MEMORANDUM

DATE: March 17, 2006  
 TO: Montgomery County Planning Board  
 Rose Krasnow, Chief *RK*  
 Development Review Division  
 Robert Kronenberg, Acting  
 Supervisor *RAK*  
 VIA: Kathleen Mitchell *KAM*  
 Development Review Division  
 (301) 495-4588

FROM:

REVIEW TYPE: Site Plan  
 CASE #: 820060020  
 PROJECT NAME: Montgomery Auto Sales Park (Herb Gordon Auto World-Mile One)  
 Automobile Boulevard  
 Silver Spring

APPLYING FOR: Approval for Development of Lot 11 of the Montgomery Auto Sales Park  
 with 175,891 Square Feet of Auto-Related Uses (Auto Dealership)

REVIEW BASIS: Div. 59-C-4.36 and 59-C-4.367 (Special Regulations) of Montgomery  
 County Zoning Ordinance

ZONE: C-3 (Highway Commercial)

LOCATION: Approximately 1000 feet south of the Automobile Boulevard/Briggs  
 Chaney Road intersection in Silver Spring.

MASTER PLAN: Fairland Master Plan

APPLICANT: Automobile Park Investment  
 General Partnership II

FILING DATE: July 5, 2005  
 HEARING DATE: March 30, 2006

**STAFF RECOMMENDATION:**

Staff recommends **Approval** of Site Plan 820060020 for redevelopment of Lot 11 of the Montgomery Auto Park, a 14.77-acre site in Silver Spring, for 175,891 square feet for auto-related uses, in three buildings, with a height limited to 41 feet. All site development elements as shown on Lot 17 of the Montgomery Auto Sales Park plans stamped by the M-NCPPC on February 23, 2006, shall be required except as modified by the following conditions

### **Preliminary Plan Conformance**

1. The proposed development shall comply with the conditions of approval for Preliminary Plan 12004102 reviewed concurrently with the subject site plan.

### **Site Plan**

2. Show the measurement control point for building height on site plan.
3. Show the rights-of-way for Briggs Chaney Road with dimensions and centerlines.
4. Label stream valley buffer, boundaries of forest conservation plan, easements, Storm Drain Easement, and Regional Storm Water Management facilities.

### **Development**

5. Development density shall be limited to a total of 175,891 square feet or an increase of approximately 42,189 over the existing density.
6. Development shall be in conformance with the approved site plan (820060020) and include three buildings to be used as auto dealership and/or related uses as permitted in the C-3 Zone.

### **Environmental**

7. The following reforestation requirements must be met through purchase of credits in a forest bank: 3.58 acres of reforestation if the SHA requires ICC, or 4.18 acres if the SHA does not acquire ICC right-of-way.

### **Site Design**

8. Parking of all vehicles, except those vehicles, which are for sale and are on display in designated "Automobile Sales Lot" areas, shall be restricted to the sides, rear and/or rooftop of the building (Section 59-C-4.364) in areas clearly identified on the plan as "Automobile Parking Facilities" (as defined in Section 59-A-2.1).
9. Add a note to the plan saying: "No Automobile Parking Facilities, as defined in Section 59-A-2.1 of the Zoning Code, shall be located in front of the building (per DPA04-2)."
10. Revise site plan and parking table to eliminate all parking spaces shown in front yard of building, per 59-C-4.365.
11. Change the label "Special Paving Treatment", shown on the area in front of the main buildings, to "Automobile Sales Lot" with a related note stating the following: "Vehicles other than those being stored or displayed for sale on the premises are prohibited from the area designated as "Automobile Sales Lot" as defined in Section 59-A-2.1 of the Zoning Code."
12. Provide detail specifications of the paving treatment to be used, dimensions, vehicular and pedestrian accesses and barriers, and all other design elements that will define the areas designated as "Automobile Sales Lots".
13. Provide an on-site pedestrian and vehicular circulation plan showing on-site and off-site pedestrian pathways, pedestrian entrances to the buildings, vehicular circulation and access to parking areas and individual garage bay entrances.
14. Show trash collection area and dumpsters, including dimensions of pads, screens/fencing dumpsters and any other containers and structures.
15. Label all retaining walls on the plan, and show the top and bottom elevations and linear feet.

**Lighting Plans and Signage**

16. Provide lighting fixture schedule listing all fixture types and numbers keyed to site and landscape plans.
17. Provide detail and specifications for all lighting fixtures (free-standing and building mounted exterior), including lamp type, wattage, house shields, mounted height, dimensions, hours of operation.
18. Provide photometric light distribution plan that includes calculations to property lines; average maximum/average minimum must not exceed 5.0, per the original approval requirement; light levels must be 0.1 at all property lines.
19. Provide Lighting levels according to IESNA Recommended Practice; levels should conform to Secondary Business District Illumination Levels and Uniformities for Car Dealership General Lighting, current edition.
20. Provide details and specifications for all signage, including materials, lighting fixture mounts and housing, lamps and wattage and installation details.
21. No freestanding signs or pylon signs visible from ICC or Briggs Chaney Road shall be permitted.

**Transportation**

22. Satisfy conditions of Preliminary Plan Approval for local area road and/or intersection improvements and any other related conditions.

**Development Program**

23. Provide a Development and Phasing Program to be approved by staff prior to submission of Certified Site Plan.

## **SUMMARY:**

Application SP 820060020 requests approval for an additional 42,189 square feet of density for a total of 175,891 square feet of development on Lot 11 of the Montgomery Auto Park in Silver Spring. The plan shows demolition of some existing uses and redevelopment which will result in three separate buildings: 80,138 square feet for a Mercedes Benz dealership; 25,627 square feet for an existing Nissan dealership; and 70,126 square feet for a Dodge-Volvo-Subaru dealership. The proposal shows a height limit of 41 feet for the buildings. Rooftop parking is shown on the largest of the three buildings. Surface automobile sales lots, parking lots, drive aisles and access driveways surround the buildings on all sides.

The plan proposes landscape improvements along the front property line that separate and buffer the uses from the public sidewalk and Automobile Boulevard right-of-way. The plan also shows redesign of the parking areas, driveways, site entrances, landscape and other improvements intended to meet changing auto industry demands for its dealership sales and service operations. A driveway connection to an adjoining lot, Lot 17, is proposed to allow vehicular and pedestrian travel between the two lots and their uses – an auto dealership on Lot 11, and its body shop/service center on Lot 17.

### **Background**

The subject property is a 14.77-acre lot, zoned C-3 and developed with auto dealership sales and service uses and known as the Montgomery Auto Sales Park. It is located on Automobile Boulevard and Briggs Chaney Road in Silver Spring. The Auto Park is undergoing redevelopment to meet changing demands of the auto industry and supports the County's economic development goals to improve the Route 29 Corridor area.

The overall parameters for development within the Montgomery Auto Sales Park are set by the County Council through the Development Plan approval process. Development Plan Amendment (DPA) 04-2, adopted and approved in April, 2005, was submitted by the applicant in order to accommodate the redevelopment of this site and Lot 17, which is the subject of another Site Plan Amendment application, SP 820060020, submitted for concurrent consideration. In addition to meeting all applicable code requirements and development standards for Site Plan approval by the Planning Board, these plans must be found to conform to DPA 04-2 and a number of "binding elements" it directed to be carried over from previously approved Development Plans and Covenants.

There is 133,702 square feet of previously approved development on the property, some of which will be demolished as part of the redevelopment plans. Taking into account the square footage of buildings being demolished, the proposal will add 42,189 square feet of new floor area to the existing density on the site. Only the additional space was used for traffic analysis purposes since the trips associated with existing development are considered as background traffic for APF test purposes.

## **Development Issues**

### **1. Compatibility**

Compatibility with the uses and development on the surrounding properties, especially the residential community on the northwest side of the Auto Sales Park, has been challenging. The C-3 Zone is for highway oriented uses of a heavy commercial/quasi-industrial nature. Activities and design requirements associated with C-3 uses are not necessarily compatible with residential or even certain commercial uses. Traffic, parking, noise, industrial waste, storage of commercial materials or equipment are necessary by-products of the business operations standard to C-3 zone uses. Creative design and development standards that minimize the impacts without being overly restrictive to the respective uses are not only justified but also essential in some cases to achieve an acceptable standard of compatibility.

The 1997 Approved and Adopted Fairland Master Plan recommends specific improvements for the Montgomery Auto Sales Park which would make the south side of Briggs Chaney Road more attractive and compatible with residential and retail uses on the opposite side. These include:

- Eliminating parking on green spaces along Briggs Chaney Road, US 29 and Automobile Boulevard; and,
- Consolidation or sharing of parking, possibly structured parking.

These and other recommendations intended to promote compatibility have been incorporated into the zoning code in the form of special regulations for Auto-Related Uses. The recently approved Development Plan Amendment (PDA 04-2) reinforced and added binding elements for development and use of the Auto Park sites specifically intended to address complaints about compatibility issues. The proposed site plan, with the conditions recommended by staff, complies with the requirements and standards for auto related uses in the zoning code and the directives of the County Council embodied in DPA 04-2.

The applicant's proposal reflects an effort to improve compatibility with the surrounding area while retaining the elements necessary for the business to function at this location. On-site landscaping along the entire Automobile Boulevard street front of the site responds to Master Plan recommendations for improving the streetscape and appearance of the buildings, whose design favors functionality over form to serve the quasi-industrial uses associated with the service and repair uses.

The conflicts are not limited to those with the surrounding properties and neighborhood. The one-stop-shop concept represented by today's Auto Park prototype requires that sales showrooms and offices share space and functions on the same site with body shops and repair garages. Conflicts are inherent in such things as: the interior and exterior space needs of the repair and service garage activities; the high level of on-site vehicular and pedestrian traffic; the high demand for and conflicting use patterns of the parking and driveway areas; and, the high volume of deliveries, both autos and auto parts.

To their credit, the applicant's proposal seems to favor resolution of off-site compatibility and use conflict issues, sometimes at the expense of their on-site conflicts. For instance, they provide more landscaping and green space than is required and concentrate it in the front yard area. Combined with the code requirement prohibiting parking in front of the building, this greatly increases the functional demands on the limited space on the sides and rear of the buildings including: providing enough parking in appropriate areas for their customers, employees, service deliveries, new car inventory; and, maintaining a comfortable, safe and attractive exterior environment to attract customers and display their product.

Staff believes the site is compatible with adjacent and surrounding uses in terms of height, development intensity, massing and use.

## 2. Applicability of Current Zoning Standards

The fact that the proposal includes and/or replaces existing development, generated issues of the newer standards described above. For instance, the existing building intrudes into a sensitive stream buffer area. Proposed redesign, including additions to that building, added leverage to the staff's view that the building should be scaled back in that area to meet current standards. In the final outcome, that issue was balanced against other environmental considerations and the infringement was reduced but not entirely eliminated.

A similar conflict arose regarding whether or not the existing parking spaces located in front of the existing but expanded building could be retained despite more recent Code amendments prohibiting parking in front of the main building. The code makes a distinction in the definitions of "automobile parking facilities" and "automobile sales lots". This distinction is critical in that there is no prohibition on locating automobile sale lots in front of the main buildings. Automobile sales lot is defined as:

"A lot arranged, designed or used for the storage and display for sale of any motor vehicle or any type of trailer; provide, that the trailer is unoccupied; and where no repair work is done except minor incidental repair of automobiles or trailers displayed and sold on the premises".

Given the history of complaints about parking and storage in the Auto Sales Park area, and the volume and variety of vehicles that will access and park on the site, the staff feels it is necessary for the site plan to include elements that clearly define and separate the Automobile Sales Lot areas located in the front yard areas from the general parking areas, which are prohibited from being located in front of the main buildings. The applicant has agreed to implement special paving treatment and other design elements that clearly distinguish them from the on-site parking facilities.

Staff believes the site plan, as amended with the conditions of approval, is consistent and in conformance to the zoning ordinance.

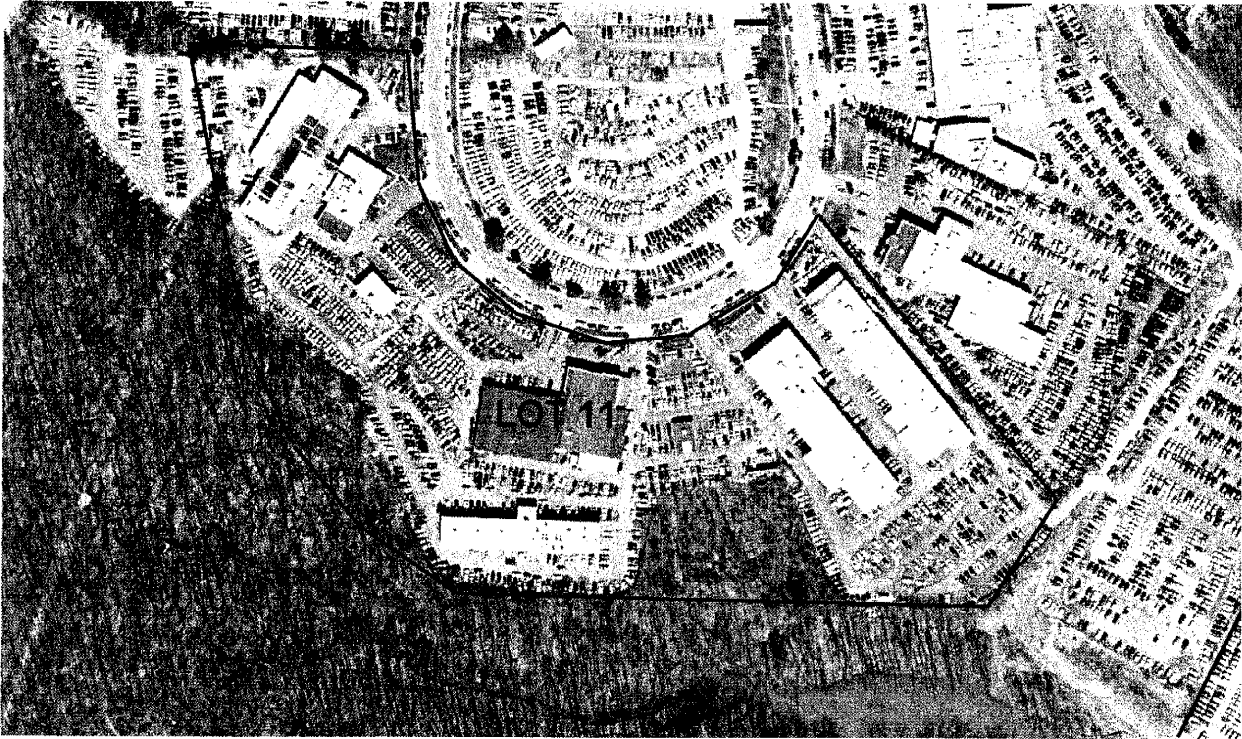
3. Driveway Connection Between Lots 11 and 17

The proposed uses on Lots 11 and 17 are inter-related and daily activities of each will require access to and interaction with the other. The subject site, Lot 11, will be developed with the three different auto dealership showrooms and sales offices. Lot 17, whose rear property line adjoins the subject property at its southeast corner, is proposed to be developed with the auto body shop and service center that serves one of those dealerships.

The site plans show a connecting driveway that crosses lot lines to provide internal circulation and access back and forth between sites without needing to use the public roads. Cross easements to secure access rights for each were required as a condition of Preliminary Plan approval. This does not affect the status of either lot as separate and independent development entities subject. Each must meet all applicable standards within the confines of their single lot, including standards related to density, traffic capacity, parking, green space, setbacks and any other applicable development regulations.

**PROJECT DESCRIPTION:            Proposal and Site Description**

The application proposes improvements to the existing development on the Lot 11 of the Montgomery Auto Sales Park site, including: the demolition of some and expansion of other existing buildings; and redesign of the exterior space including parking areas, drive aisles, pedestrian accesses/pathways, landscape, green spaces and driveway accesses. Accounting for the losses, reconfigurations and additions to buildings, the redevelopment will result in a change in density from approximately 133,702 square feet to 175,891 square feet, an increase of 42,189 square feet.

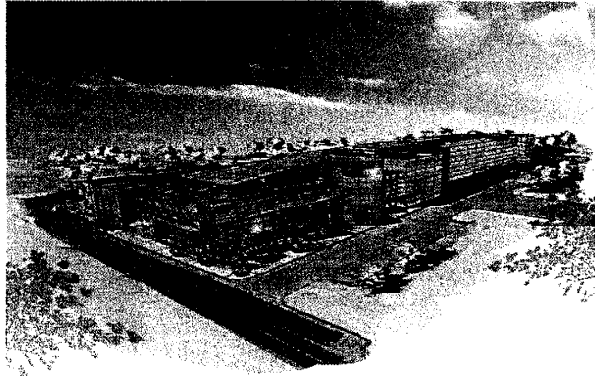


The development lot surrounds on the three sides the outside arc at the base of the Automobile Boulevard loop road, which intersects with Briggs Chaney Road at both ends. The lot is crescent-shaped and has been and will continue to be divided into three development pads of roughly equal size and used by three different auto dealerships. The dealerships for which the site is being redesigned are:

- Mercedes Benz (Proposed) -The eastern-most third of the lot is proposed for renovation of an existing building for use as a Mercedes Showroom and Dealership. The building footprint and exterior site use locations and size will remain almost exactly the same; however, significant improvement to the facing and exterior design elements of the building and major upgrades to the areas surrounding the building on all sides will dramatically alter it's boxy and unadorned appearance. The body shop and service garages for the dealership are proposed to be located on a separate lot, Lot 17, a factor that will greatly reduce design and operational conflicts inherent in combining the functions in one building.



- Nissan (Existing) - The southernmost third of the lot will continue to be used as a Nissan dealership; however, all existing structures and buildings on the pad will be demolished



Rendered Perspective

Montgomery Auto Mall Campus Book



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- except for the main building. The parking, driveway, green spaces and other areas surrounding the remaining building will be improved and landscaped.
- Dodge-Volvo-Subaru (Proposed) – The westernmost pad site is being prepared for a Dodge-Volvo-Subaru Dealership. Two existing buildings, which nearly mirror each other in design and footprint but are currently separated by a driveway/parking lot area, will be joined across the front and to approximately a third of their depth. Alterations and improvements to the exterior of the building and the parking/driveway areas, similar to the other two sites, will improve its overall use and appearance and complete the comprehensive redesign of this prominent, Auto Park lot.

## COMPLIANCE C-3 ZONE DEVELOPMENT STANDARDS

### PROJECT DATA TABLE SP 820060020 Montgomery Auto Sales Park - Lot 11

Development Standard	Zoning Requirement	Proposed
<b>Site Area:</b>		
Min. Tract Area (ac.):	N/A	14.77
<b>Density:</b>		
	N/A	175,891 sq. ft.
<b>Building Setbacks:</b>		
Front	50'	50'
Sides		
Northeast side	10'	26'
Northwest side	10'	14'
Rear	50'	56'
<b>Building Coverage:</b>		
Max. lot coverage excluding parking structures	35%	35%
<b>Building Height:</b>		
Standard	42'	41'
With Site Pl Approval	84'	N/A
<b>Green Area:</b>		
Minimum %age of lot	10%	25.7%
<b>Parking:</b>		
Automobile repair and service station (3.3 spaces/1000gfa)	416	
Employee (1space/1employee)	70	
Show Room (1 space/100gfa)	124	
Office & Storage (1 space/ 300gfa)	130	
Total Req'd	740	799*

\* This includes the area in front of the main building, which is technically an Automobile Sales Lot, intended for display and storage of automobiles for sale on the premises. Spaces cannot be counted toward minimum requirements for parking. Site plan and data table must be revised to reflect reduction in parking spaces equal to the number designated for auto sales lot.

**FINDINGS:**

**1. *The Site Plan is consistent with an approved development plan or project plan for optional method of development if required.***

Development Plan Amendment (DPA) 02-1, the most recently approved amendment to the development plan for the Montgomery Auto Sales Park focused primarily on density increase and site design changes to Lot 17, which adjoins the subject site. However, certain “binding elements” from the prior-approved Development Plan Amendment (DPA 86-1) and others before it, as well as certain Covenant agreements secured over time between the property owners, were directed to be carried over and/or incorporated into DPA 02-1. These apply to all the properties in the Auto Sales Park including the subject property and include:

- All parking should be in designated parking areas.
- Prohibit any designated parking spaces from being located in any area that constitutes green space per Section 59-A-2.1 of Montgomery County Code.
- Prohibit any designated parking spaces from being located in the storm water management access easement.
- Approval from Department of Public Works and Transportation for grading, curb cuts and access to storm water management area.

The plan addresses the parking area location and use directives of the approved Development Plan. Existing parking areas located in front of existing and new buildings have been removed. Parking areas and spaces will be clearly defined and designated for intended users. All parking is located on sides and rear of main building as required by zoning code. [Note: An automobile sales lot is not a parking facility as defined by zoning code (Section 59-A-2.1) and the use is not prohibited from being located in front of the main building as proposed.]

Landscaping plans show plantings in designated green space areas, which will discourage or preclude mis-use of those areas for parking or storage. A continuous landscape strip along the street frontage will soften the appearance of driveways and help define walkways and drive aisles into and out of the site. Plans also include notes prohibiting storage of waste, auto parts and other materials in green space, easement access areas and other prohibited areas.

The applicant will be required to get approval from the Department of Public Works and Transportation for the binding elements detailed above prior construction permit approval.

**2. *The Site Plan meets all of the requirements of the C-3 Zone in which it is located.***

The C-3 Zone has special regulations for Auto-Related Uses and other standards, specific to the proposed use of the Auto Park area, which are intended to accommodate the needs of the auto sales industry as well as maintain the highest possible standards for development of such a use.

The Code requirements applicable to this use include:

- Maximum Lot Coverage: 35%
- Maximum Height: 42 feet: except, where recommended as appropriate in applicable master or sector plan, the maximum building height for an auto sales and service mall is 7 stories or 84 feet.
- All parking shall be located to the side or rear of the main building, inside of the building or on the roof.
- A driveway, without parking areas, may be located in front of the building.
- No storage of waste, auto parts, refuse and motor vehicles in any required setback.

The Data Table on page 10 details the plan's compliance with applicable development standards in the Zoning Code.

**4. *The location of the building and structures, the open spaces, the landscaping, recreation facilities and the pedestrian and vehicular circulation systems are adequate, safe and efficient***

**a. Building Locations**

The site is designed in such a way as to accommodate the showrooms, sales lots and other elements needed to support automobile sales and service operations. Three separate dealerships are expected to occupy the site as part of the Montgomery Auto Sales Park. Each will have its own "signature" showroom/sales office building and outdoor display area (car sales lot). The proposed locations of the buildings are adequate, safe and efficient.

The three showroom/sales office buildings are the only structures that will remain on the site after two existing structures are demolished and two others are connected to become one structure. They will not be relocated from their existing pads, which are sited toward the street frontage of the lot and evenly spaced from each other, giving the appearance of three separate but equal lots.

The building location and site design appears to be driven by auto sales industry marketing and operational needs; however, the result fulfills many of the goals and development requirements on which our development review is based. The proposed site design meets the standards of the Zoning Code and other pertinent regulatory requirements and, with the conditions recommended, is adequate, safe and efficient for the proposed use.

**b. Green Space/Open Space**

The proposed use, which is permitted in the C-3 Zone and is located to include activities that are essential to its operations which require large amounts of flat graded, impervious surfaces, i.e. a "sea" of parking. The zone requires that 10% of the lot be green space; and, parking design regulations require 5% interior landscaping. The Site Tabulations table on page SP-5 of the site plan proposes that 25.72%, or 165,460 square feet of the lot will be green space. However, the green space areas that contribute to that total are not clearly identified. As a

condition of approval and prior to certification of the plan, the applicant must revise the plan to: clearly identify green space areas; detail plantings or other landscape treatments to be used; and, showing dimensions and area calculations of each area and a total green space area calculation equal to or greater than 165,460 square feet.

c. Landscaping

The landscaping plan submitted shows a heavily planted, landscaped strip across the front lot line, separating the driveway and/or automobile sales lot areas located in the front of each of the buildings from the public sidewalk and Automobile Boulevard. Minimal landscaped areas are interspersed along the edge of the side and rear yard parking/driveway areas. Almost no landscaping or grass islands, green space of any kind, can be found within the expansive interior parking/driveway areas.

The nature of the business use and its great demand for parking and storage of vehicles and equipment needed to operate, restrictions and buffers required to protect the sensitive stream valley area to the rear of the site and other regulatory prohibitions on parking and other business activities in the front yard areas, creates an unusually high demand for impervious surfaces on the sides and rear parking/driveway areas. This limits the opportunities to create large enough internal areas to support the plantings one might put in them.

The applicant is proposing 25.7% green space on the site, which, if confirmed by a detailed green space plan and calculations, far exceeds the 10% green space and 5% internal landscape requirements of the zone. Therefore, the plan's green space and landscape elements are adequate.

d. Vehicular and Pedestrian Circulation

The plan does not clearly show how vehicular and pedestrian traffic will move throughout the site. Given the multiplicity of activities associated with auto dealership/service center uses, including the high volume of traffic and high number of automobiles expected to be stored, displayed, or come and go from this site, internal circulation is a safety issue. Therefore, as a condition of this approval, an internal circulation plan showing pedestrian accesses to the buildings and the pathways that will lead them there, as well as a vehicular circulation plan showing movements in and around the parking, driveway and loading areas should be approved by Transportation Planning prior to certification of the plan.

**5. *Each structure and use is compatible with the other uses and other Site Plans and with the existing and proposed adjacent development.***

The property is zoned C-3 and all proposed uses are permitted in the C-3 Zone. Moreover, the proposed structures and use comply with the current approved Development Plan Amendment. The location of structures, parking, driveway areas, auto

sales lots and other areas specific to an activity related to the business use have been located with deference to the surrounding properties, including nearby residential communities.

Otherwise, the property is located internal to a larger, C-3 Zoned, area developed and used as an Auto Sales Park, including showrooms, service garages, body shops and other activity areas standard to the use. With the conditions of approval recommended by the staff, the proposed development is compatible with the other uses and Site Plans in the area.

**6. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.***

The site plan has been reviewed by Environmental Planning staff, which recommends approval with the following conditions:

- a. The proposed development shall comply with the conditions of the final forest conservation plan. The applicant shall satisfy all conditions prior to recording of plats or Montgomery County Department of Permitting Services issuance of sediment and erosion control permits.
- b. The 0.76-acre of afforestation to be met through purchase of credits in a forest bank.
- c. Forest bank to be reviewed and approved by M-NCPPC staff prior to release of building permit.

The property abuts a sensitive stream valley area and the right-of-way for the Inter-County Connector; therefore, the area from the rear yard lot line to the existing building must undergo significant redesign and limitations on usage to meet current standards for impact to the environment and rights-of-way for the future highway. The proposed site plan responds satisfactorily to these limitations by limiting the use of the rear of the building closest to that area to a driveway/loading area. Curbing, grading, protective walls and other protective elements required by Environmental Planning, State Highway Administration, Montgomery County Department of Public Works and Transportation and other authorities have been included.