

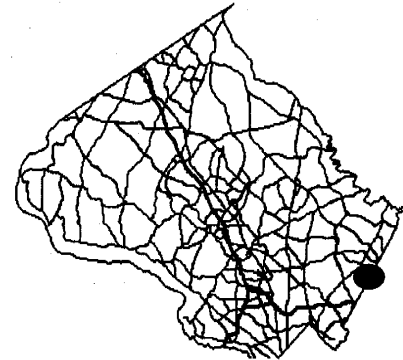


Item # 13  
MCPB 01-08-04

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

## MEMORANDUM

**DATE:** January 2, 2004  
**TO:** Montgomery County Planning Board  
**VIA:** Joseph R. Davis, Chief *JRD*  
Development Review Division  
**FROM:** Michael Ma, Supervisor *Ma*  
Development Review Division  
(301) 495-4523



**REVIEW TYPE:** Site Plan Review  
**CASE #:** 8-04002  
**PROJECT NAME:** Oakridge Corporate Centre – Flex Park  
**APPLYING FOR:** Approval of 252,000 square feet of research and development space in three two-story buildings

**ZONE:** I-1, I-3 and U.S. 29/Cherry Hill Road Employment Area Overlay zones  
**LOCATION:** On the south side of Plum Orchard Drive, approximately 1,000 feet west of Cherry Hill Road  
**MASTER PLAN:** Fairland  
**APPLICANT:** Grosvenor  
**FILING DATE:** July 23, 2003  
**HEARING DATE:** January 8, 2004

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**STAFF RECOMMENDATION:** Approval of 252,000 square feet of research and development space in three two-story buildings on 35.3 acres and reduced building and parking setbacks with the following conditions:

1. Transportation

- a. Limit the proposed development to 252,000 square-feet of flex or general office on Parcels RR, SS and MMM.
- b. Participate in the traffic mitigation program for the entire Westfarm Technology Park to satisfy the Westfarm Traffic Mitigation Agreement, as amended on October 11, 1994.
- c. Modify the main site driveway intersection with Plum Orchard Drive to provide a minimum 20-foot-wide outbound driveway (to accommodate a left-turn lane and a right-turn lane) and a minimum 17-foot-wide inbound driveway, subject to approval of Montgomery County's Department of Public Works and Transportation (DPWT) and/or the Montgomery County Department of Permitting Services (DPS).

- e. Provide adequate sidewalks, handicapped access ramps and crosswalks within the site in coordination with the DPS.
- f. Coordinate with DPWT, Division of Transit Services, on the installation of the proposed bus shelter on Plum Orchard Drive at the main site driveway.

## 2. Environmental Planning

- a. Category I conservation easements shall be placed over forest retention areas, forest planting areas, and environmental buffer areas. Easements shall be recorded in the land records prior to issuance of any building permit.
- b. Revise the preliminary forest conservation plan as follows:
  - i. Revise forest conservation plan worksheet to include SWM easement area.
  - ii. Show how required reforestation amount will be met.
  - iii. Provide 0.49 acre of forest planting in addition to the reforestation required under the forest conservation law. This planting area to be placed in a Category I conservation easement.
- c. Compliance with the conditions of approval for the final forest conservation plan. The applicant shall satisfy all conditions of the forest conservation plan prior to recording easements in the land records and DPS issuance of sediment and erosion control permit. Conditions include, but are not limited to, the following:
  - i. Provide sediment and erosion control plan with final forest conservation plan.
  - ii. Show proposed grading and limits of disturbance for shelter on the west side of the stormwater management pond. No forest clearing shall occur to locate the shelter.
  - iii. Retain the services of a licensed arborist with experience in protecting trees near significant fill slopes to provide recommendations for protecting tree no. 13 (31-inch white oak). Measures to be incorporated into the final forest conservation plan and to include, but not limited to, a retaining wall.
  - iv. Relocate part of the 12-inch sewer line in the back of Building 2 to avoid clearing of forest in forest preservation area no. 2.
  - v. For each tree-save area that is to be credited towards the reforestation requirement, provide supplemental planting at the minimum rate of 7 trees and 20 shrubs per 2500 square feet unless it is determined at the pre-planting meeting that existing trees and shrubs meet this criterion.
- d. Provide a groundwater recharge area for wetland adjacent to parking lot on north side of property. Design of recharge area to be reviewed and approved by DPS.
- e. Paved path within environmental buffer area shall be located as shown on the approved site plan and be no more than 5 feet wide.
- f. Volleyball court shall be made of pervious material.

## 3. Department of Permitting Services

The proposed development is subject to Stormwater Management Concept approval conditions dated May 12, 2003.

## 4. Clearing and Grading

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

5. Site Plan Enforcement Agreement

Submit a Site Plan Enforcement Agreement including Development Program for review and approval prior to approval of the signature set as follows:

Development Program to include a phasing schedule as follows:

- a. Tree planting along internal driveways shall progress as driveway improvement is completed, but no later than six months after completion of the proposed building.
- b. Campus-wide pedestrian amenities shall be completed as follows:
  - i. The proposed recreation facilities around the pond only, including the loop pathway, a shelter, a footbridge, a broadwalk, sitting areas, and picnic areas, shall be completed prior to occupancy of the first building.
  - ii. The green space and associated sitting areas between Building 1 and Building 2 shall be completed prior to occupancy of Building 2.
  - iii. The remaining pedestrian amenities shall be completed prior to occupancy of the third building.
- c. Landscaping, sidewalks and outdoor lighting associated with each parking lot and building shall be completed as construction of each facility is completed.
- d. Clearing and grading to correspond to the construction phasing, to minimize soil erosion and forest loss.
- e. Coordination of each section of the development and roads.
- f. Phasing of stormwater management, sediment/erosion control, recreation, forestation, community paths, or other features.

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. Limits of disturbance.
- b. Forest Conservation easement areas.
- c. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- d. The development program inspection schedule and Site Plan Opinion.
- e. An outdoor lighting distribution plan in accordance with IESNA standards.
  - i. The proposed lighting levels shall not exceed 5:1 max/min ratio.
  - ii. The height of the light pole shall not exceed 30 feet.
- f. Details of the proposed footbridge, retaining wall, bike rack, bench, picnic table, paving of sitting/picnic areas, terrace planting, and bus shelter.
- g. The minimum size for the proposed shade trees to be 2.5 to 3 inches caliper.
- h. Correct building setback and parking information.
- i. Handicapped ramps and crosswalks throughout the site.
- j. Additional landscaped islands to break long, continuous parking bays.
- k. Show the existing sidewalk along Plum Orchard Drive and construction materials for the lead walk between Plum Orchard Drive and Building 1.

**PROJECT DESCRIPTION:** Site Vicinity

The subject property is part of Westfarm Technology Park. It is located on the south side of Plum Orchard Drive, approximately 1,000 feet west of Cherry Hill Road. The site is bounded by a Maryland State Highway Administration facility to the east, I-1 zoned development to the northwest, and I-2 zoned properties to the south and southwest. Across Plum Orchard Drive from the site to the north is a shopping center, Orchard Center.



**PROJECT DESCRIPTION:** Site Description

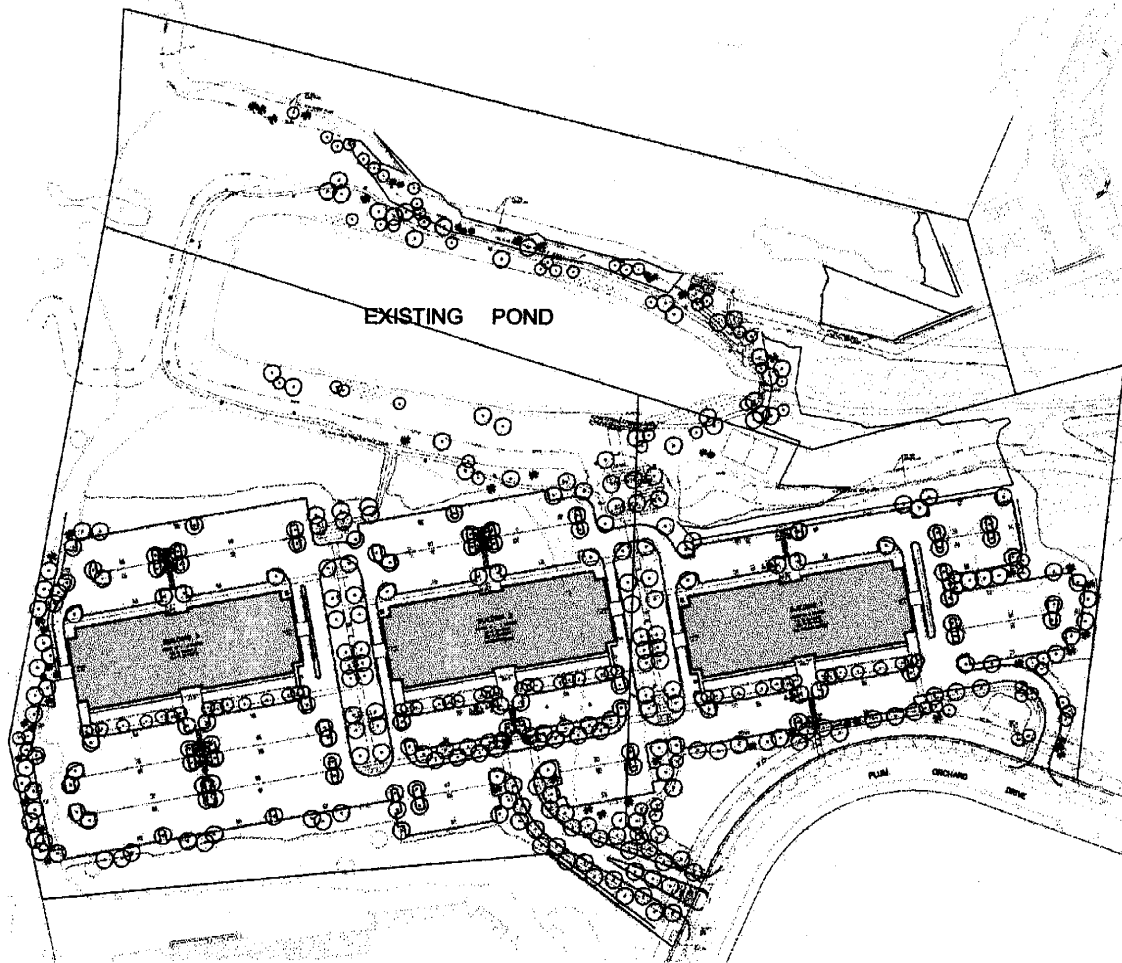
The 35.3-acre property consists of three recorded parcels: Parcels RR (in the I-3 Zone), SS (in the I-3 Zone) and MMM (in the I-1 Zone). The Westfarm Tributary traverses through the western portion of the site. There are wetlands adjacent to the northern segment of the stream on the property. Much of the stream through the site has been significantly altered by the large in-stream stormwater management facility built in 1986. The SWM facility, known as the Westfarm pond, is an extended-detention regional facility that provides stormwater quantity and some quality controls for roughly 400 acres of industrially- and commercially-zoned land in the US 29/Cherry Hill employment area. The topography on the property generally slopes down from the eastern and western property lines towards the stream and SWM pond. Three major stands of forest, totaling 20.3 acres, cover much of the site outside the pond area. The forest stands are relatively mature oak-dominated hardwood forests. There are 12 large (24 to 29 inches in diameter at breast height) and two specimen (30 inches and greater in diameter at breast height) oaks that lie within the two forest stands east of the pond.



**PROJECT DESCRIPTION:** Proposal

The proposed development consists of three two-story office buildings with surface parking lots around the buildings. Individual buildings will have a separate entrance and a loading area for each level of the building. The existing pond located in the western portion of the site will be used for stormwater management and recreation purposes. A loop pathway, exercise stations, and a shelter will be provided around the pond. Other amenities, such as pedestrian pathways, central landscaped green space, a volleyball court, and sitting areas are also proposed throughout the site to enhance the campus setting of the development.

Vehicular and pedestrian access to and from the planned office buildings is proposed via two driveways off Plum Orchard Drive, which is currently built to Master Plan standards with sidewalks and tree panels on both sides. The main entrance driveway is proposed with a center island near the northeast corner of the site. The second site access driveway is proposed to the northwest corner of the site. Several Metrobus R and Z routes serve this area and have bus stops along Plum Orchard Drive, Broad Birch Drive, and Cherry Hill Road.



**PROJECT DESCRIPTION:** Prior Approvals

Preliminary Plan 1-91039 for Westfarm Technology Park was approved by the Planning Board with conditions on July 18, 1991, for 14 lots. A copy of Planning Board opinion is attached. The Adequate Public Facilities Ordinance approval for the Preliminary Plan was extended from July 31, 2003 to July 31, 2009 by the Planning Board on November 4, 1999.

**ANALYSIS:** Conformance to Development Standards

**PROJECT DATA TABLE**

(I-1, I-3 and U.S. 29/Cherry Hill Road Employment Area Overlay zones)

<u>Development Standard</u>	<u>Permitted/ Required</u>	<u>Proposed</u>
Development Method		Standard
Lot Area (ac.):		
I-1 zoned	--	10.34
I-3 zoned	--	<u>24.98</u>
Total		35.32
Gross Floor Area (sq. ft.):		
Building 1	--	84,000
Building 2	--	84,000
Building 3	--	<u>84,000</u>
Total		252,000
Street Frontage (ft.)	150	100 <sup>1</sup>
Floor Area Ratio (FAR):	0.5	0.23
Min. Green Space (%):	35	60.7 <sup>2</sup>
Max. Parking Coverage (%):	45	24.7 <sup>2</sup>
Impervious Area (%):		42.8 <sup>2</sup>
Building Height (ft.):	100	44
Building Setbacks (ft.):		
from commercial/industrial zones other than I-3 or R&D	25	179
from I-3 zone	40	10 <sup>1</sup>
from arterial road in I-3 zone	25	138
Parking Setbacks (ft.):		
from commercial/industrial zones other than I-3 or R&D	25	108
from I-3 zone	20	0 <sup>1</sup>
from arterial road in I-3 zone	35	35

<b>Parking Space:</b>		
Total	756	919
Standard		834
Handicapped-accessible		24
Bicycle	20	24
Motorcycle	20	20
Parking Lot Internal Green (%)	5	19

- 1 Planning Board may approve a reduction.
- 2 based on I-3 zoned land only.

Conformance to Master Plan

This project is zoned I-3 and within the US 29/Cherry Hill Employment Area Overlay Zone. The land use, flex office space, is consistent with the Fairland Master Plan recommendations for the US 29/Cherry Hill Employment Area as discussed in pages 72 -78 of the plan. There are no particular recommendations with respect to this property.

Local Area Transportation Review

With the approval of Preliminary Plan No. 1-91039 for all of the original WestFarm I-3 lots and the approval of Preliminary Plan No. 1-91038 for all of the original WestFarm I-1 lots (both approvals extended to July 31, 2009, by the Planning Board’s action at its November 4, 1999, public hearing), a traffic study for this Site Plan to analyze the traffic impact at nearby intersections (per the Local Area Transportation Review Guidelines) is not required. However, the applicant is required to submit a traffic statement stating that the office density currently proposed on the I-3/I-1-zoned parcels does not exceed the previously approved general office density.

The applicant’s consultant submitted a traffic statement dated June 25, 2003, documenting the above (see Attachment 1). As established by the WestFarm Development Administration Agreement dated May 11, 1990, currently there is approximately 830,000 SF of remaining approved I-3-zoned density, and as established by the WestFarm Trip Reduction Agreement dated May 15, 1990, currently there is approximately 725,500 SF of remaining approved I-1 zoned density.

Traffic Mitigation Requirements

In 1988, the County Council asked the Planning Board to undertake a master plan review of the traffic congestion issues in eastern Montgomery County. As a result:

1. A Trip Reduction Amendment to the 1981 Eastern Montgomery County Master Plan was adopted by the County Council in 1990, and
2. A Development Limitation Trip Reduction Agreement was approved by the Planning Board in 1990 to comply with the Master Plan amendment referenced above and to reduce the FAR from 0.5 to 0.4 for West\*Farm’s I-3 properties.



To satisfy the above requirements, and that of Section 59-C-5.436, "Special Trip Reduction Guidelines for I-3 Projects," WestFarm entered into a Traffic Mitigation Agreement (amended October 11, 1994) with the Planning Board and the DPWT for the approved, subdivided, platted lots in the WestFarm Technology Park. The goal of the traffic mitigation program was to reduce the employee peak-hour trips by 8% below the number reflected in the standard trip-generation rates. The traffic mitigation program is triggered when 50% of all recorded lots are built.

#### Policy Area Transportation Review/Staging Ceiling Conditions

The Fairland/White Oak Policy Area has a remaining capacity of positive 3,288 jobs as of November 30, 2003, under the FY 2004 Annual Growth Policy (AGP) staging ceiling capacity. However, the "jobs" associated with the proposed non-residential land use (Oakridge Corporate Centre) have been approved and are already considered in the staging ceiling calculations for the Fairland/White Oak Policy Area. For information purposes, the proposed use, with 252,000 square-feet of office space, is equivalent to 1,008 jobs (using 250 square feet per job).

#### Forest Conservation

Of the 20.3 acres of forest, the applicant proposes to retain 6.6 acres. The preliminary forest conservation plan excludes the existing SWM easement for the Westfarm regional pond (9.89 acres) from the calculations and results in 0.44 acre of required reforestation. The applicant believes the SWM easement should be excluded from the net tract area for purposes of forest conservation because the regional pond serves more than the subject project, the wet pond area cannot be reforested, and the pond has existed for a long time.

Staff disagrees with the applicant and believes the SWM easement should be included as part of the net tract area for purposes of the forest conservation plan. Staff's recommended conditions 2bi and 2bii would require that the preliminary forest conservation be revised to include the SWM easement. Including the SWM easement as part of the net tract would result in a reforestation requirement of approximately 1.4 acres, instead of 0.44 acre. In other cases, a stormwater management pond and its easement are not excluded from the net tract area in a forest conservation plan if they lie on the same property as the proposed project. In addition, in this case, the pond is not only being used for the project's stormwater management controls, but it is also being used as part of the project's amenity and green space. A hard-surface path is proposed to encircle the pond. A volleyball court is proposed to lie within the existing SWM easement.

Of the 14 large and specimen trees, four will be retained. These trees are along the edges of the property and near the environmental buffer. Staff recommends that an additional large tree (a 31-inch white oak) be retained. The oak is near the parking lot in the back of Building 1. Staff recommends that a licensed arborist be retained to identify the appropriate tree protection measures for the oak. Staff believes that one of the protection measures will be a retaining wall around part of the critical root zone that will be located adjacent to the parking lot and on the fill slope.

## Environmental Guidelines

The total environmental buffer on the property is 9.1 acres. About 30 percent of this buffer (2.8 acres) is covered by the in-stream SWM pond. There are three proposed encroachments into the buffer: a 5-foot wide paved path around the SWM pond, a sand surface volleyball court next to the path on a non-wooded part of the buffer near the northern edge of the pond, and part of a parking lot near building no. 1. The total amount of permanent buffer encroachments by these three features would be 0.49 acre. If the encroachments are offset by planting at least 0.49 acre of forest in addition to the reforestation required under the forest conservation law, staff believes the encroachments are acceptable in this case. This is because a large part of the buffer is covered by the SWM pond which is in-stream and man-made. Part of the pond (the dam embankment and emergency spillway) must always be mowed to keep trees from growing and weakening the dam structure.

The part of a parking lot that is proposed to encroach into the environmental buffer would fill in about 0.04 acre (1900 square feet) of an existing, 0.39-acre (16,772 square feet) wetland area that appears to receive groundwater from the adjoining forested upland slope. Since the upland slope will be developed and primarily covered in pavement and a building, the natural recharge function of the slope will be eliminated and the wetland may dry up. The proposed buffer encroachment (wetland and its buffer) by the parking lot is 11,739 square feet (0.27 acre). Staff believes the encroachment would be acceptable if, in addition to reforesting an area equal to the encroachment (as discussed in the preceding paragraph), some of the stormwater runoff from the development is directed into a created groundwater recharge area adjacent to the remaining wetland to help maintain groundwater flows to the wetland. The applicant is proposing to take stormwater runoff from the rooftop of building no. 1, which would be relatively clean, and directing the runoff into a groundwater recharge structure just uphill of the remaining wetland. Staff recommends that the proposed structure be reviewed and approved by MCDPS.

### **FINDINGS: For Site Plan Review**

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required.*

An approved development plan or project plan is not required for the proposed I-1/I-3 zoned development.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

If amended in accordance with recommended conditions, the Site Plan meets all of the requirements of the I-1, I-3 and U.S. 29/Cherry Hill Road Employment Area Overlay zones as demonstrated in the project Data Table above.

3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

a. **Buildings**

The proposed development consists of three two-story office buildings with surface parking lots around the buildings. The buildings will be located in the eastern portion of the site and oriented to take full advantage of the view of the existing pond. Individual buildings will have a separate entrance and a loading area for each level of the building.

b. **Open Spaces**

The plan proposed 25 acres of green space throughout the site, including stream buffers, the existing pond, landscaped green space, and forest conservation areas.

The stormwater management concept for the proposed development consists of (1) on-site channel protection measures via the existing Westfarm regional pond, and (2) on-site water quality control via stormfilter chambers with additional storage pipes. Rooftop runoff may be piped directly to the regional pond where water quality will be provided via retention.

c. **Landscaping and Lighting**

The proposed landscaping on the site consists of a mix of shade, evergreen and flowering trees along the street frontage and internal driveways, within the central green areas and sitting/picnic areas, and around the existing pond. The plan proposes four types of outdoor lights throughout the site: two pedestrian lighting fixtures with 12-foot-high poles and two parking lot lighting fixtures with 30-foot-high poles. A lighting distribution plan should be prepared in accordance with IESNA standards to ensure appropriate outdoor lighting will be provided throughout the development.

d. **Vehicular and Pedestrian Circulation**

Vehicular and pedestrian access to and from the proposed development is proposed via two driveways off Plum Orchard Drive, which is currently built to Master Plan standards with sidewalks and tree panels on both sides. The main entrance driveway is proposed with a center island that separates the inbound and outbound traffic flow near the northeast corner of the site. The second site access driveway is proposed to the northwest corner of the site. Several Metrobus R and Z routes serve this area and have bus stops along Plum Orchard Drive, Broad Birch Drive, and Cherry Hill Road. The plan also proposes an extensive pathway system throughout the site to link the building entrances with the public street, internal parking lots, the proposed recreation facilities and other site amenity features.

4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.*

The subject property is part of Westfarm Technology Park. It is bounded by a Maryland State Highway Administration facility to the east, I-1 zoned development to the northwest, and I-2 zoned properties to the south and southwest. Across Plum Orchard Drive from the site to the north is a shopping center, Orchard Center. The proposed R & D use will be compatible with its surrounding development in terms of land use, layout, and general development character.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

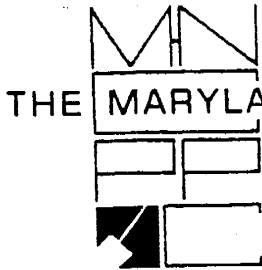
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Staff disagrees with the applicant and believes the SWM easement should be included as part of the net tract area for purposes of the forest conservation plan. Staff's recommended conditions 2bi and 2bii would require that the preliminary forest conservation be revised to include the SWM easement. Including the SWM easement as part of the net tract would result in a reforestation requirement of approximately 1.4 acres, instead of 0.44 acre. In other cases, a stormwater management pond and its easement are not excluded from the net tract area in a forest conservation plan if they lie on the same property as the proposed project. In addition, in this case, the pond is not only being used for the project's stormwater management controls, but it is also being used as part of the project's amenity and green space. A hard-surface path is proposed to encircle the pond. A volleyball court is proposed to lie within the existing SWM easement.

Of the 14 large and specimen trees, four will be retained. These trees are along the edges of the property and near the environmental buffer. Staff recommends that an additional large tree (a 31-inch white oak) be retained. The oak is near the parking lot in the back of Building 1. Staff recommends that a licensed arborist be retained to identify the appropriate tree protection measures for the oak. Staff believes that one of the protection measures will be a retaining wall around part of the critical root zone that will be located adjacent to the parking lot and on the fill slope.

## APPENDIX

- A. Planning Board opinion of Preliminary Plan 1-91039 for Westfarm Technology Park



Date of Mailing: August 1, 1991

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Action: Approved Staff Recommendation with Modifications  
(Motion of Comm. Keeney, seconded by Comm. Floreen, with  
a vote of 5-0; Comms. Keeney, Floreen, Bauman, Baptiste  
and Richardson voting in favor.)

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-91039

NAME OF PLAN: WESTFARM TECH. PARK (I-3)

On 03-15-91, WESTFARM ASSOC. LTD. PART., submitted an application for the approval of a preliminary plan of subdivision of property in the I3 zone. The application proposed to create 14 lots on 112.99 ACRES of land. The application was designated Preliminary Plan 1-91039. On 07-18-91, Preliminary Plan 1-91039 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. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-91039 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-91039, subject to the following conditions:

1. Agreement with Planning Board to limit development to a maximum density of 0.4 FAR. Averaging of the 0.4 FAR over all lots may be allowed provided that all other requirements of the I-3 zone are met. (The adequate public facilities agreement will implement the development administration agreement previously entered into between the applicant and the Planning Board)
2. Conditions of DEP stormwater management concept dated 4-8-91
3. No clearing or grading prior to site plan approval
4. Size and location of buildings to be determined at site plan
5. Environmental issues including delineation of stream buffers and final tree preservation plan to be resolved at site plan

6. Denied access to Cherry Hill Road
- Record plat to show 100-year floodplain and 25' building restriction line
8. Access and improvements as required to be approved by MCDOT
9. Prior to site plan approval, provision of an environmental manhole easement in the general vicinity of the intersection of Broadbirch Drive and Cherry Hill Road on Parcel BBB, the exact location to be determined by consultation between applicant and C & P, subject to staff approval
10. Necessary easements



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING P. 02

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

November 10, 1999

William Kominers, Esquire  
Wilkes, Artis, Hedrick & Lane  
3 Bethesda Metro Center, Suite 800  
Bethesda, Maryland 20814

Re: Preliminary Plan Nos. 1-91038 and 1-91039,  
WestFarm Technology Park

Dear Mr. Kominers:

This letter is to advise you that on November 4, 1999, pursuant to the provisions of Subdivision Regulation Amendment No. SRA 99-1, the Montgomery County Planning Board approved extensions of the validity periods of the Adequate Public Facilities Ordinance approvals for the above-referenced Preliminary Plans. As a result of this action of the Planning Board, the Adequate Public Facilities Ordinance approvals for these Preliminary Plans are now extended from July 31, 2003 to July 31, 2009. This action is effective November 4, 1999.

Please contact me if you have any questions on this matter.

Very truly yours,

MONTGOMERY COUNTY PLANNING BOARD  
DEVELOPMENT REVIEW DIVISION

By:

  
A. Malcolm Shaneman