



SEP 29 2010

MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 10-128
Site Plan No. 81995036D
Project Name: Montrose Crossing
Hearing Date: September 16, 2010

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Section 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on August 13, 2010, BVS Montrose, LLC. ("Applicant"), filed a site plan amendment application designated Site Plan No. 81995036D ("Amendment") for approval of the following modifications:

1. Reduction of the original Levitz building footprint from 158,732 square feet to 88,000 square feet;
2. Reflect the street dedication and road construction plans for Nebel Street extended designed by Montgomery County Department of Transportation;
3. Modify the existing parking configuration;
4. Modify the existing Landscape Plan to reflect the revised parking configuration including additional plantings, landscaped islands and green space.

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated September 3, 2010 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on September 16, 2010, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing"); and

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 81995036D;

Approved as to
Legal Sufficiency:

 8/31/10

8787 Georgia Avenue, Suite 200, Silver Spring, Maryland 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

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BE IT FURTHER RESOLVED, that this Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in connections with the originally approved site plan; and

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

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

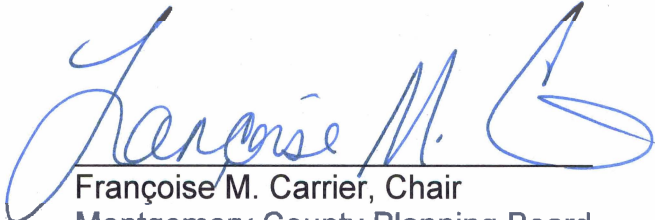
BE IT FURTHER RESOLVED, that the date of this written Resolution is SEP 29 2010 (which is the date that this Resolution is mailed to all parties of record); and

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 written opinion, 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 Alfandre, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, Commissioners Alfandre and Dreyfuss present and voting in favor of the motion, and Commissioner Presley absent, at its regular meeting held on Thursday, September 16, 2010, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board