential unit(s) on Lot 24, the MPDU agreement to build between the Applicant and the MCDHCA must be amended or executed, as applicable.

### **Open Space, Facilities and Amenities**

4. Common Open Space and Amenities

- a) The Applicant must provide a minimum of 51,500 square feet of common open space (22.4 percent of net lot area) on-site.
- b) Before release of the last use and occupancy permit, all common open space areas on the Subject Property must be completed, and landscaping must be completed within the next planting season following issuance of the last use and occupancy permit.

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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.

5. Common Open Space Covenant

The record plat must reference the Common Open Space Covenant recorded at Book 28045 Page 578 (Covenant).

6. Recreation Facilities

Before release of the last use and occupancy permit, the Applicant must provide the required recreation facilities as shown on the Certified Site Plan (CSP), and all landscaping must be completed within the next planting season following issuance of the last use and occupancy permit.

7. Natural Surface Trail

M-NCPPC Montgomery County Department of Parks (Montgomery Parks)

a. Park Construction Permit

- i. Any activity or work on parkland requires an approved Park Construction Permit, including, but not limited to, construction of the natural surface trail, associated amenities, and any required instream work for stream crossings.

b. Natural Surface Trail Connection to Black Hill Regional Park

- i. Before release of the last use and occupancy permit, the Applicant must construct the Natural Surface Trail Connection to Black Hill Regional Park (Trail) substantially as shown on the Certified Site Plans along with required amenities including a pedestrian bridge, related stream stabilization work, and signage.
- ii. The Trail and bridge must be constructed to Montgomery Parks standards utilizing Montgomery Parks preferred natural surface trail construction methods.
- iii. The Applicant will stabilize approximately 65 feet of the stream channel (including outfall) adjacent to the pedestrian bridge, utilizing a series of riffles and pools, in order to remediate and prevent erosion that could compromise the long-term integrity of the trail crossing. Seeding and plantings will be included on the banks of the stream. Instream stabilization work will be designed to Montgomery Parks stream restoration standards.
- iv. Final trail alignment and design details will be established during the Park Construction Permit Process.

- v. Montgomery Parks will accept maintenance and operational responsibility for the Trail on parkland. The Applicant will be responsible for maintenance and operation of the sections of trail not on parkland.
- c. The sections of the Trail not on parkland must be accessible to the public and subject to a public access covenant.

### **Transportation**

#### 8. Transportation

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated February 26, 2025, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

### **Other**

#### 9. Fire and Rescue

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated March 6, 2025, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.
- b) Before approval to release any portion of the site plan performance bond, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the fire access improvements have been constructed and installed per the recommendations from the Fire Department Access and Water Supply Section, and as shown in the approved MCDPS fire access plan.

### **Site Plan**

#### 10. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations of the submitted architectural drawings, as determined by M-NCPPC Staff with the following:

- a) The exterior architectural character, proportion, materials, and articulation of the MPDU units must be substantially similar to the exterior architectural character, proportion, materials, and articulation of the market-rate units.

- b) The exterior architectural design composition, character, proportion, materials, window, door and eave details, and articulation of all unit facades must be substantially similar.
- c) To the maximum extent feasible, individual driveways must be separated by at least six (6) foot planting areas, and the planting areas must include alternating large canopy shade trees on the north side of the drive/alley and small accent or ornamental trees and shrubs on the south side of the drive/alley, as shown on the Tree Diagram submitted to staff dated March 11, 2025.
- d) To the maximum extent feasible, the pedestrian path between the two open space activity areas must follow the natural contour of the land or the forested edge of the site instead of an orthogonal grid pattern.
- e) Along the rear line of townhomes (Building Nos. 7, 8, 9, 10, and 11) and between the common open space, no future fence may exceed a height of 36 inches, and any fence must be semi-transparent. Examples of transparent fences include but are not limited to split rail fences, spaced picket fences, and wrought iron fences.

#### 11. Parking Spaces in Excess of the Maximum Number Allowed

In accordance with Section 59-6.2.3.H.2.b and as shown on the Certified Plan, the Applicant must make available to the public, fifteen (15) parking spaces, which are in excess of the maximum number of parking spaces allowed. The Applicant must install signage indicating that such parking spaces are available to the public.

#### 12. Lighting

- a) Before Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors must be installed on all outdoor fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by streetlights within the public right-of-way.

- e) Private streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

13. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit, sediment control permit, or Use and Occupancy Certificate (excluding core and shell), whichever comes first, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements only for facilities located on the Property (not in the public right-of-way), including, but not limited to plant material, on-site lighting, outdoor recreational facilities, site furniture, trash enclosures, retaining walls, fences, railings, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees, street lights, and the natural surface trail. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

14. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved before the approval of the Certified Site Plan.

15. Certified Site Plan

Before approval of the Certified Site Plan, the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the stormwater management concept approval letter, development program, and Site Plan resolution on the approval or cover sheet(s).

- b) Add the following notes:
- i. “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
  - ii. “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
  - iii. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”
  - iv. “Without a site plan amendment and with Planning Staff approval, the Applicant may revise plant material, hardscape, light fixtures, right-of-way elements, site furniture, recreational facility elements, and other similar minor elements if such revisions do not alter the conditions of approval or findings.”
  - v. “Any work on M-NCPPC Parkland requires an approved Park Construction Permit.”
  - vi. “The natural surface trail is accessible to the public.”
- c) Include approved Fire Department Access Plan and recreation facility supply point exhibit sheet.
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape plans.
- f) Pursuant to Comment No. 1a in the MCDOT letter dated February 26, 2025, show on-street parking within the existing curb lane, in compliance with the 2024 *Complete Streets Design Guide*, on Crystal Drive along the Site frontage, unless restricted by MCDOT.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Site Plan No. 820240100, submitted via ePlans to the M-NCPPC as of the

date of the Staff Report are required, except as modified by the above conditions of approval;  
and

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 development satisfies any previous approval that applies to the site.*

Preliminary Plan No. 12012021D, as amended, is applicable, and with approval of this Site Plan No. 820240100, the Project satisfies all previous approvals applicable to the site.

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

Not applicable because there are no binding elements of any development plan or schematic development plan that were in effect on October 29, 2014.

3. *The development satisfies any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

Not applicable because the Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

- a. Use Standards

The Subject Property is located in the CR-0.75, C-0.5, R-0.5, H-145T zone and the Germantown Transit Mixed Use Overlay. Pursuant to Sec. 59.3.1.6 (Use Table), a Townhouse dwelling unit is permitted in the CR zone. As shown in the Data Table and discussed in these findings, the Project complies with the Master Plan and the CR zone standard method of development standards, as applicable.

- b. Development Standards

The Subject Property includes approximately 5.74 acres zoned CR-0.75, C-0.5, R-0.5, H-145 T. The Application satisfies the applicable development standards as shown in the following data table:



**Data Table**

<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Approved Site Plan No. 820240100</b>
Tract Area	n/a	171.89 acres (7,487,500 SF) <sup>2</sup>
Lot Area (min.)	800 SF	5.74 acres (249,990 SF)
Lot Coverage, Townhouse (max.)	n/a	n/a
Common Open Space for Tract >10,000 SF (min), Townhouses	10%	22.4% (51,500 SF)
Floor Area Ratio (FAR) <sup>3</sup>		
Commercial	3,743,750 SF (0.50)	0 SF
Residential	3,743,750 (0.50)	130,000 SF on the Subject Property
Total	5,615,625 (0.75)	130,000 SF on the Subject Property
Lot Area Townhouse (min.)	800 SF	243,990 SF <sup>4</sup>
Building Setbacks (min.) <sup>5</sup>		
Front	5 FT	10 FT
Side, abutting non-residential zone	4 FT	4 FT
Rear, abutting non-residential zone	10 FT	29 FT
Accessory Structure Setbacks (min.) <sup>5</sup>		
Front	5 FT	21 FT
Side	4 FT	37 FT
Rear	4 FT	30 FT
Parking Setbacks, Surface Parking, Townhouse		
Front	n/a	All parking is located in private garages or behind units
Side street	n/a	n/a
Side	n/a	8 FT
Rear	n/a	35 FT
Build-to Area (BTA) (max., setback and min. % of building facade)		
Building in front street BTA	70% within 15 FT	100% within 15 FT
Side street	n/a	n/a

<sup>2</sup> Tract area established by Preliminary Plan Amendment No. 12012021D.

<sup>3</sup> The permitted FAR is applied to the overall 171.89-acre area of Preliminary Plan Amendment No. 12012021D; with Site Plan No. 820240100, 130,000 square feet of residential density is allocated to Lot No. 24.

<sup>4</sup> All townhouse units are located on one lot.

<sup>5</sup> Setbacks are measured from the lot line to the nearest townhouse unit.

<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Approved Site Plan No. 820240100</b>
Building Height, (max.)		
Principal building	145 FT	50 FT
Accessory structures	25 FT	25 FT
Building Transparency		
Blank wall (max.)	35 FT	35 FT
Vehicle Parking (min./max.)		
Minimum, 1 space per unit	69 spaces	69 spaces
Maximum, 2 spaces per unit	138 spaces	138 garage spaces 15 public spaces 153 total spaces <sup>6</sup>
Bicycle Parking	Not required for townhouse units	n/a
Off-street loading spaces	Not required for townhouse units	n/a

c. General Requirements

i. *Site Access*

As conditioned, access and circulation are safe, adequate, and efficient to serve the Project. As discussed in detail in the Preliminary Plan findings of this report, site access is provided by two driveways from Crystal Rock Drive. On-site circulation is provided by an internal private drive constructed to alley standards. The Project also provides an internal pedestrian circulation system between open spaces, residential units, a new trail head connection and natural surface trail, which is all linked to the public sidewalk along Crystal Rock Drive.

ii. *Parking, Queuing and Loading*

Parking, queuing and loading areas are adequate to serve the site. As shown in the Data Table, the number of parking spaces is adequate and meets all zoning requirements. Each unit provides two (2) garage parking spaces and two (2) potential driveway parking spaces. Guest parking is not required by the Zoning Ordinance. However, due to limited parking options in the vicinity for the units and nearby recreational facilities, 15 surface parking spaces are provided on the Subject Property for guest/public parking. In accordance with Section 59-6.2.8.B1, off-street

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<sup>6</sup> Pursuant to Sec. 59-6.2.3.H.2.b, the Applicant may provide more parking spaces than allowed by the maximum if all of the parking spaces provided in excess of the maximum number allowed are made available to the public and are not reserved.

loading spaces are not required for single-family attached (townhouse) units.

iii. *Open Space and Recreation*

In accordance with Section 6.3.5 (Common Open Space), the Project provides 22.4 percent (51,000 square feet) of the net lot area as contiguous common open space, which exceeds the minimum of 10 percent. In accordance with the adopted 2017 *Recreation Guidelines* and as shown on the site plan, the recreational facilities are safe, adequate, and efficient.

The common open space is located at the rear of the property adjacent to Black Hill Regional Park and it provides a natural playscape area for children ages two (2) to twelve(12), a firepit seating area, moveable seating, benches, and a grill and picnic table seating area. A second open space area is located along the northeast corner of the Subject Property near the traffic circle, and it provides a picnic pavilion with a shade pergola and bench seating. Also provided is a natural area (forest conservation easement) and a new trail head connection to a natural surface trail into Black Hill Regional Park. The natural surface trail is connected with the internal pedestrian circulation system and to the public sidewalk along Crystal Rock Drive.

iv. *General Landscaping and Outdoor lighting*

As conditioned, the landscape plan satisfies the requirements of Sec. 59-6.4.3. The landscape plan provides numerous shade trees, evergreen trees, ornamental trees, shrubs, and groundcover which is evenly distributed across the Property and along Crystal Rock Drive. Additionally, the landscape plan provides adequate shading for the common open space with shade and ornamental trees.

The internal shared driveway is designed to alley standards with a pavement width of 22 feet. As conditioned, individual driveways are separated by at least a six (6) foot planting area that must accommodate alternating large canopy shade trees and small accent or ornamental trees and shrubs in order to maximize canopy coverage of the shared driveway and advance climate goals.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

a. Chapter 19, Erosion, Sediment Control, and Stormwater Management

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on March 6, 2025. The plan will meet stormwater management requirements using micro-bioretenion and biofiltration areas.

b. Chapter 22A, Forest Conservation

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines as further discussed in the findings for Forest Conservation Plan No. F20240570, which are included in a separately approved resolution and are incorporated herein.

6. *The development provides safe, well-integrated parking, circulation patterns, building massing, and where required, open spaces and site amenities.*

The Project provides safe, well-integrated parking, circulation patterns, building massing, open spaces and site amenities. As conditioned, public facilities are adequate to support and service the area of the subdivision. The Subject Property has frontage on Crystal Rock Drive, a public road with two (2) travel lanes in each direction. Crystal Rock Drive has an existing 100-foot right-of-way and is classified as a Town Center Boulevard under the *Master Plan of Highways and Transitways*. The total width of Crystal Rock Drive is approximately 44 feet, which provides for two (2) 11-foot-wide travel lanes in one direction and two (2) 11-foot-wide travel lanes in the other direction. The cross-section configuration of Crystal Rock Drive will change to two (2) 11-foot-wide bidirectional travel lanes and one 11-foot-wide parking lane on each side of the street, except where parking is restricted by MCDOT.

Vehicular and pedestrian access is provided from Crystal Rock Drive. There are no bicycle facilities along Crystal Rock Drive. The existing 10-foot-wide sidewalk along the frontage of the Subject Property accommodates both pedestrians and bicyclists. The 2018 *Bicycle Master Plan* has no master plan recommendations for the portion of Crystal Rock Drive that fronts the Application. The existing 10-foot-wide sidewalk along the frontage of the site is buffered by an existing 13-foot-wide street buffer with trees and a three (3) foot-wide curb and gutter. The existing pedestrian infrastructure will remain unchanged. The existing pedestrian infrastructure is adequate to fulfill the design parameters requirements for Town Center Boulevards under the *2024 Complete Streets Design Guide*. All loading and trash collection will occur on-site from the internal private driveways.

The common open space is located at the rear of the property adjacent to Black Hill Regional Park and it provides a natural playscape area for children, a firepit seating area, moveable seating, a grill and picnic table seating area, and a trail head location. A second open space area is located along the northeast corner of the Subject Property near the traffic circle and provides a picnic pavilion with a shade pergola and bench seating. The common open space and other open spaces on the Subject Property provide safe and well-integrated shaded tables and seating areas with well-designed pedestrian walkways interconnected on site. A new off-site natural surface trail into Black Hill Regional Park, is integrated with the new common open spaces and internal and external pedestrian circulation system.

7. *The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

The Application continues to substantially conform to the Sector Plan. The Application is located within the North End District of the 2009 *Germantown Employment Area Sector Plan*. The vision for the North End District is an “employment location highlighted by additional residential, retail, and hospitality uses.” Generally, the overarching goal of the Sector Plan is to create transit-served mixed-use neighborhoods, diverse housing types, and high-quality design. Uses in the immediate vicinity are comprised of multi-family apartment buildings, assisted living beds, retail, and offices. With the addition of 69 townhouse units, the Application contributes to the housing diversity within the neighborhood, by providing family-sized units with a minimum of 12.5 percent MPDUs. The Sector Plan encourages “high quality design that enhances character and identity” to create attractive neighborhoods and urban spaces. The Application provides a strong linear and complementary presence along Crystal Rock Drive with a row of well-designed walk-up townhouses that activate the streetscape. Setbacks accommodate the pedestrian-oriented public realm with a sidewalk, street trees, and front yard landscaping. Accessed from Crystal Rock Drive, the Application provides a centrally located pedestrian promenade that transverses toward the rear of the Site to common open space and beyond to a new natural surface trailhead into Black Hill Regional Park. Additionally, the Site provides 22.4 percent common open space, which is more than double the minimum standard of 10 percent. The common open space is located between the townhouses and Black Hill Regional Park. The space is designed to promote social gathering, active recreation for children, and physical and visual connection to the forested area of the park. As conditioned, the townhouse architecture provides building articulation on all facades. Finish materials include the combined use of brick, metal panels and overhangs, and siding.

8. *The development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

As conditioned, public facilities are adequate to support and service the area of the subdivision. The Subject Property has frontage on Crystal Rock Drive, a public road with two (2) travel lanes in each direction. Crystal Rock Drive has an existing 100-foot right-of-way and is classified as a Town Center Boulevard under the *Master Plan of Highways and Transitways*. The total width of Crystal Rock Drive is approximately 44 feet, which provides for two (2) 11-foot-wide travel lanes in one direction and two (2) 11-foot-wide travel lanes in the other direction. The cross-section configuration of Crystal Rock Drive will change to two (2) 11-foot-wide bidirectional travel lanes and one 11-foot-wide parking lane on each side of the street, except where parking is restricted by MCDOT.

Under the Updated fiscal year 2025 Annual School Test results, Waters Landing Elementary School, Dr. Martin Luther King, Jr. Middle School, and Seneca Valley High School are not placed in Utilization Premium Payment (UPP) tiers. In addition, the estimated number of students generated does not exceed the adequacy ceilings identified; therefore, no higher payment tiers are triggered.

Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the GIP currently in effect.

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

April 8, 2025

(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 consistent with the Maryland Rules for the judicial review of administrative agency decisions.

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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 Hedrick, seconded by Vice Chair Pedoeem, with a vote of 4-0-1; Chair Harris, Vice Chair Pedoeem, and Commissioners Hedrick, and Linden, voting in favor of the motion, Commissioner Bartley abstaining at its regular meeting held on Thursday, April 3, 2025, in Wheaton, Maryland and via video conference.



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Artie L. Harris, Chair  
Montgomery County Planning Board