MCPB
Item # 3
Date: 3/16/06**MEMORANDUM**

DATE: March 3, 2006

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Catherine Conlon, Supervisor *CC*
Development Review Division

FROM: Richard A. Weaver, Coordinator (301) 495-4544 *RAW*
Development Review Division

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Approval of 57,749 square feet of auto body and repair facilities.

PROJECT NAME: Montgomery Auto Sales Park

CASE #: 120041010 (1-04101)

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: C-3

LOCATION: Located on the south side of Briggs Chaney Road, approximately 1000 feet southeast of the intersection with Automobile Boulevard.

MASTER PLAN: Fairland

APPLICANT: Automobile Park Investment General Partnership II

ENGINEER: Joyce Engineering

FILING DATE: June 23, 2004

HEARING DATE: March 16, 2006

STAFF RECOMMENDATION: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited development on the site to a 57,749 square feet auto body shop and repair center.
- 2) Compliance with the Binding Elements of the amended Schematic Development Plan (DPA 04-2).
- 3) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 4) The applicant shall contribute to Maryland State Highway Administration (SHA) as requested in letter dated August 18, 2005, jointly with approved Preliminary Plan No. 1-05001 (Fairland View) and pending Preliminary Plan No. 1-04106 (Montgomery Auto Sales Park, Lot 11), an amount equivalent to the cost of implementing or designing/constructing the following intersection improvement required for APF approval of the subject application:
 - a. Re-stripe eastbound Fairland Road approach to Columbia Pike with a left, left, through, through/right lane combination in place of existing left, left/through, through, right lane combination.
 - b. The contribution shall be paid in full prior to the issuance of building permits.
- 5) The final record plat shall reflect, consistent with the 1997 Approved and Adopted *Fairland Master Plan*, existing or provided right-of-way for Briggs Chaney Road along the entire property frontage (show either 60 feet from the roadway centerline or 120 feet from the opposite right-of-way line).
- 6) Compliance with conditions included in the Montgomery County Department of Public Works and Transportation's (DPWT) letter dated January 17, 2006, unless otherwise amended.
- 7) Record Plat to reflect location of stormwater access easement as shown on the preliminary plan with a note restricting parking from within the easement area.
- 8) Record plat to reflect any cross easement necessary to provide access from subject property to adjacent Lot 11 (1-04106).
- 9) Compliance with the conditions of approval of the MCDPS stormwater management approval dated April 16, 2004.
- 10) No clearing or grading prior to site plan signature set approval.
- 11) Final approval of the number and location of buildings, on-site parking, site circulation, and sidewalks will be determined at site plan.
- 12) Site Plan # 8-06001 shall be approved by the Planning Board and signed by the Development Review Staff prior to the approval of the record plat.
- 13) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 14) Other necessary easements

SITE DESCRIPTION: (Attachment 1)

The 5.06-acre subject property is zoned C-3 and located on the south side of Briggs Chaney Road in the Fairland Master Plan area. Currently, this site contains no structures but is used as a parking lot.

The property lies within the Little Paint Branch watershed (Use I waters). There are no forests, streams, wetlands, environmental buffers, or trees on the property. An existing regional stormwater management facility lies to the south of the subject property. Land uses in the immediate area include residential (to the north and northeast of the site), commercial (to the east and west of the site), retail (to the northwest of the site) and institutional (to the northeast of the site).

BACKGROUND: (Attachment 2)

This property is the subject of a Development Plan Amendment DPA 04-2 as adopted by District Council on April 19, 2005. The DPA approved a change in use and an increase in density for the subject property. The DPA also limited parking to designated parking areas and restricted parking from areas constituted as green space on the plan. The DPA further required the establishment of a stormwater management access easement across the site. The Planning Board reviewed the DPA on two occasions, October 28, 2004 and March 31, 2005. The Board, at both hearings, recommended approval of the DPA.

PROJECT DESCRIPTION: (Attachment 3)

The application proposes to create a single lot to allow the construction of up to 57,749 square feet of auto body shop and auto repair space. Primary access to the proposed lot will be via a right-turn in/right-turn out driveway to Briggs Chaney Road. Additional access to the site will include connections to Automobile Boulevard through Lots 11 and 8 to the west of the proposed Lot 17. As part of an ongoing DPWT project, Briggs Chaney Road is being reconstructed between Castle Boulevard/Automobile Boulevard to the west and Dogwood Drive to the east with a bike path on the south side and a sidewalk on the north side.

Of particular concern in the review of this preliminary plan, as evidenced by the binding conditions of the DPA, was the need to establish access to an adjacent stormwater management pond located to the south of the subject property. The applicant has responded to this requirement for access by establishing an easement that has been reviewed and approved by the Montgomery County Department of Permitting Services. A specific requirement of this easement area is that it be shown on the record plat and that a note on the plat restricts parking from within the easement. The DPA parking requirements are being reviewed as part of the concurrently submitted site plan application.

COMPLIANCE WITH THE FAIRLAND MASTER PLAN

The Fairland Master Plan recognizes the uses associated with the Auto Sales Park in the C-3 zone and recommends the need for streetscaping and sidewalk improvements along Briggs Chaney Road for properties within the Auto Sales Park. The applicant is required to tie the proposed bikepath along Briggs Chaney into the site with appropriate ADA accommodations. Streetscaping is a required part of the site plan. Therefore the proposal is in conformance with the master plan.

TRANSPORTATION

Proposed Intercounty Connector

ICC is proposed as a limited-access east-west highway intended to link areas between I-270 to the west and I-95/US 1 to the east through central/eastern Montgomery and western Prince George's Counties. At present, the ICC planning process has concurrence on two alternative alignments called Corridor 1 and Corridor 2. Corridor 1 generally follows an alignment that is incorporated in area master plans while Corridor 2, to the east of Georgia Avenue (MD 97), follows an alignment to the north of Corridor 1 that is not represented in any area master plans.

Currently, the ICC planning process is moving forward with the State's recently announced selection of Corridor 1 as its preferred alternative for construction, and the publishing of a *Final Environmental Impact Statement (FEIS)* for the project. After reviewing the *FEIS*, FHWA will make a final determination on the project in a Record of Decision, which at the present time is expected to occur in April 2006.

Information available in the *FEIS* indicates that the proposed Corridor 1 alignment of the ICC or its support structures does not physically impact the property .

Local Area Transportation Review

A traffic study was required for the subject preliminary plan per the *LATR Guidelines* since the overall Montgomery Auto Sales Park development, including the subject auto body shop and repair center was estimated to generate 50 or more total peak-hour trips during the typical weekday morning (6:30 – 9:30 a.m.) and evening (4:00 – 7:00 p.m.) peak periods. The consultant for the applicant submitted a traffic study dated June 22, 2005, that determined the combined traffic impacts of both Preliminary Plan No. 1-04101 (proposed 57,749 square feet auto body shop and repair center on proposed Lot 17) and a concurrently submitted Preliminary Plan No. 1-04106 (proposed addition of 42,189 square feet of building area on existing Lot 11) on the nearby roadway intersections during weekday morning and evening peak periods. Staff review of the traffic study indicated that the study complied with the requirements of the *LATR Guidelines* and the traffic study scope provided by the staff. Trip generation estimates for the auto body shop and repair center on Lot 17, as analyzed in the traffic study, were based on driveway data collected, and trip generation rates determined for the existing 329,540 square feet of automobile sales and service facilities within the entire Montgomery Auto Park. A summary of the site trip generation is presented in Table 1.

TABLE 1
SUMMARY OF SITE TRIP GENERATION
PROPOSED 57,749 SF AUTO BODY SHOP AND REPAIR CENTER
MONTGOMERY AUTO SALES PARK LOT 17

Time Period	Trip Generation		
	In	Out	Total
Weekday Morning Peak-Hour	90	31	121
Weekday Evening Peak-Hour	54	99	153

Source: Montgomery Auto Park Expansion Traffic Study. The Traffic Group, Inc. June 22, 2005.

As shown in Table 1, it was estimated that the proposed use would generate approximately 121 peak-hour trips during the weekday morning peak-period and 153 peak-hour trips during the weekday evening peak-period. However, the traffic study notes that given the operational characteristics of an auto body shop and repair center, the site would in fact generate trips only in the range of 25-30 peak-hour trips during the peak-periods. Therefore by using the higher trip generation estimates presented a worst-case analysis. Staff concurs with this opinion.

A summary of the capacity/Critical Lane Volume (CLV) analysis results for the study intersections for the weekday morning and evening peak hours within the respective peak periods from the traffic study is presented in Table 2. It is noted that results presented in Table 2 include traffic impact at study intersections from both Preliminary Plan No. 1-04101 and Preliminary Plan No. 1-04106.

TABLE 2
SUMMARY OF CAPACITY CALCULATIONS (CLV)
MONTGOMERY AUTO SALES PARK
PRELIMINARY PLAN NOs 1-04101 and 1-04106

Intersection	Traffic Conditions							
	Existing		Background		Total		Total w/Applicant Proposed Imps	
	AM	PM	AM	PM	AM	PM	AM	PM
US 29/Greencastle Rd	1,524	1,321	1,533	1,328	1,543	1,340	--	--
US 29/Briggs Chaney Rd	1,770	1,538	--	--	--	--	--	--
US 29 SB Ramps/Briggs Chaney Rd ¹	--	--	804	529	820	565	--	--
US 29 NB Ramps/Briggs Chaney Rd ¹	--	--	936	1,137	976	1,171	--	--
US 29/Fairland Rd	1,541	1,485	1,609	1,571	1,618	1,589	1,594	1,548
Briggs Chaney Rd/Old Columbia Pk ¹	1,237	1,115	1,018	850	1,044	865	--	--
Briggs Chaney Rd/Castle Blvd/ Automobile Blvd ^{1,2}	1,005	1,182	776	961	789	999	--	--
Briggs Chaney Rd/Robey Rd ²	1,078	1,100	868	708	876	713	--	--
Briggs Chaney Rd/Gateshead Manor Wy ²	818	965	708	837	717	842	--	--
Briggs Chaney Rd/Site Access ²	--	--	--	--	358	654	--	--

Source: Montgomery Auto Park Expansion Traffic Study. The Traffic Group, Inc. June 22, 2005.
FY 2004 Congestion Standard for Fairland/White Oak Policy Area: 1,550 CLV

¹ Background and Total Traffic Conditions reflect SHA improvements as part of the US 29/Briggs Chaney Road interchange project.

² Background and Total Traffic Conditions reflect proposed DPWT improvements along Briggs Chaney Road.

As shown in Table 2, under Total traffic conditions, CLV at the study intersections were either below the FY 2004 Fairland/White Oak congestion standard of **1,550**, or with the required roadway improvement (lane designation changes to the eastbound Fairland Road approach to US 29) did not exceed the respective CLV (**1,618 a.m. and 1589 p.m.**) under Background traffic conditions. Pending Preliminary Plan 1-04106; Montgomery Auto Sales Park, Lot 11 and

approved Preliminary Plan 1-05001; Fairland View are also required to participate in this improvement.

Per Section III.A of the *LATR Guidelines*, "An intersection improvement may be used by two or more developments if construction of the improvement has not been completed and open to the public. In order to be considered, the program or improvement must provide sufficient capacity to:

- result in a calculated CLV in the total traffic condition that is less than the congestion standard for that policy area, or
- mitigate the traffic impact if the calculated CLV in the total traffic condition exceeds the intersection congestion standard for the applicable policy area. Mitigation is achieved when the CLV in the total traffic condition that includes traffic from each contributing development *with* the improvement is equal to or less than the CLV in the background traffic condition without the improvement."

Based on the review of the analysis presented in the traffic study, staff concludes that the improvement identified will create adequate capacity at the intersection to accommodate traffic associated with the subject development and the two other plans.

Staff has also assessed concerns regarding cut-through traffic through the property that were raised by the local community. Staff determined that the occurrence of cut-through traffic by non-local traffic would be minimal if not nil because it would be an illogical alternative route. The connection between Lot 17 and adjoining Lot 11 will be used almost exclusively by employees and patrons of the two uses.

Policy Area Transportation Review/Staging Ceiling Conditions

Under the FY 2004 AGP, which applies to this application, the Fairland/White Oak Policy Area had staging ceiling capacity for 1,939 jobs (non-residential development) on June 30, 2004. Since staging ceiling capacity for jobs existed at the time of this application, the subject preliminary plan satisfies the *Policy Area Transportation Review* test. It was estimated that the proposed auto body shop and repair center with 57,749 square feet of space, 74 service bays, and one work shift from 8:00 a.m. to 5:00 p.m. is equivalent to 74 jobs (assuming 1 job per bay). However, the applicant indicates that the proposed use would only employ approximately 35 mechanics, technicians, and support personnel, including ten current employees.

ENVIRONMENTAL

Forest Conservation

The forest conservation plan proposes that the required 0.76 acre of afforestation will be met by purchasing credits from a forest mitigation bank. Staff believes the use of an offsite forest bank is acceptable for this project since there would be no appropriate space on the site for forest planting. The specific forest bank would have to be identified by the applicant for staff review and approval prior to the start of clearing and grading. The proposed preliminary and

final forest conservation plans, with staff's recommended conditions, meet the requirements of the County Forest Conservation Law.

Environmental Buffers

The site does not include any streams, wetlands, or floodplains and there are no environmental buffers on the property.

ZONING ORDINANCE

The Montgomery County Zoning Ordinance establishes special regulations applicable to designated automobile-related uses under Section 59-C-4.36. This application was reviewed for consistency with these requirements. Conformance to the special regulations is illustrated in the Data Table within this report. The proposed development was also found to conform to all other zoning requirements.

SUBDIVISION REGULATIONS

The application was reviewed for conformance to the Subdivision Regulations. Among other things, the Subdivision Regulations require a review of the adequacy of public facilities to handle the additional development including water, sewer, traffic, pedestrian access, fire and rescue services, and stormwater management. All agencies having authority over these requirements have recommended approval or approval with conditions of this application. Their comments are attached to this report. Staff has determined that the application meets all other requirements of the Subdivision Regulations.

CONCLUSION:

The application was reviewed for conformance with the Fairland Master Plan, the Zoning Ordinance and the Subdivision Regulations. In all cases the development as proposed satisfied all requirements outlined in these documents as demonstrated in this staff report. Therefore, staff recommends approval of the application with the conditions cited above.

ATTACHMENTS:

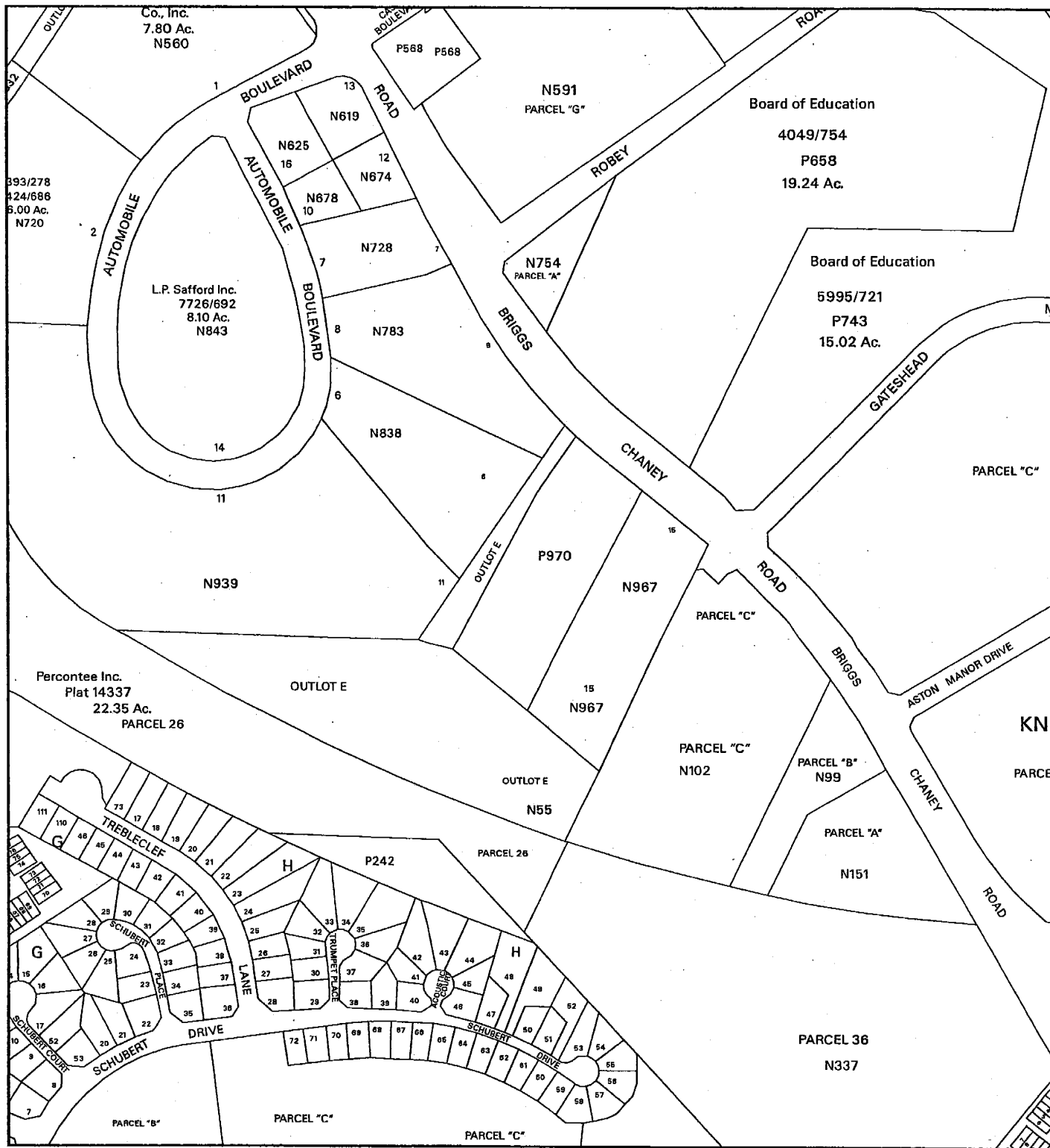
- Attachment 1 Vicinity Map
- Attachment 2 Development Plan Opinion
- Attachment 2 Preliminary Plan
- Attachment 3 Agency Approvals

Preliminary Plan Data Table and Checklist

Plan Name: Montgomery Auto Park				
Plan Number: 120041010 (formerly 1-04101)				
Zoning: C-3				
# of Lots: 1				
# of Outlots: 0				
Dev. Type: Auto body and repair facility				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	none.			
Lot Width	none			
Lot Frontage	none			
Setbacks				
Front - Side -- Rear (Special Reg's for designated auto related uses, 59-C-4.367)	10 ft from adjoining commercial or industrial zone and 50 ft. from adjoining residential zone, highway, freeway or 120 wide row.	Must meet minimum or as established by site plan	RW	3/3/06
Height	42 ft. Max	May not exceed maximum	RW	3/3/06
Building Coverage	35%	May not exceed maximum	RW	3/3/06
MPDUs	none			
TDRs	none			
Site Plan Req'd?	Yes		RW	3/3/06
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes	Yes	RW	3/3/06
Dedication of Public Streets	None			
Environmental Guidelines	Yes	Yes	EPD memo	2/8/06
Forest Conservation	Yes	Yes	EPD memo	2/8/06
Master Plan Compliance	Yes	Yes	RW	3/3/06
Other				
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes	Yes	DPS memo	4/16/04
Water and Sewer	Yes	Yes	RW	3/3/06
10-yr Water and Sewer Plan Compliance	Yes	Yes	RW	3/3/06
Well and Septic	none			
Local Area Traffic Review	Yes	Yes	TPD memo	3/3/06
Fire and Rescue	Yes	Yes	Fire and Rescue memo	1/24/06

ATTACHMENT 1

MONTGOMERY AUTO SALES PARK (1-04101)



Map compiled on May 25, 2005 at 11:19 AM | Site located on base sheet no - 218NE04

NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland - National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

Key Map



N



Research & Technology Center



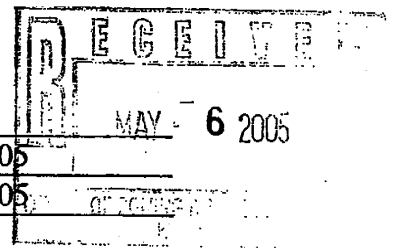
1 inch = 400 feet
1:4800

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

8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

ATTACHMENT 2

Resolution No: 15-967
Introduced: April 19, 2005
Adopted: April 19, 2005



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

By: District Council

SUBJECT: Approval of Development Plan Amendment (DPA) 04-2

BACKGROUND

1. Development Plan Amendment ("DPA") application No. 04-2 was filed on April 8, 2004. The Applicant, Auto Park Investment General Partnership II, seeks to amend the approved Development Plan applicable to a 10.2582-acre property that is located on Briggs Chaney Road in the Fairland area, approximately 500 feet east of the intersection of Briggs Chaney and Robey Roads. The 10.2-acre subject property was classified under the C-3 Zone in 1980 via Local Map Amendment ("LMA") No. G-189. The Development Plan for the subject property was amended in 1986 via DPA 86-1. Two later amendments proposed to the Development Plan were ineffective because the executed covenants were not submitted.
2. The subject property is comprised of all or part of four parcels, N 967, P970, N 973 and a portion of Outlot E. The Applicant and a related entity own three of these, P 970, N 973 and a portion of Outlot E.
3. In DPA 04-2, the Applicant seeks a change in use and an increase in density for parcels P 970 and N 973, which comprise the northern half of the site. On the development plan approved in 1986, P 970 is approved for 20,500 square feet of auto dealership use. N 973 is not designated for any development on the 1986 plan, as it was intended to provide access to a regional stormwater management facility on Outlot E. DPA 04-2 seeks approval for a total of 57,749 square feet of development on parcels P 970 and N 973 combined, which together measure about 4.98 acres. Binding elements restrict all parking to designated parking areas, and prohibit any designated parking spaces from being located in any area that constitutes green space, as currently defined in Section 59-A-2.1 of the Montgomery County Code, or in the storm water management access easement to be established at site plan. These binding elements are also reflected in the revised

covenants, which have been properly executed. A general note on the schematic development plan requires approval from the Department of Permitting Services for grading and curb cuts to ensure adequate access to the stormwater management facility. The present DPA does not seek to change the other binding elements on the 1986 plan, which specify a 50-foot front yard setback, a 42-foot side yard setback, and a green space requirement of 15 percent.

4. DPA 04-2 does not seek to change the approved density on Parcel N 967 (Lot 15).
5. Parcels P 970 and N 973 are currently used for automobile storage on a surface parking lot. As a first phase, the Applicant proposes to construct a 57,749-square-foot automobile body shop on Parcels P 970 and N 973, with ten bays for auto body work, approximately 285 surface parking spaces and approximately 163 spaces on a structured roof-top parking deck. The building, with rooftop parking, is intended to be 38 feet in height. The DPA will also permit potential construction of additional parking decks on the roof of the body shop, up to a height of 84 feet, if approved at site plan. The proposed body shop would be part of an overall redevelopment of the auto dealerships owned by the Applicant's parent company, Mile One, in the adjacent Montgomery Auto Park.
6. Technical Staff of the Maryland-National Capital Park and Planning Commission, by memorandum dated October 21, 2004, recommended that the subject application be granted, with certain revisions to the development plan and additional submissions. See Ex. 42. Staff found that the proposed DPA (1) satisfies the purposes of the C-3 Zone by providing for the orderly grouping of commercial development along or near major highways; (2) conforms with the *1997 Approved and Adopted Fairland Master Plan*; (3) satisfies all the development standards for the zone; and (4) will aid in the accomplishment of a coordinated and comprehensive development of the Maryland Washington Regional District.
7. The Montgomery County Planning Board (the "Planning Board") voted unanimously on October 28, 2004 to recommend that the application be approved, subject to compliance with the revisions and submissions identified by Technical Staff. See Ex. 48. In its Board Recommendation dated December 3, 2004, the Planning Board stated that the Applicant had made all of the required revisions and submissions to Technical Staff's satisfaction. See *id.*
8. The District Council considered the present application on March 8, 2005 and voted to remand the case to the 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 shall be restricted to designated parking areas; and (b) without limiting (a) above, no designated parking areas shall be allowed within (i) any area that constitutes green space, as currently 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 submitted following the remand.
9. At its meeting on March 31, 2005, the Planning Board reopened the record to admit into evidence a revised schematic development plan and revised, executed covenants submitted by the Applicant that incorporate the restrictions specified in the Order of Remand. The Planning Board also added to the record a brief supplemental report from Technical Staff, dated March 25, 2005, which recommends *approval* of the application. In their supplemental memorandum, Technical Staff found that the amendments made following the remand clarify the parking restrictions by being more comprehensive, making all parking restrictions binding elements, and ensuring that both the schematic development plan and declaration of covenants reflect all binding elements related to parking restrictions. Staff also noted that these amendments address the community's long-standing concerns about parking within the green space on properties within the Auto Park. The Planning Board voted unanimously to recommend that the application be *approved* as currently submitted.
10. There is no opposition to DPA 04-2, the Planning Board does not recommend a public hearing in this case, and no request has been made for a hearing.
11. On April 19, 2005, the District Council reviewed DPA 04-2 and concluded that the DPA meets the requirements of the Zoning Ordinance and its approval would be in the public interest.

ACTION

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District located in Montgomery County, approves the following resolution.

DPA 04-2, which requests an amendment to the Development Plan approved in DPA 86-1 applicable 10.2582 acres of land located on Briggs Chaney Road in the Fairland area, approximately 500 feet east of the intersection of Briggs Chaney and Robey Roads, to permit the

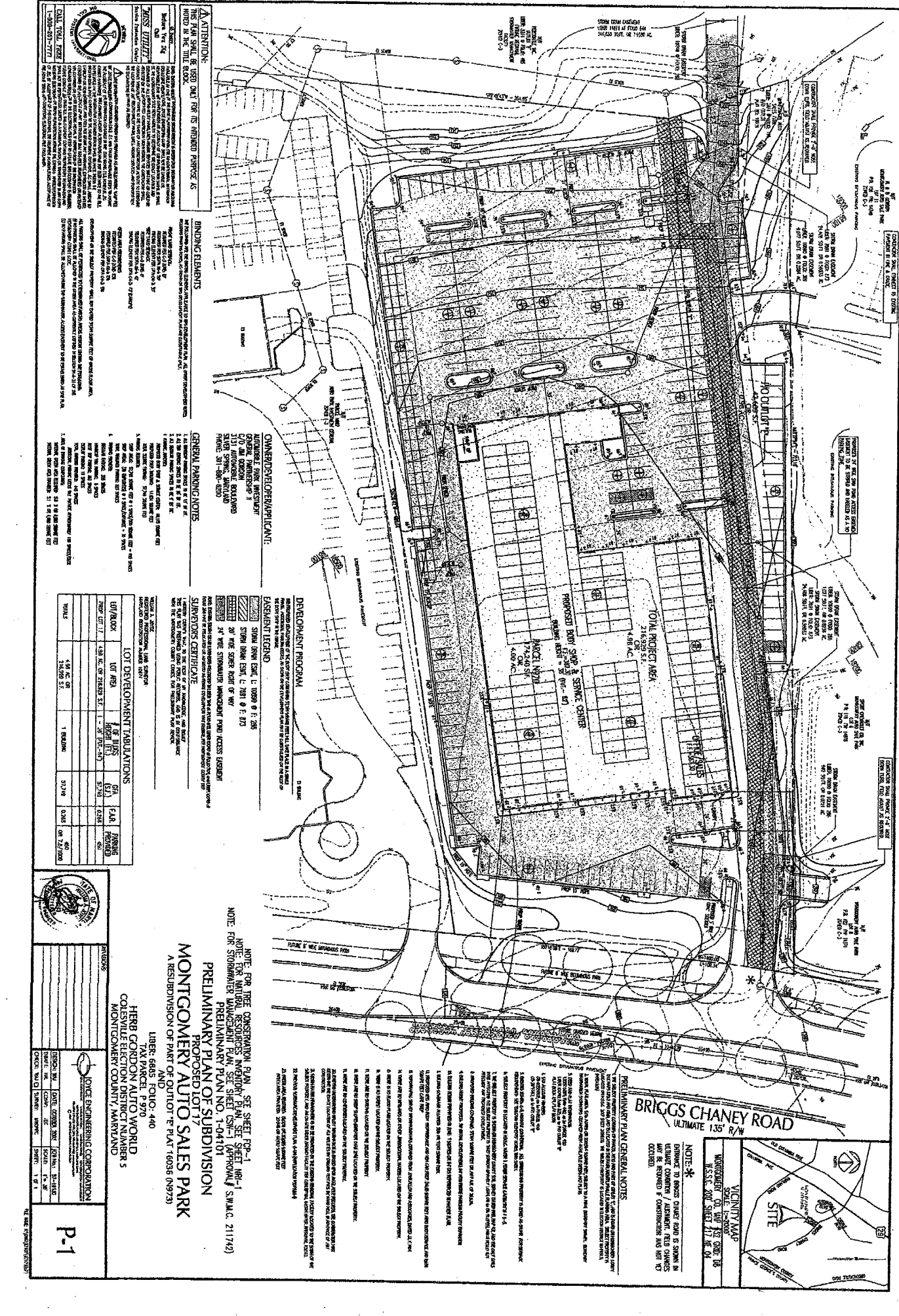
development of a 57,749-square-foot automobile body shop on the portion of said land known as Parcels P 970 and N 973, is approved subject to the specifications and requirements of the Development Plan, Ex. 54(c) provided that the applicant submits the Development Plan for certification by the hearing examiner under the provisions of §59-D-1.64 within 10 days of the District Council action.

This is a correct copy of Council action.

A handwritten signature in cursive script that reads "Linda M. Lauer". The signature is written in black ink and is positioned above a horizontal line.

Linda M. Lauer; Clerk of the Council

ATTACHMENT 3



ATTENTION: THIS PLAN FOR ITS PROPOSED PARKING AS SHOWN ON THIS SHEET IS SUBJECT TO THE FOLLOWING:

1. THE DESIGN OF THE PARKING AREAS IS SUBJECT TO THE APPROVAL OF THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND PERMITTING.

2. THE DESIGN OF THE PARKING AREAS IS SUBJECT TO THE APPROVAL OF THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND PERMITTING.

3. THE DESIGN OF THE PARKING AREAS IS SUBJECT TO THE APPROVAL OF THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND PERMITTING.

BINDING ELEMENTS

THE DESIGN OF THE PARKING AREAS IS SUBJECT TO THE APPROVAL OF THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND PERMITTING.

THE DESIGN OF THE PARKING AREAS IS SUBJECT TO THE APPROVAL OF THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND PERMITTING.

THE DESIGN OF THE PARKING AREAS IS SUBJECT TO THE APPROVAL OF THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND PERMITTING.

GENERAL NOTES

1. THE DESIGN OF THE PARKING AREAS IS SUBJECT TO THE APPROVAL OF THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND PERMITTING.

2. THE DESIGN OF THE PARKING AREAS IS SUBJECT TO THE APPROVAL OF THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND PERMITTING.

3. THE DESIGN OF THE PARKING AREAS IS SUBJECT TO THE APPROVAL OF THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND PERMITTING.

LOT DEVELOPMENT TABULATIONS

LOT NO.	AREA (S.F.)	PERCENT (%)	FAIR MARKET VALUE (F.M.V.)
1	1,438,425.00	100.00	1,438,425.00
2	1,438,425.00	100.00	1,438,425.00
TOTAL	2,876,850.00	200.00	2,876,850.00

PRELIMINARY PLAN GENERAL NOTES:

1. THIS PLAN IS A PRELIMINARY PLAN AND IS SUBJECT TO THE APPROVAL OF THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND PERMITTING.

2. THE DESIGN OF THE PARKING AREAS IS SUBJECT TO THE APPROVAL OF THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND PERMITTING.

3. THE DESIGN OF THE PARKING AREAS IS SUBJECT TO THE APPROVAL OF THE MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND PERMITTING.

NOTE FOR THE CONSTRAINED PLAN: SEE SHEET P-1 FOR THE MAIN RESOURCES INFORMATION PLAN. SEE SHEET P-1 FOR THE MAIN RESOURCES INFORMATION PLAN. SEE SHEET P-1 FOR THE MAIN RESOURCES INFORMATION PLAN.

NOTE FOR STORMWATER MANAGEMENT PLAN: SEE SHEET P-1 FOR THE MAIN RESOURCES INFORMATION PLAN. SEE SHEET P-1 FOR THE MAIN RESOURCES INFORMATION PLAN. SEE SHEET P-1 FOR THE MAIN RESOURCES INFORMATION PLAN.

PRELIMINARY PLAN OF SUBDIVISION

MONTGOMERY AUTO SALES PARK

PROPOSED LOT 17

A RESUBDIVISION OF PART OF LOT 17 PLAT 16035 (09/23)

LIBER: 68 AND 100, 440

TAX PARCEL: P 970

HERB GORDON AUTO WORLD

COLETSVILLE ELECTION DISTRICT NUMBER 5

MONTGOMERY COUNTY, MARYLAND

ENGINEERING CORPORATION

DATE: 08/11/2020

SCALE: 1/4" = 1'-0"

BY: [Signature]

P-1

ATTACHMENT 4



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

January 17, 2006

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-04101
Montgomery Auto Sales Park

Dear Ms. Conlon:

We have completed our review of the preliminary plan printed on July 18, 2005. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. This plan proposes connections to an existing public storm drain system that is located on the site. Prior to submission of the record plat, the applicant will need to submit and obtain approval of their storm drain capacity and impact study. This study will need to analyze the capacity of the existing downstream public storm drain system and the impact of the post-development ten (10) year storm runoff on same.
2. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.

Record plat to reflect denial of access along Briggs Chaney Road, except at the approved entrance.

3. Coordinate with the Department of Permitting Services regarding the design of the internal parking lots, truck circulation and truck loading spaces, and handicap access. The applicant may wish to contact Ms. Sarah Navid of that Department at (240) 777-6320 to discuss these issues.
4. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.



Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
240/777-6000, TTY 240/777-6013, FAX 240/777-6030

Ms. Catherine Conlon
Preliminary Plan No. 1-04101
January 17, 2006
Page 2

5. Record plat to reflect a reciprocal ingress and egress easement to serve the lots accessed by each internal common driveway, as well as the proposed stormwater management access road.
6. If storm drain improvements are determined to be needed, as a result of the additional analysis described in Item no. 1, a permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - A. Enclosed storm drainage and/or engineered channel (to be in accordance with the DPWT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.
 - B. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - C. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at greg.leck@montgomerycountymd.gov or (240) 777-6000.

Sincerely,



Gregory M. Leck, Manager
Traffic Safety Investigations and Planning Team
Traffic Engineering and Operations Section

m:/subd/gml/pp/1-04101, Montgomery Auto Sales Park

Enclosures (4)

cc: William A. Joyce; Joyce Engineering Corp.
Jim Gordon; B. Gordon Real Estate Holdings LLC
Scott Wallace; Linowes and Blocher LLP
Shahriar Etemadi; M-NCPPC TP
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Christina Contreras; DPS RWPPR
Tina Benjamin; DED



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: MONTGOMERY AUTO SALES PARK Preliminary Plan Number: 1-04101

Street Name: BRIGGS CHANEY ROAD Master Plan Road Classification: MAJOR

Posted Speed Limit: 35 mph

Street/Driveway #1 (LOT 17) Street/Driveway #2 (-)

Sight Distance (feet) OK?
 Right 550+ ✓
 Left 550+ ✓

Sight Distance (feet) OK?
 Right _____
 Left _____

Comments: _____

Comments: _____

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Signature: [Signature] Date: 06.09.04
 PLS P.E. MD Reg. No. 2243-FE
10874 PLS

Montgomery County Review:

Approved
 Disapproved:

By: [Signature]
 Date: 9/17/06



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

April 16, 2004

Robert C. Hubbard
Director

Mr. Matt Joyce
Joyce Engineering Corporation
10766 Baltimore Avenue
Beltsville, MD 20705

Re: Stormwater Management **CONCEPT** Request
for Herb Gordon Auto World
SM File #: 211742
Tract Size/Zone: 5.06 acres / C3
Total Concept Area: 5.06 acres
Parcel(s): N970
Watershed: Little Paint Branch

Dear Mr. Joyce:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site channel protection measures via the existing Auto Park Regional Pond; on-site water quality control via installation of a Stormfilter unit. Onsite recharge is not required because this is a redevelopment project.

The following **items** will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. The additional storage piping for water quality is not required for redevelopment sites, but will be allowed. The pipes must meet MCDPS requirements for underground storage.
6. A small portion of the project, approximately 0.2 acres, will not drain to the water quality facility. Since this area does drain to the Regional Pond, we will consider water quantity and water quality to be provided by the pond for this small area.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.



This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Mark Etheridge at 240-777-6338.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm mce

cc: R. Weaver
S. Federline
SM File # 211742

QN - ON; Acres: 5
QL - ON; Acres: 5
Recharge is not provided



FIRE MARSHAL COMMENTS

DATE: 1-24-06
TO: PLANNING BOARD, MONTGOMERY COUNTY
VIA:
FROM: CAPTAIN JOHN FEISSNER 240.777.2436
RE: APPROVAL OF ~ *MONTGOMERY AUTO SALES PARK PLAN #8-06001 & 8-06002/SITE PLAN DATED AUGUST, 05*

1. PLAN APPROVED.

- a. Review based only upon information contained on the plan submitted 1-24-06. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
- b. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.



Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

January 27, 2006

Re: Montgomery County
Intercounty Connector
Montgomery Auto Sales Park (8-06001 & 8-06002)

Ms. Cathy Conlon
Development Review Subdivision Division
Maryland-National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Dear Ms. Conlon:

This office has reviewed the Site Plan (8-06001 and 8-06002) for the Montgomery Auto Sales Park dated June 2004. The 14.77 acres Montgomery Auto Sales Park Property is located south of Briggs Chaney Road and east of US 29. The Site Plan shows the proposed reconstruction of two existing buildings as well as changes to the existing parking lot.

The Intercounty Connector (ICC) Corridor One, as shown to date, impacts about 0.80 acres of the property, as shown on the attached map. About 0.29 acres of this impact (highlighted in purple on the attached map), located right station 48+50 to right station 50+55 along ramp "NW", is due only to grading for supporting slopes, and could be handled as an easement. The remaining 0.51 acres of impact (highlighted in orange on the attached map) contains a potential retaining wall, and needs to be acquired as right-of-way.

To protect property that will support the State Highway Administration/Maryland Transportation Authority (SHA/MdTA) locally preferred alternative, Corridor One, which is being studied as part of the current National Environmental Policy Act process for the project, we request that your agency require reservation of this property through the project's Record of Decision scheduled for release on April 1, 2006. In addition, we request that the Site Plan approval be made contingent upon the owner continuing to work with the SHA regarding grading and drainage to make certain that neither the owner's or SHA's interests are precluded by the other.

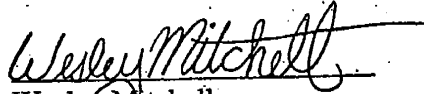
My telephone number/toll-free number is 1-866-462-0020
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

Ms. Cathy Conlon
Page Two

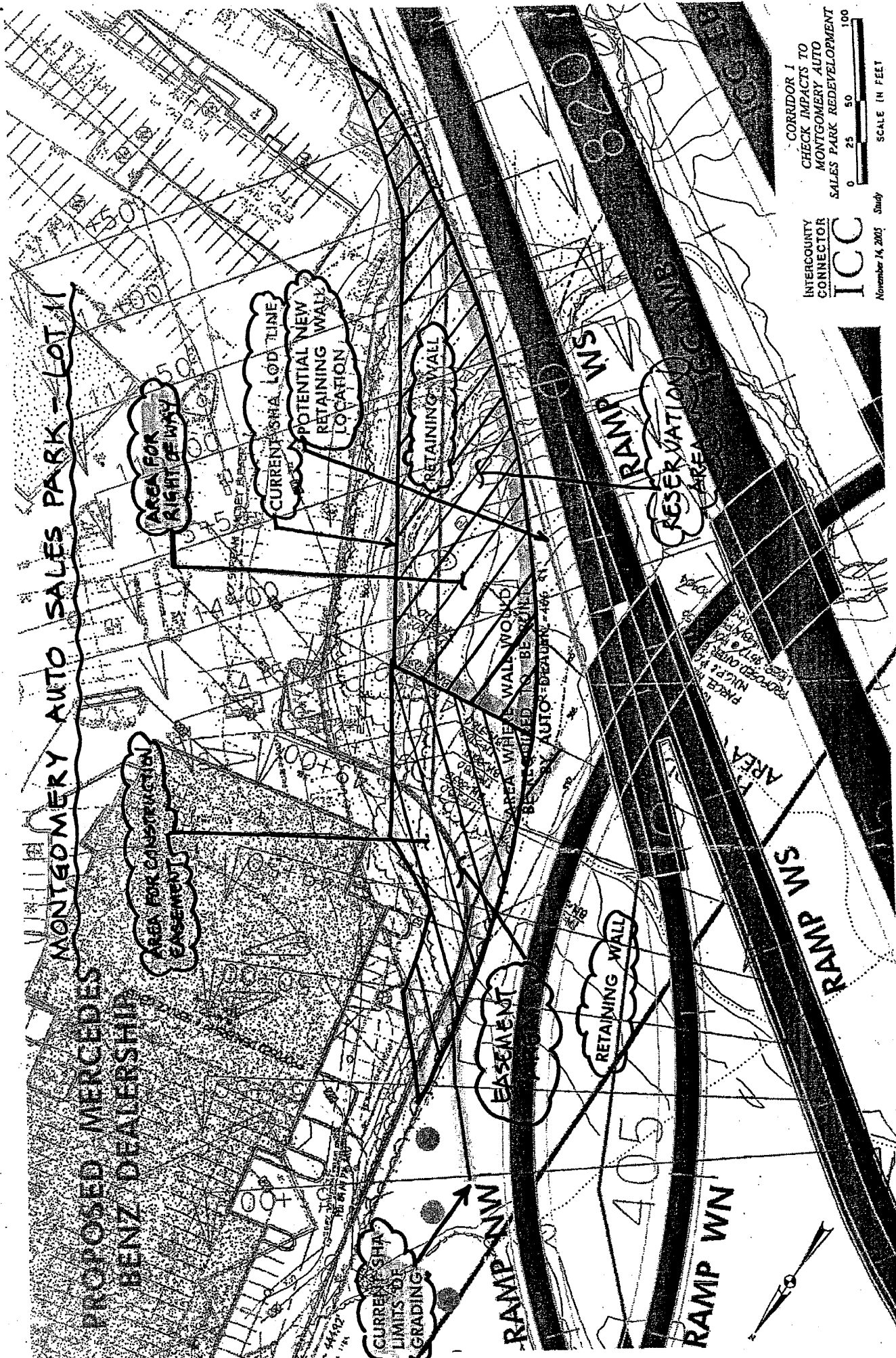
Thank you for the opportunity to comment on this project. We appreciate your agency's consideration of the above action.

Sincerely,

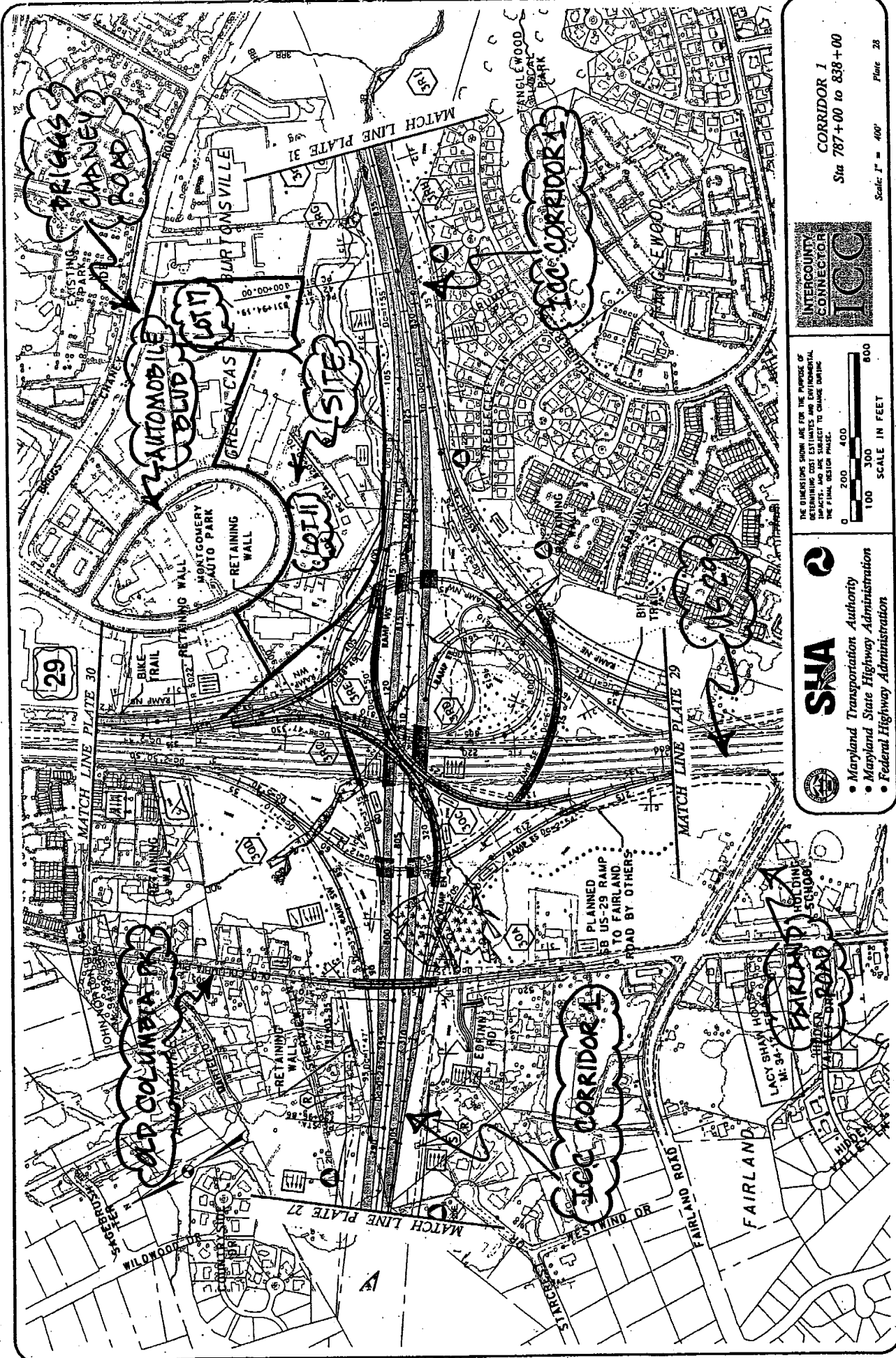


Wesley Mitchell
Project Manager
Project Planning Division

cc: Mr. John A. Borkowski, Engineering Access Permits Division, SHA (w/enclosure)
Mr. Greg Cooke, Engineering Access Permits Division, SHA
Mr. Jim Gordon (w/enclosure)
Mr. Tom Hinchliffe, Office of Real Estate, SHA
Mr. Chris Larson, Director, Office of Real Estate, SHA
Mr. Doug Mills, Chief, District Three, Right-of-Way Office, SHA
Mr. Raja Veeramachaneni, Director, Office of Planning and Preliminary Engineering,
SHA



—: FOR ILLUSTRATIVE PURPOSES ONLY :—
 SOURCE: MARYLAND SHA (JAN 2006)



THE DIMENSIONS SHOWN ARE FOR THE PURPOSE OF DETERMINING COST ESTIMATES AND ENVIRONMENTAL IMPACTS, AND ARE SUBJECT TO CHANGE DURING THE FINAL DESIGN PHASE.

0 100 200 400 800
SCALE IN FEET

SNA

- Maryland Transportation Authority
- Maryland State Highway Administration
- Federal Highway Administration

CORRIDOR 1
Sta 787+00 to 838+00

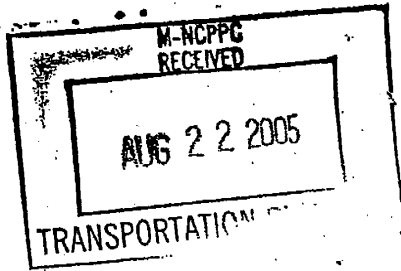
Scale: 1" = 400'
Plate 28

Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor



Robert L. Flanagan, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation



Revised: August 18, 2005
August 5, 2005

Re: Montgomery County
U.S. Route 29 General File
Montgomery Auto Park Expansion
Preliminary Plans 1-04101 & 1-04106

Mr. Shahriar Etemadi
Transportation Coordinator
M-NCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Etemadi:

Thank you for the opportunity to review the Updated Traffic Impact Study Report prepared by The Traffic Group, Inc. dated June 27, 2005 (received by the EAPD on June 29, 2005) that was prepared for the proposed expansion of the Montgomery Auto Park in Montgomery County, Maryland. The Maryland State Highway Administration (SHA) comments and conclusions are as follows:

- Access to the Auto Park that will be expanded to provide a 57,749 square foot Auto Body Repair Shop with one (1) right-in/right-out access driveway on Briggs Chaney Road as well as 42,000 square feet of proposed Showroom Space with direct access to Automobile Boulevard.
- The traffic consultant determined that the proposed development would negatively impact the U.S. Route 29 at Fairland Road intersection. Therefore, the traffic consultant proposed to widen the eastbound Fairland approach from the existing 1 left turn lane, 1 through lane, and 1 right turn lane -to- 2 left turn lanes, 1 through lane, and 1 through/right lane.
- The traffic consultant determined that the improvement to the U.S. Route 29 at Fairland Road intersection was also proposed by the Fairland View development. It was determined that the roadway improvement at the U.S. Route 29 at Fairland Road intersection would mitigate the site traffic impact from both the Montgomery Auto Park Expansion and the Fairland View development.

SHA currently has funding for right-of-way and design of an interchange at the U.S. Route 29 at Fairland Road intersection. Although there is currently not construction funding for the interchange, funds potentially could be expedited and construction could commence as early as 2007. However, the eventual construction of an interchange at U.S. Route 29 and Fairland Road should not be considered a definitive fact.

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

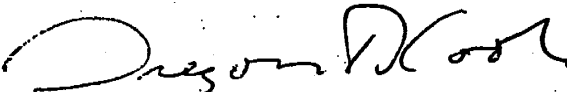
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

Attachment No. 3

Therefore, SHA recommends that the M-NCPPC require the applicant to contribute a fee in lieu contribution to SHA commensurate with the funding that it would take to construct the at-grade roadway improvements at the U.S. Route 29 at Fairland Road intersection identified in the traffic report. In order to determine an appropriate fee in lieu contribution, SHA recommends that the M-NCPPC require the applicant to submit a detailed construction cost estimate to complete the roadway improvements at the U.S. Route 29 at Fairland Road intersection. Roadway improvement plans should accompany the construction cost estimate to justify the results. If it is later determined that SHA will be moving forward with the interchange construction at the U.S. Route 29 at Fairland Road intersection, then SHA would like to utilize the fee in lieu funds towards the interchange construction. However, if it is determined that an interchange will not be constructed (or significantly delayed), then SHA may utilize the funds towards at-grade intersection improvements.

Unless specifically indicated in SHA's response on this report, the comments contained herewith do not supersede previous comments made on this development application. If there are any questions on any issue requiring a permit from SHA on this application, please contact Greg Cooke at (410) 545-5595. If you have any questions regarding the enclosed traffic report comments, please contact Larry Green at (410) 995-0090 extension 20.

Very truly yours,


Steven D. Foster, Chief
Engineering Access Permits Division

cc: Mr. Ed Axler, M-NCPPC
Mr. Greg Cooke, Assistant Chief, SHA Engineering Access Permits Division
Mr. Joseph Finkle, SHA Travel Forecasting Section
Mr. Bob French, SHA Office of Traffic & Safety
Mr. Larry Green, Daniel Consultants, Inc.
Mr. John Guckert – The Traffic Group, Inc.
Mr. William Richardson, SHA Traffic Development & Support Division
Mr. Dennis Simpson, SHA Regional Planning
Mr. Lee Starkloff, SHA District 3 Traffic Engineering
Mr. Jeff Wentz, SHA Office of Traffic & Safety



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

January 17, 2006

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-04106
Montgomery Auto Sales Park

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated June 18, 2004. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Our plan shows the proposed "Mercedes Benz dealership" structure will be in conflict with the existing 20 foot wide storm drain easement (recorded in Plat Book no. 84 at Plat no. 9610). The applicant's proposal to relocate the section of the conflicting system (under DPS permit) is hereby accepted. The record plat will need to reflect the adjustment to the easement limits.
2. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
3. Coordinate with the Department of Permitting Services regarding the design of the internal parking lots, truck circulation and truck loading spaces, and handicap access. The applicant may wish to contact Ms. Sarah Navid of that Department at (240) 777-6320 to discuss these issues.
4. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.



Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
240/777-6000, TTY 240/777-6013, FAX 240/777-6030

Ms. Catherine Conlon
Preliminary Plan No. 1-04106
January 17, 2006
Page 2

5. Record plat to reflect a reciprocal ingress and egress easement to serve the lots accessed by each internal common driveway.
6. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - A. Relocation of the existing storm drain system in the vicinity of the proposed "Mercedes Benz Dealership." Enclosed storm drainage and/or engineered channel (to be in accordance with the DPWT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.
 - B. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - C. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at greg.leck@montgomerycountymd.gov or (240) 777-6000.

Sincerely,



Gregory M. Leck, Manager
Traffic Safety Investigations and Planning Team
Traffic Engineering and Operations Section

m:/subd/gml/pp/1-04106, Montgomery Auto Sales Park

Enclosures (4)

cc: William A. Joyce; Joyce Engineering Corp.
Jim Gordon; B. Gordon Real Estate Holdings LLC
Scott Wallace; Linowes and Blocher LLP
Shahriar Etemadi; M-NCPPC TP
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Christina Contreras; DPS RWPPR
Tina Benjamin; DED

C. Exceptions to the General Guidelines

There are several policy areas where there are exceptions or additions to the general Local Area Transportation Review process:

1. In the Potomac Policy Area, only developments that Transportation Planning staff consider impacting any of the following intersections will be subject to Local Area Transportation Review: a) Montrose Road at Seven Locks Road, b) Democracy Boulevard at Seven Locks Road, c) Tuckerman Lane at Seven Locks Road, d) Bradley Boulevard at Seven Locks Road, e) Democracy Boulevard at Westlake Drive, f) Westlake Drive at Westlake Terrace, and g) Westlake Drive at Tuckerman Lane.
2. The following policy areas have been designated Metro Station Policy Areas in the most-recently adopted AGP: Bethesda CBD, Friendship Heights CBD, Glenmont, Grosvenor, Shady Grove, Silver Spring CBD, Twinbrook, Wheaton CBD, and White Flint. This designation means that the congestion standard equals a critical lane volume of 1800 (see Table 1) and that development within the area is eligible for the AGP's Alternative Review Procedure for Metro Station Policy Areas if a Transportation Management Organization (TMO) exists. This procedure allows a developer to meet LATR requirements by 1) making a payment as designated in the AGP, 2) joining and supporting a TMO, and 3) mitigating 50% of their total weekday morning and evening peak-hour trips. Both residential and non-residential projects are eligible for the procedure.
3. Development in the Bethesda CBD, Friendship Heights CBD, Glenmont, Grosvenor, Shady Grove, Silver Spring CBD, Twinbrook, Wheaton CBD and White Flint Policy Areas will be reviewed in accordance with Section V of these guidelines. These procedures provide specifics to satisfy the general guidelines included in the adopted Annual Growth Policy (AGP).
4. Area-specific trip-generation rates have been developed for the Bethesda, Friendship Heights, and Silver Spring CBDs. (See Appendix C.)

III. Method and Preparation of Local Area Transportation Review Traffic Study

A. General Criteria and Analytical Techniques

The following general criteria and analytical techniques are to be used by applicants for subdivision, zoning, special exceptions, and mandatory referrals in submitting information and data to demonstrate the expected impact on public intersections and roadways by the vehicle trips generated by the proposed development. In addition to the consideration of existing traffic associated with current development, applicants shall include in the analysis potential traffic that will be generated by their development and other nearby approved but unbuilt development; i.e., background, to be included in the analysis.

The traffic study for the proposed development under consideration must include in background traffic all developments approved by the Planning Board or other public body (i.e., the Board of Appeals, the cities of Rockville or Gaithersburg) prior to the submission of a preliminary plan application or complete traffic study, whichever is later. Information and data on approved but unbuilt developments, i.e., background

development, nearby intersections for study, trip distribution and traffic assignment guidelines, and other required information will be supplied to the applicant by Transportation Planning staff within 15 working days of receipt of a written request.

For a zoning case, Transportation Planning staff may initiate a meeting with the applicant, the Hearing Examiner and interested groups or individuals to establish the scope of the traffic analysis.

Transportation Planning staff may require that applications in the immediate vicinity of the subject application submitted in accordance with the LATR Guidelines and filed simultaneously or within the same time frame be included in background traffic, even if the Planning Board has not approved them. If a preliminary plan is approved after a traffic study has been submitted for another project and both require improvements for the same intersection(s), then the traffic study for the pending preliminary plan must be updated to account for the traffic and improvements from the approved preliminary plan.

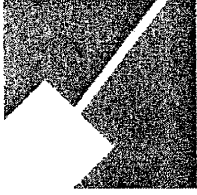
The traffic study should be submitted along with the application or within 15 days prior to or after the application's submission date. If a traffic study is submitted at the same time as the application, the applicant will be notified concerning the completeness of the traffic study within 15 working days of the Development Review Committee meeting at which the preliminary plan is to be discussed. If not submitted before the Development Review Committee meeting, Transportation staff has 15 working days after submittal to notify the applicant as to whether or not the traffic study is complete.

For an intersection improvement to be considered for more than one preliminary plan, the improvement must provide enough capacity to allow all the preliminary plans participating in the improvement to satisfy the conditions of LATR. An intersection improvement may be used by two or more developments if construction of the improvement has not been completed and open to the public. In order to be considered, the improvement must provide sufficient capacity to:

1. result in a calculated CLV in the total traffic condition that is less than the congestion standard for that policy area, or
2. mitigate the traffic impact if the calculated CLV in the total traffic condition exceeds the intersection congestion standard for the applicable policy area. Mitigation is achieved when the CLV in the total traffic condition that includes traffic from each development *with* the improvement is equal to or less than the CLV in the background traffic condition without the improvement.

When development is conditioned upon improvements, those improvements must be bonded, under construction, or under contract for construction prior to the issuance of building permits for new development. Construction of an improvement by one applicant does not relieve other applicants who have been conditioned to make the same improvement of their responsibility to participate in the cost of that improvement.

As indicated in the AGP, in policy areas where staging ceiling capacity is available, the applicant has six months from the date of acceptance of his application to obtain preliminary plan approval unless the applicant is granted an extension. If the Planning Board grants an extension, Transportation Planning staff will determine if the traffic study needs to be updated.



**THE MARYLAND-NATIONAL CAPITAL PARK AND
PLANNING COMMISSION**

Department of Park & Planning, Montgomery County, Maryland
8787 Georgia Avenue, Silver Spring, Maryland 20910

MEMORANDUM

TO: Richard Weaver, Development Review Division
Kathleen Mitchell, Development Review Division

FROM: Candy Bunnag, Planner Coordinator, Environmental Planning Section,
Countywide Planning Division

DATE: February 8, 2006

SUBJECT: Preliminary Plan 120041010 and Site Plan Number 820060010,
Montgomery Auto Sales Park, Lot 17

The Environmental Planning staff has reviewed the preliminary plan referenced above. Staff recommends approval of the preliminary plan of subdivision with the following condition:

1. Compliance with the conditions of approval of the preliminary forest conservation plan.

In addition, the Environmental Planning staff has reviewed the site plan referenced above. Staff recommends approval of the site plan with the following condition:

1. Compliance with the conditions of approval of the final forest conservation plan. These conditions include, but are not limited to, the following:
 - a. The 0.76 acre of afforestation to be met through purchase of credits in a forest bank.
 - b. Forest bank to be reviewed and approved by M-NCPPC staff prior to start of clearing and grading.

BACKGROUND

The 5.06-acre property lies within the Little Paint Branch watershed (Use I waters). Most of the site is an existing parking lot. There are no forests, streams, wetlands, environmental buffers, or trees on the property. An existing regional stormwater management facility lies to the south of the subject property.

Forest Conservation

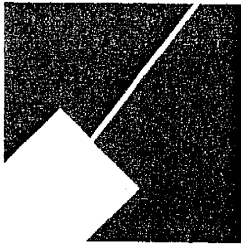
The forest conservation plan proposes that the required 0.76 acre of afforestation will be met by purchasing credits from a forest mitigation bank. Staff believes the use of an offsite forest bank is acceptable for this project since there would be no appropriate space on the site for forest planting. The specific forest bank would have to be identified by the applicant for staff review and approval prior to the start of clearing and grading. The proposed preliminary and final forest conservation plans, with staff's recommended conditions, meet the requirements of the County Forest Conservation Law.

Environmental Buffers

The site does not include any streams, wetlands, or floodplains and there are no environmental buffers on the property.

RECOMMENDATION

Environmental Planning staff recommends approval of the preliminary plan of subdivision and the site plan with conditions.

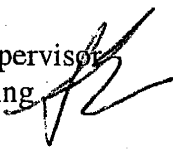



February 16, 2006

MEMORANDUM

TO: Catherine Conlon, Supervisor
Development Review Division

Kathleen Mitchell
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning 

FROM: Cherian Eapen, Planner/Coordinator 
Transportation Planning
301-495-4525

SUBJECT: Preliminary Plan No. 1-04101/Site Plan No. 8-06001
Proposed Auto Body Shop and Repair Center on Lot 17 (Parcels 970/973)
Montgomery Auto Sales Park Expansion (Herb Gordon Auto World – Mile One)
Briggs Chaney Road
Fairland/White Oak Policy Area

This memorandum presents Transportation Planning staff's Adequate Public Facilities (APF) review of the subject preliminary plan for proposed Lot 17, which seeks approval to construct a 57,749 square feet auto body shop and repair center on the C-3 zoned property.

The application was reviewed under the FY 04 *Annual Growth Policy (AGP)* and the July 2002 *Local Area Transportation Review (LATR) Guidelines* since it was filed prior to July 1, 2004.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the transportation-related requirements to approve this preliminary plan application:

1. Limit future development on the site to a 57,749 square feet auto body shop and repair center.

2. Contribute to Maryland State Highway Administration (SHA) as requested in letter dated August 18, 2005 (Attachment No. 1), jointly with approved Preliminary Plan No. 1-05001 (Fairland View) and pending Preliminary Plan No. 1-04106 (Montgomery Auto Sales Park, Lot 11), an amount equivalent to the cost of implementing or designing/constructing the following intersection improvement required for APF approval of the subject application:
 - a. Re-stripe eastbound Fairland Road approach to Columbia Pike with a left, left/through, through/right lane combination in place of existing left, left/through, through, right lane combination.
 - b. The contribution shall be paid in full prior to the issuance of building permits.
3. Show on the final record plat, consistent with the 1997 Approved and Adopted *Fairland Master Plan*, existing or provided right-of-way for Briggs Chaney Road along the entire property frontage (show either 60 feet from the roadway centerline or 120 feet from the opposite right-of-way line).
4. Show on the final record plat, Montgomery County Department of Public Works and Transportation (DPWT) initiated roadway improvements to Briggs Chaney Road, including the bike path that is to be constructed along the site frontage.
5. Provide a five-foot wide lead-in sidewalk to the entrance to the proposed office/sales building on the property from the bike path along Briggs Chaney Road (sufficiently set back from the handicap ramp at the site driveway as illustrated in Attachment No. 2). All on- and off-site sidewalk connections, ramps and crosswalk shall conform to Americans with Disabilities Act best practices.
6. Satisfy all preliminary plan conditions included in the DPWT letter dated January 17, 2006 (see Attachment No. 3).

DISCUSSION

Site Location, Access, Circulation, and Transportation Facilities

The proposed Lot 17 (Parcels 970 and Parcel 973/part of Outlot E) is located within the Briggs Chaney community of Fairland, within the southeast quadrant of Briggs Chaney Road/Castle Boulevard/Automobile Boulevard intersection. The proposed Corridor 1 alignment of the Intercounty Connector (ICC) is to the south of the property.

Primary access to the proposed lot or use will be via a right-turn in/right-turn out driveway to Briggs Chaney Road. Additional access to the site will include connections to Automobile Boulevard through Lots 11 and 8 to the west of the proposed Lot 17. As part of an ongoing DPWT project, Briggs Chaney Road is being reconstructed between Castle Boulevard/Automobile Boulevard to the west and Dogwood Drive to the east with a bike path to its south side and a sidewalk to its north side.

Land uses in the immediate area include residential (to the north and northeast of the site), commercial (to the east and west of the site), retail (to the northwest of the site) and institutional (to the northeast of the site). A county maintained Park and Ride lot is located to the northwest corner of Briggs Chaney Road/Gateshead Manor Way intersection near the site, which is serviced by Metrobus routes Z5, Z8, and Z11, in addition to RideOn route 39.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 1997 Approved and Adopted *Fairland Master Plan* describes the nearby master-planned roadways, pedestrian, and bikeway facilities as follows:

1. Columbia Pike (US 29), approximately 2,000 feet west of the property, as a six-lane divided Controlled-Major Highway (CM-10) between Northwest Branch to the southwest and MD 198 to the northeast. A minimum right-of-way width of 100 to 200 feet is recommended for this section of US 29. The master plan also recommends a commuter bikeway for US 29.
2. Briggs Chaney Road, along the property frontage, as a four-lane divided, east-west Arterial (A-86) between Columbia Pike (US 29) to the west and Dogwood Drive to the east, with a minimum 120-foot right-of-way, and sidewalks. A Class I bikeway (PB-43) is also recommended in the master plan for Briggs Chaney Road from Old Columbia Pike to Prince George's County Line along the south side of the roadway.
3. Fairland Road, to the south of the property, as a two- to four-lane divided, east-west Arterial (A-75) between Paint Branch to the west and Prince George's County Line to the east, with a minimum 80-foot right-of-way, and sidewalks. A Class I bikeway (PB-50) is recommended in the master plan for Fairland Road from Old Columbia Pike to Prince George's County Line along the south side of the roadway.
4. Automobile Boulevard/Castle Boulevard, to the west of the property, as a four-lane Industrial Road (I-7) within the Auto Park and to the north of Briggs Chaney Road, with a minimum 80-foot right-of-way. It is noted that Automobile Boulevard and Castle Boulevard are currently built to master plan recommendations with sidewalks on both sides.
5. Robey Road, to the east of the property, as a two-lane Primary Road (P-29) between Briggs Chaney Road to the southwest and Greencastle Road to the northeast, with a minimum right-of-way width of 70 feet. The master plan recommends a sidewalk along the east side and a Class I bikeway (PB-62) along the west side of Robey Road. It is noted that Robey Road is currently built to master plan recommendations.
6. Gateshead Manor Way, to the east of the property, as a two-lane Primary Road (P-31) between Briggs Chaney Road to the southwest and just to the east of Aston Manor Way to the northeast, with a minimum right-of-way width of 70 feet. The roadway is currently built with sidewalks on both sides and to master plan recommendations.

7. Ashton Manor Way, to the east of the property, as a two-lane Primary Road (P-30) between Briggs Chaney Road to the south, to a point north of Sheffield Manor Drive, with a minimum right-of-way width of 70 feet. The roadway is currently built with sidewalks on both sides and to master plan recommendations.
8. ICC, to the south of the property, as an east-west six-lane divided Freeway (F-9), with a right-of-way of 300 feet.

Proposed Intercounty Connector

ICC is proposed as a limited-access east-west highway intended to link areas between I-270 to the west and I-95/US 1 to the east through central/eastern Montgomery and western Prince George's Counties. At present, the ICC planning process has concurrence on two alternative alignments called Corridor 1 and Corridor 2. Corridor 1 generally follows an alignment that is incorporated in area master plans while Corridor 2, to the east of Georgia Avenue (MD 97), follows an alignment to the north of Corridor 1 that is not represented in any area master plans.

Currently, the ICC planning process is moving forward with the State's recently announced selection of Corridor 1 as its preferred alternative for construction, and the publishing of a *Final Environmental Impact Statement (FEIS)* for the project. After reviewing the *FEIS*, FHWA will make a final determination on the project in a Record of Decision, which at the present time is expected to occur in April 2006.

Information available in the *FEIS* indicates that the proposed Corridor 1 alignment of the ICC or its support structures does not physically impact the property (Attachment No. 4).

Other On-going Transportation Projects

Other on-going transportation improvement projects in SHA's Consolidated Transportation Program and DPWT's Capital Improvement Program included:

1. US 29/Briggs Chaney Road Interchange: The above interchange is currently under construction by SHA and is approximately 56% complete (as of January 2006). The estimated completion date for this project is November 2007.
2. US 29/Musgrove Road/Fairland Road Interchange: SHA is currently in the process of preparing preliminary design plans for the interchange. The project is fully funded for Preliminary Engineering and has funding for partial right-of-way.
3. Briggs Chaney Road: This DPWT project involves reconstruction of Briggs Chaney Road from Automobile Boulevard/Castle Boulevard to a point east of Aston Manor Drive as a four-lane divided roadway, and transition to the existing two-lane roadway at Dogwood Drive. This project includes an improved and continuous sidewalk along the north side and a Class I bikeway to the south side of Briggs Chaney Road within the project limits. Construction on this project has started (in May 2005) and is to be completed in January 2007.

4. Fairland Road: This DPWT project involves reconstruction of Fairland Road from US 29 to Prince George's County line, including widening to three lanes, a sidewalk on the north side of the road, a Class I bikeway on the south side of the road, etc. The project is in final design and is anticipated to start construction in December 2006.

Local Area Transportation Review

A traffic study was required for the subject preliminary plan per the *LATR Guidelines* since the overall Montgomery Auto Sales Park development including the subject auto body shop and repair center was estimated to generate **50** or more total peak-hour trips during the typical weekday morning (6:30 – 9:30 a.m.) and evening (4:00 – 7:00 p.m.) peak periods.

The consultant for the applicant submitted a traffic study dated June 22, 2005, that determined the combined traffic impacts of both Preliminary Plan No. 1-04101 (proposed 57,749 square feet auto body shop and repair center on Lot 17) and Preliminary Plan No. 1-04106 (proposed addition of 42,000 square feet of building area on Lot 11) on the nearby roadway intersections during weekday morning and evening peak periods. Staff review of the above traffic study indicated that the study complied with the requirements of the *LATR Guidelines* and the traffic study scope provided by the staff.

Trip generation estimates for the auto body shop and repair center on Lot 17, as analyzed in the traffic study, were based on driveway data collected, and trip generation rates determined for the existing 329,540 square feet of automobile sales and service facilities within the entire Montgomery Auto Park. This is presented in Table 1.

**TABLE 1
SUMMARY OF SITE TRIP GENERATION
PROPOSED 57,749 SF AUTO BODY SHOP AND REPAIR CENTER
MONTGOMERY AUTO SALES PARK LOT 17**

Time Period	Trip Generation		
	In	Out	Total
Weekday Morning Peak-Hour	90	31	121
Weekday Evening Peak-Hour	54	99	153

Source: Montgomery Auto Park Expansion Traffic Study. The Traffic Group, Inc. June 22, 2005.

As shown in Table 1, it was estimated that the proposed use would generate approximately 121 peak-hour trips during the weekday morning peak-period and 153 peak-hour trips during the weekday evening peak-period. However, the traffic study notes that (given the operational characteristics of an auto body shop and repair center), the site would in fact generate trips only in the range of 25-30 peak-hour trips during the peak-periods, and therefore [by using the higher trip generation estimates] presented a worst-case analysis. Staff concurs with this opinion.

A summary of the capacity/Critical Lane Volume (CLV) analysis results for the study intersections for the weekday morning and evening peak hours within the respective peak periods from the traffic study is presented in Table 2. It is noted that results presented in Table 2 include traffic impact at study intersections from both Preliminary Plan No. 1-04101 and Preliminary Plan No. 1-04106.

TABLE 2
SUMMARY OF CAPACITY CALCULATIONS (CLV)
MONTGOMERY AUTO SALES PARK
PRELIMINARY PLAN NOS 1-04101 and 1-04106

Intersection	Traffic Conditions							
	Existing		Background		Total		Total w/Applicant Proposed Imps	
	AM	PM	AM	PM	AM	PM	AM	PM
US 29/Greencastle Rd	1,524	1,321	1,533	1,328	1,543	1,340	--	--
US 29/Briggs Chaney Rd	1,770	1,538	--	--	--	--	--	--
US 29 SB Ramps/Briggs Chaney Rd ¹	--	--	804	529	820	565	--	--
US 29 NB Ramps/Briggs Chaney Rd ¹	--	--	936	1,137	976	1,171	--	--
US 29/Fairland Rd	1,541	1,485	1,609	1,571	1,618	1,589	1,594	1,548
Briggs Chaney Rd/Old Columbia Pk ¹	1,237	1,115	1,018	850	1,044	865	--	--
Briggs Chaney Rd/Castle Blvd/ Automobile Blvd ^{1,2}	1,005	1,182	776	961	789	999	--	--
Briggs Chaney Rd/Robey Rd ²	1,078	1,100	868	708	876	713	--	--
Briggs Chaney Rd/Gateshead Manor Wy ²	818	965	708	837	717	842	--	--
Briggs Chaney Rd/Site Access ²	--	--	--	--	358	654	--	--

Source: Montgomery Auto Park Expansion Traffic Study. The Traffic Group, Inc. June 22, 2005.
 FY 2004 Congestion Standard for Fairland/White Oak Policy Area: 1,550 CLV

¹ Background and Total Traffic Conditions reflect SHA improvements as part of the US 29/Briggs Chaney Road interchange project.

² Background and Total Traffic Conditions reflect proposed DPWT improvements along Briggs Chaney Road.

As shown in Table 2, under Total traffic conditions, CLV at the study intersections were either below the FY 2004 Fairland/White Oak congestion standard of 1,550, or with an applicant identified roadway improvement (lane designation changes to the eastbound Fairland Road approach to US 29) did not exceed the respective CLV under Background traffic conditions. A pending Preliminary Plan (1-04106; Montgomery Auto Sales Park, Lot 11) and an approved Preliminary Plan (1-05001; Fairland View) are also required to participate in this improvement.

Additionally, per Section III.A of the *LATR Guidelines* (see Attachment No. 5), “An intersection improvement may be used by two or more developments if construction of the improvement has not been completed and open to the public. In order to be considered, the program or improvement must provide sufficient capacity to:

- result in a calculated CLV in the total traffic condition that is less than the congestion standard for that policy area, or
- mitigate the traffic impact if the calculated CLV in the total traffic condition exceeds the intersection congestion standard for the applicable policy area. Mitigation is achieved when the CLV in the total traffic condition that includes traffic from each contributing development *with* the improvement is equal to or less than the CLV in the background traffic condition without the improvement.”

Based on the review of the analysis presented in the traffic study, staff concludes that the improvement identified will create adequate capacity at the intersection to accommodate traffic associated with the subject development and the two other plans.

Staff has also assessed concerns regarding cut-through traffic through the property that were raised by the local community, and determined that the occurrence of cut-thru traffic, if any, would be minimal and will not negatively affect traffic circulation/traffic operation within the property, adjacent lots or along Briggs Chaney Road.

Policy Area Transportation Review/Staging Ceiling Conditions

The Fairland/White Oak Policy Area had staging ceiling capacity for 1,939 jobs (non-residential development) on June 30, 2004, under the FY 2004 AGP. Since staging ceiling capacity for jobs existed at the time of this application, the subject preliminary plan satisfies the *Policy Area Transportation Review* test.

It was estimated that the proposed auto body shop and repair center, with 57,749 square feet of space, 74 service bays, and one work shift from 8:00 a.m. to 5:00 p.m., is equivalent to 74 jobs (assuming 1 job per bay). However, the applicant had indicated that the proposed use would only employ approximately 35 mechanics, technicians, and support personnel, which would include ten current employees.

CE:gw

Attachments

cc: Piera Weiss
Rich Weaver
Ivy Leung
Sarah Navid
Greg Leck
Ray Burns
Wes Guckert
Scott Wallace