

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

PETITION OF:

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GLEN WAYE GARDENS
CONDOMINIUM ASS'N ET AL.

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Petitioners,

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FOR JUDICIAL REVIEW OF THE
DECISION OF THE MONTGOMERY
COUNTY COUNCIL SITTING AS THE
DISTRICT COUNCIL

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CASE NO.: C-15-CV-24-005724

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IN THE MATTER OF:
RESOLUTION NO. 20-616
LOCAL MAP AMENDMENT H-149

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ORDER

This matter having come before the Court for hearing on May 30, 2025, the Petition for Judicial Review (**filed 10/24/2024**), the Answers thereto (**filed 12/2/2024 and 12/20/2024**), Petitioners' Memorandum (**filed 2/14/2025**), Respondents' Answering Memoranda (**filed 3/17/2025**), and Petitioners' Reply Memorandum (**filed 4/14/2025**) having been considered along with the exhibits and attachments submitted therewith, the arguments of counsel and the entire record, and for the reasons stated on the record by the Court at the hearing on this matter, it is this **30th day of May, 2025**, hereby:

ORDERED, that the District Council's Resolution No. 20-616 approving the application of Glenmont Forest Investors, LP, seeking to rezone certain land located at the southeast quadrant of the intersection of Randolph Road and Georgia Avenue in Silver Spring, Maryland, and more specifically approving Local Map Amendment H-149, be, and the same is hereby, **VACATED**; and it is further,

**Entered: Clerk, Circuit Court for
Montgomery County, MD
June 3, 2025**

In the Matter of Glen Waye Gardens Condominium Ass'n, et al. // C-15-CV-24-005724

ORDERED, that this matter is hereby **REMANDED** to the District Council with instructions that the matter be returned to the Hearing Examiner for further proceedings consistent with the Court's opinion and decision as announced on the record, to further consider the issues of school adequacy and compatibility with the surrounding neighborhood, specifically the community to the north of the proposed development; and it is further,

ORDERED, that with respect to the issue of school adequacy, the Examiner is to permit further testimony and evidence by the parties and other permitted participants regarding that issue so that an adequate factual basis can be developed to support recommendations made by the Examiner to the Council consistent with the evidence presented, and so that the Council will have an adequate record upon which to make any required determination about the issue in connection with its consideration of the respondents' application and the required public interest factor; and it is further,

ORDERED, that with respect to the issue of compatibility with the surrounding neighborhood, the Examiner is to permit further testimony and evidence by the parties and any other permitted participants so that an adequate factual basis can be developed to support recommendations made by the Examiner to the Council with respect to compatibility with the larger community to the north of the Property, and so that the Council will have an adequate record upon which to make any required determination about the issue in connection with its consideration of the respondents' application.



JUDGE, Kevin G. Hessler

Circuit Court for Montgomery County, Maryland

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