



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**Consent Item**  
**MCPB 3-22-07**

**MEMORANDUM**

**DATE:** March 2, 2007  
**TO:** Montgomery County Planning Board  
**VIA:** Rose Krasnow, Chief *RK*  
 Development Review Division  
**FROM:** Robert A. Kronenberg, Acting Supervisor *RAK*  
 Development Review Division  
 (301) 495-2187



**REVIEW TYPE:** Site Plan Amendment  
**CASE #:** **81999001E**  
**PROJECT NAME:** Commerce Bank, Germantown Town Center East  
**APPLYING FOR:** Approval to change the square footage of the proposed bank from 4,100 square feet to 5,100 square feet  
**REVIEW BASIS:** Site Plan Review Required in the TS Zone  
 Div. 59-D-3 of Montgomery County Zoning Ordinance

**ZONE:** TS Zone  
**LOCATION:** Located at the northwest intersection of Darnestown Road (MD 118) and Crystal Rock Drive  
**MASTER PLAN:** Germantown  
**APPLICANT:** Commerce Bank  
**FILING DATE:** February 20, 2007  
**HEARING DATE:** March 22, 2007

**STAFF RECOMMENDATION:** Approval of the proposed amendments to Site Plan 81999001D and Approval of the attached draft Planning Board Resolution for the Site Plan 81999001E.

**BACKGROUND**

The Site Plan (819990010) for the Germantown Towncenter E/F was presented to the Planning Board on November 12, 1998 (Planning Board Opinion dated March 15, 1999) for approval of 181,900 gsf commercial and 98,559 gsf hotel on 24.47 acres, in the TS Zone. The Certified Site Plan was approved on April 18, 2001. The Preliminary Plan of Subdivision includes plan

numbers 1-78319, 1-79121 and 1-79122 and record plat (Plat book 613, Page 61) for this development.

Site Plan Amendment A (81999001A)

Site Plan Amendment A was approved by Staff on April 10, 2003 for the Fairfield Inn on an existing pad site. The amendment was approved for an 87-room hotel and a 10,763 square-foot building footprint.

Site Plan Amendment B (81999001B)

Site Plan Amendment B was approved by Staff on December 12, 2004 for the Baileys Pub and Grille on an existing pad site.

Site Plan Amendment C (81999001C)

Site Plan Amendment C was approved by Staff on December 1, 2005 for the IHOP restaurant on an existing pad site. The amendment was approved for a 5,500 square-foot building footprint.

Site Plan Amendment D (81999001D)

Site Plan Amendment D was approved for a Commerce Bank on an existing pad site by the Planning Board on September 21, 2006 (Resolution mailed November 11, 2007). The Site Plan amendment and resolution was approved for a 4,100 square foot building.

**PROPOSED AMENDMENT**

An amendment was filed on February 20, 2007 to clarify the building square footage for the bank to provide for consistency with the plans and resolution. A public notice to adjacent and confronting property owners that outlines the specific change to the approved site plan was mailed on March 1, 2007. The proposed amendment requests the following modification to the original approval:

1. Change the square footage of the proposed bank from 4,100 square feet to 5,100 square feet.

**PUBLIC NOTICE**

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on March 1, 2007. The notice gave the interested parties 15 days to review and comment on the amended site plan. Staff did not receive any inquiry or comment regarding this amendment or for the previous amendment for the same plan.

**STAFF REVIEW AND RECOMMENDATION**

The footprint of the original plan encompassed the entire pad site within the boundaries of the pad area, separated by the existing access points from Century Boulevard and Crystal Rock Drive. The approved 2-story building for the original 1999 site plan totaled 10,100 square feet of commercial retail. The 8-99001D amendment approved in September of 2006 included in its

application a proposed 4,100 square bank; however, the plan sheet and site tabulations included a 5,100 square foot facility. The 1,000 square-foot increase in the proposed bank does not impact the previous approval since the site tabulations accounted for the 5,100 square feet. The layout of the building, drive-thru, parking and site amenities remains the same with this amendment. Staff did not believe the discrepancy could be rectified with a corrected resolution and recommended an amendment to document the discrepancy in the plan and resolution.

The proposed building is placed as close to the lot line as possible to create a physical edge along the street while allowing for streetscape elements, foundation planting and pedestrian circulation. The building edge is further enhanced by the extension of a masonry wall along Century Boulevard to screen the parking area for the bank.

The proposed amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved site plan. Staff recommends **APPROVAL** of the Site Plan Amendment for the Germantown Town Center East (Site Plan No. 81999001E) for modifications to the approved site plan.

## **ATTACHMENT**

- A. Vicinity Map
- B. Draft Planning Board Resolution



**ATTACHMENT A**

**PROJECT DESCRIPTION: Site Vicinity**

The property is located in the northwest quadrant of the intersection with Crystal Rock Drive and Century Boulevard, approximately 500 feet north of Germantown Road (MD 118) in the Germantown Town Center. The property consists of a finished pad site amid numerous other developed pad sites near MD 118. Existing surface parking is concentrated in the center of the site with four major access points into the development from the surrounding road network.

The Phase D area is zoned TS (Town Sector) and consists of seven pad sites, all of which are developed with commercial retail establishments. The overall 24.47-acre site includes areas to the east of Aircraft Drive and developed with a hotel and commercial retail establishments. The pad site is graded and the infrastructure is in place.





**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 07-28  
Site Plan No. 81999001E  
Project Name: Germantown Town Center East-Commerce Bank  
Hearing Date: March 22, 2007

**RESOLUTION**

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

WHEREAS, on February 20, 2007, Bellemead Development Corp. ("Applicant"), filed a site plan amendment application designated Site Plan No. 81999001E ("Amendment") for approval of the following modifications:

1. Change the square footage of the proposed bank from 4,100 square feet to 5,100 square feet; and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated March 9, 2007 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on March 22, 2007, 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 Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. - 81999001E; and

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

BE IT FURTHER RESOLVED, that this site plan 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 \_\_\_\_\_ (which is the date that this opinion 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).

\* \* \* \* \*

APPROVED AS TO LEGAL SUFFICIENCY

  
M-NCPPC LEGAL DEPARTMENT