

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
IN MONTGOMERY COUNTY**

**IN THE MATTER OF:
AUTO PARK INVESTMENT
GENERAL PARTNERSHIP II**
Applicant

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Development Plan Amendment (DPA)
04-2

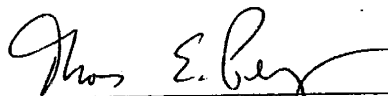
ORDER OF REMAND

It is hereby ordered this 8th day of March, 2005, by the County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District lying within Montgomery County, Maryland, that this matter be remanded to the Montgomery County Planning Board to reopen the record for the following purposes:

(1) To permit the Applicant to amend its schematic development plan and covenants to include binding commitments to the effect that (a) all parking must be restricted to designated parking areas; and (b) without limiting (a) above, no designated parking areas may be allowed within (i) any area that constitutes green area, as defined in Section 59-A-2.1 of the Montgomery County Code, or (ii) the storm water management access easement to be established at site plan.

(2) To seek the Planning Board's recommendation on the application in light of any amendment to the application that is submitted following this remand.

The file in this matter is transmitted for the Planning Board's use. Once the Planning Board has reached a recommendation, the recommendation should be transmitted to the Hearing Examiner with the case file.


Thomas E. Perez, President
Montgomery County Council

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