

Bond Case Briefs

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Pringle v. Montgomery County Planning Bd. M-NCPPC

Court of Special Appeals of Maryland - June 27, 2013 - A.3d - 2013 WL 3233337

Challenger of town's employment area sector plan sought judicial review of a decision of the county planning board adopting resolutions relating to a development project to revitalize town's central employment corridor.

The Court of Special Appeals held that substantial evidence supported board's finding that locating "big box" retailer on internal network of streets relatively near proposed transit station, rather than on certain streets specified in town's employment area sector plan, was consistent with the sector plan.

While sector plan specified that big box retailers, if proposed, "should" have active storefronts with multiple entrances and small retail uses facing certain specified streets, this provision was aspirational, rather than mandatory. Planning board found that natural drain location of site where sector plan called for retail frontage, and the grades of that intersection made locating the retail uses on these streets unfeasible, and that, due to this constraint, an internal network of streets relatively near the proposed transit station was consistent with the sector plan.