

**MEMORANDUM**

**DATE:** June 16, 2006

**TO:** Montgomery County Planning Board

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

**FROM:** Dolores Kinney, Senior Planner (301) 495-1321  
Development Review

**REVIEW TYPE:** Preliminary Plan Review  
**APPLYING FOR:** Subdivision Parcel 568

**PROJECT NAME:** Commerce Bank – Silver Spring  
**CASE #:** 120060930  
**REVIEW BASIS:** Chapter 50, Montgomery County Subdivision Regulations

**ZONE:** CT  
**LOCATION:** Located at the northeast quadrant of the intersection of Briggs Chaney Road and Castle Boulevard

**MASTER PLAN:** Fairland  
**APPLICANT:** Commerce Bank  
**ENGINEER:** Bohler Engineering, P.C.  
**ATTORNEY:** Miller, Miller and Canby  
**FILING DATE:** March 21, 2006  
**HEARING DATE:** July 6, 2006

**STAFF RECOMMENDATION:** Approval, pursuant to Chapter 50 of the Montgomery County Subdivision Regulations, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to a 4,100 square foot bank with a maximum of four (4) drive-through windows.
- 2) Final approval of the number and location of buildings, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
- 3) A landscape and lighting plan must be submitted as part of the site plan application for review and approval.
- 4) The Applicant shall show clearly on the preliminary plan and record plat the dedication of 60 feet of right-of-way from the centerline, or 120 feet from the opposite right-of-way line, for Briggs Chaney Road, as required by Fairland Master Plan.
- 5) The record plat shall reflect dedication of 40 feet from the centerline of Castle Boulevard for a total of 80 feet right-of-way, as required by Fairland Master Plan.
- 6) Prior to issuance of use and occupancy permit, the Applicant shall provide the following sidewalk improvements in the vicinity of the site:
  - a) Replace the substandard four-foot sidewalk with a five-foot concrete sidewalk along Castle Boulevard with a minimum of two-foot setback from the property line with street trees, subject to approval by DPWT.
  - b) Provide level sidewalk across the driveways on Briggs Chaney Road and Castle Boulevard, subject to approval by DPWT.
  - c) Provide a raised pedestrian refuge area across the curb cut from Castle Boulevard.
  - d) Provide lead-in sidewalks along the western side of the Briggs Chaney Road curb cut and from Castle Boulevard.
  - e) Provide one handicapped ramp in each direction at the corner of the Briggs Chaney Road and Castle Boulevard.
- 7) Prior to issuance of a use and occupancy permit for the bank, the Applicant shall:
  - a) Provide for an increased turning radius to 30 feet at the intersection of Briggs Chaney Road and Castle Boulevard as required by Department of Public Works and Transportation.
  - b) Provide one bike rack at the main entrance; and
  - c) Coordinate with Department of Public Works and Transportation and Washington Metropolitan Area Transit Authority for the locations of site access near Ride On and Metro bus stops on Briggs Chaney Road and Castle Boulevard.
- 8) The Applicant shall comply with the conditions of approval of the MCDPS stormwater management approval dated February 13, 2006.
- 9) The applicant shall comply with conditions of MCDPWT letter dated May 25, 2006, unless otherwise amended.
- 10) 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.
- 11) Other necessary easements.

## **SITE DESCRIPTION:**

The property, identified as Parcel 568 (Subject Property), is located at the northeast quadrant of the intersection of Briggs Chaney Road and Automobile Boulevard (Attachment A). The Subject Property contains 0.89 acres and is zoned Commercial Transitional (CT). A dwelling which currently exists on the property will be removed.

## **PROJECT DESCRIPTION:**

This is a preliminary plan application to create one (1) lot for the construction of a 4,100 square foot bank with four (4) drive-thru aisles (Attachment B). Access to the site will be from Briggs Chaney Road and Castle Boulevard. The property contains no environmental features and is exempt from forest conservation. The Subject Property will generate more than 30 vehicular peak hour trips. Therefore a Local Area Traffic Review (LATR) is required.

## **DISCUSSION:**

### **Master Plan Compliance**

The Fairland Master Plan (1997) recommends one-family detached dwellings for the Subject Property, but states that it is appropriate for Commercial Transition (CT) zoning. The plan also states that “transitional, small-scale, non-residential uses such as offices” be considered for the site. The proposed preliminary plan complies with the recommendations adopted in the master plan in that it proposes a convenience commercial drive-thru bank.

### **Transportation**

#### Site Location and Pedestrian/Vehicular Access

The site is located at the northeast corner of Briggs Chaney Road and Castle Boulevard. The site will be provided with “right in and right out only” access points on both Briggs Chaney Road and Castle Boulevard. Five-foot sidewalks with tree panels will be provided on Briggs Chaney Road and Castle Boulevard. Lead-in sidewalks connect internal walkways to external sidewalks on both roadways at the site access points. Internal circulation and ingress and egress points are designed safely for vehicular and pedestrian access. An eight-foot wide shared-used path will be constructed by the County on the south side (opposite side of the proposed bank) of Briggs Chaney Road.

In Staff’s opinion, vehicular and pedestrian access will be safe and sufficient upon implementation of recommended improvements stated for this application.

Roadway Classifications

**Briggs Chaney Road** is classified in the Fairland Master Plan as a four-lane arterial roadway in 120 feet of right-of-way with a five-foot sidewalk on the north side and a shared-used path on the south side.

**Castle Boulevard** is classified in the Fairland Master Plan as a four-lane (in front of the site) industrial roadway in 80 feet of right-of-way with five-foot sidewalks on both sides.

Local Area Transportation Review

A traffic study was submitted to satisfy Local Area Transportation Review (LATR) and to determine the impact of the proposed development on area transportation system. The site is projected to generate 41 and 108 new trips, and 37 and 96 pass-by trips during the typical peak hours of the morning and evening peak periods, respectively. A total of one intersection and both access points were identified for analysis in the traffic study. Site trips were added to the existing and background traffic (trips from approved, but unbuilt developments) to form the total traffic condition. Traffic was assigned to the three effected intersections, and the results show that all intersections will operate within the congestion standard of 1,500 Critical Lane Volume (CLV) for the Fairland/White Oaks Policy Area. The following table shows the results of CLV analysis for these intersections.

**Results of Intersection Capacity Analysis**

Intersection	Congestion Standard	Peak Hour	Existing	Background	Total Future
Briggs Chaney Road and Castle Boulevard*	1,500	Morning	855	746	737
		Evening	1,244*	919*	989*
Castle Boulevard and Site Access	1,500	Morning	344	357	380
		Evening	540	557	666
Briggs Chaney Road and Site Access	1,500	Morning	NA	NA	414
		Evening	NA	NA	476

\*A future planned roadway improvement at the intersection of Briggs Chaney Road and Castle Boulevard will create additional capacity and as a result, the future CLV will be less than the existing condition.

As shown in the previous table, all intersections operate within the congestion standard of 1,500 CLV for this Fairland/White Oak Policy Area and, therefore, the application satisfies the LATR requirements.

### **Community Outreach**

This plan submittal pre-dated new requirements for a pre-submission meeting with neighboring residents, however, written notice was given by the applicant and staff of the plan submittal and the public hearing. As of the date of this report, no citizen correspondence has been received.

### **ANALYSIS**

Staff's review of Preliminary Plan #120060930, Commerce Silver Spring, indicates that the plan conforms to the Fairland Master Plan. The proposed preliminary plan is consistent with the master plan goal to maintain existing commercial uses. Staff also finds that the proposed preliminary plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations as demonstrated in the Data Table (Attachment C), and that public facilities will be adequate to support and service the area of the proposed subdivision. Staff further finds that the size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision.

### **CONCLUSION:**

Staff concludes that Preliminary Plan #120060930, Commerce Bank Silver Spring, conforms to the Fairland Master Plan and meets all necessary requirements of the Subdivision Regulations. The plan was reviewed by all applicable agencies and they have recommended approval (Attachment D). As such, Staff recommends approval of the preliminary plan, subject to the above conditions.

### **ATTACHMENTS:**

Attachment A	Vicinity Map
Attachment B	Preliminary Plan
Attachment C	Data Table
Attachment D	Agency Correspondence

# COMMERCE BANK - SILVER SPRING (120060930)



Map compiled on April 18, 2006 at 11:14 AM | Site located on base sheet no - 218NE03

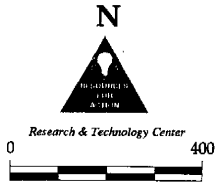
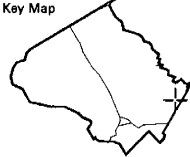
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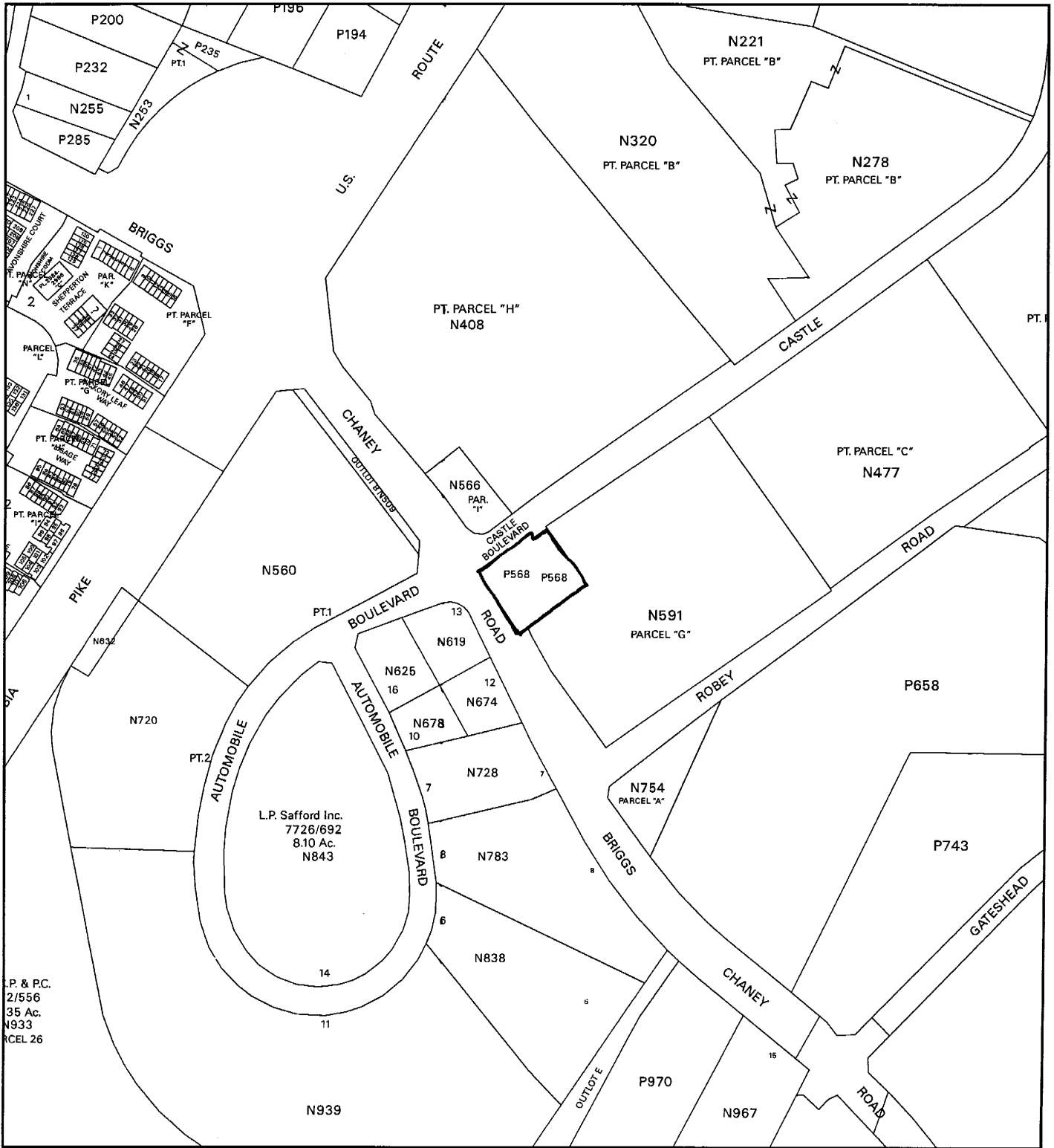
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

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Key Map



# COMMERCE BANK - SILVER SPRING (120060930)



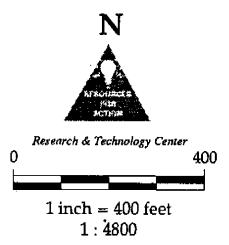
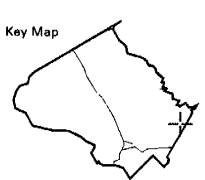
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## NOTICE

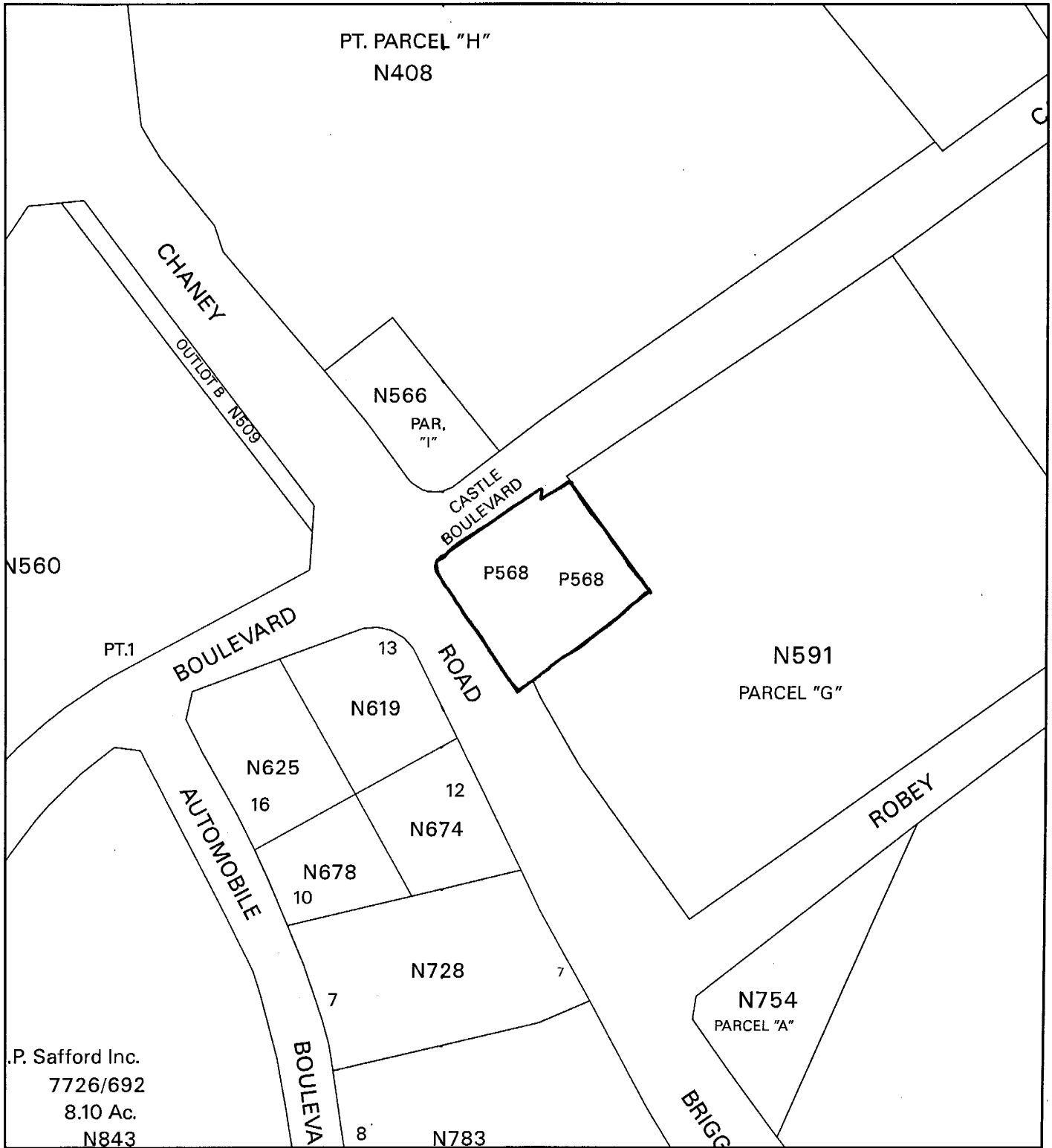
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# COMMERCE BANK - SILVER SPRING (120060930)



Map compiled on April 18, 2006 at 11:42 AM | Site located on base sheet no - 218NE03

## NOTICE

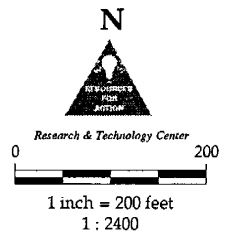
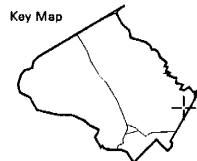
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**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**  
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
 8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

Key Map







## Preliminary Plan Data Table and Checklist

<b>Plan Name: Commerce Bank Silver Spring</b>				
<b>Plan Number: 120060930</b>				
<b>Zoning: CT</b>				
<b># of Lots: 1</b>				
<b># of Outlots: 0</b>				
<b>Dev. Type: one 4,100 square foot bank with four drive-through windows</b>				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	Not Specified	38,667 sq. ft. is minimum proposed	<i>DM</i>	June 16, 2006
Lot Width	Not Specified	N/A	<i>DM</i>	June 16, 2006
Lot Frontage	100 ft.	Must meet minimum	<i>DM</i>	June 16, 2006
Setbacks				
Front	10 ft. Min.	Must meet minimum	<i>DM</i>	June 16, 2006
Side	15 ft. Min.	Must meet minimum	<i>DM</i>	June 16, 2006
Rear	15 ft. Min.	Must meet minimum	<i>DM</i>	June 16, 2006
Height	35 ft. Max.	May not exceed maximum	<i>DM</i>	June 16, 2006
Max Comm'l s.f. per Zoning	.5 FAR	.11 FAR	<i>DM</i>	June 16, 2006
Site Plan Req'd?	Yes	Forthcoming	<i>DM</i>	June 16, 2006
<b>FINDINGS</b>				
<i>SUBDIVISION</i>				
Lot frontage on Public Street	Yes	Yes	<i>DM</i>	June 16, 2006
Road dedication and frontage improvements	Dedication	Yes	DPWT memo	May 25, 2006
Environmental Guidelines	Yes	N/A	Environmental memo	May 11, 2006
Forest Conservation	Yes	Exempt	Environmental memo	May 11, 2006
Master Plan Compliance	Yes	Yes	Community Based Planning	June 14, 2006
Other				
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management	Yes	Yes	DPS memo	February 13, 2006
Water and Sewer (WSSC)	Yes	Yes	WSSC memo	April 24, 2006
Local Area Traffic Review	Yes	Yes	Transportation Planning memo	June 8, 2006
Fire and Rescue	Yes	Yes	DFRS memo	May 16, 2006

AGENCY  
CORRESPONDENCE



DEPARTMENT OF PUBLIC WORKS  
AND TRANSPORTATION

Douglas M. Duncan  
County Executive

Arthur Holmes, Jr.  
Director

May 25, 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 #1-20060930  
Commerce Bank - Silver Spring

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 3/20/06. This plan was reviewed by the Development Review Committee at its meeting on 4/24/06. 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. Show all existing planimetric and topographic details specifically entire paving, storm drainage, driveways adjacent and opposite the site as well as existing rights of way and easements on the preliminary plan.
2. Necessary dedication for Briggs Chaney Road and Castle Boulevard in accordance with the master plan.
3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
4. We did not receive complete analyses of the capacity of the downstream public storm system(s) and the impact of the post-development runoff on the system(s). As a result, we are unable to offer comments on the need for possible improvements to the system(s) by this applicant. Prior to approval of the record plat by the Department of Permitting Services (DPS), the applicant's consultant will need to submit this study, with computations, for review and approval by DPS. 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. If the proposed subdivision drains to an existing closed section street, include spread and inlet efficiency computations in the impact analysis.



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. 1-20060930  
Date May 25, 2006  
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5. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
6. In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision. Sidewalks are to be provided along the site frontage.
7. The parking layout plan will be reviewed by the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, handicap parking spaces and access facilities, and sidewalks. The applicant may wish to contact Ms. Sarah Navid of that Department at (240) 777-6320 to discuss the parking lot design.
8. Curb radii for intersection type driveways should be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site.
9. The parking lot travel lanes are to be designed to allow a WB-50 truck to circulate without crossing the centerline nor the curbline.
10. The applicant needs to submit a truck circulation plan for review by the M-NCPPC and MCDPS. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed dumpsters. The truck circulation pattern and loading position should be designed for counter-clockwise entry and for a left-side backing maneuver. Passenger vehicle travel ways should be separated from the expected truck patterns and storage areas. The applicant may also need to provide documentation of their proposed delivery schedules.
11. Truck loading space requirements to be determined in accordance with the County's "Off-Street Loading Space" policy.
12. On the site plan, delineate the location and dimensions of the proposed truck loading and/or dumpster spaces.
13. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans With Disabilities Act.
14. 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.
15. The owner will be required to furnish this office with a recorded covenant whereby said owner agrees to pay a prorata share for the future construction or reconstruction of Briggs Chaney Road, whether built as a Montgomery County project or by private developer under permit, prior to DPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
16. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.

Ms. Catherine Conlon  
Preliminary Plan No. 1-20060930  
Date May 25, 2006  
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17. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
18. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Traffic Management Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
19. Trees in the County rights of way - species and spacing to be in accordance with the applicable DPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
20. Please coordinate with DPWT division of Transit Services about their requirements and project impacts on their network.
21. Obtain CIP road widening design plans from MCDPWT Division of Capital Development and show improved roadway for Briggs Chaney Road and right-of-way for both Briggs Chaney Road and Castle Boulevard on both sides (Briggs Chaney will be a divided arterial). Contact Jim Lutz, with Construction Section.
22. 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. Construct five (5) foot wide concrete sidewalk along the site frontage.
  - B. Improvements to the existing public storm drainage system, if necessitated by the previously mentioned outstanding storm drain study. If the improvements are to be maintained by Montgomery County, they will need to be designed and constructed in accordance with the DPWT Storm Drain Design Criteria.
  - C. Permanent monuments and property line markers, as required by Section 50-24(c) of the Subdivision Regulations.
  - D. 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.
  - E. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

Ms. Catherine Conlon  
Preliminary Plan No. 1-20060930  
Date May 25, 2006  
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Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at [sam.farhadi@montgomerycountymd.gov](mailto:sam.farhadi@montgomerycountymd.gov) or (240) 777-6000.

Sincerely,



Sam Farhadi, P.E., Senior Planning Specialist  
Development Review Group  
Traffic Engineering and Operations Section  
Division Of Operations

m:/subdivision/farhas01/preliminary plans/ 1-20060930, Commerce Bank - Silver Spring.doc

Enclosures (1)

cc: Jason LaVeglia, Commerce Bank  
Daniel Duke, Bohler Engineering  
Jody Kline, Miller, Miller & Canby  
Joseph Y. Cheung; DPS RWPPR  
Christina Contreras; DPS RWPPR  
Sarah Navid; DPS RWPPR  
Shahriar Etemadi; M-NCPPC TP  
Gregory Leck, DPWT TEOS  
Preliminary Plan Folder  
Preliminary Plans Note Book



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

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Commerce Bank - Silver Springs Preliminary Plan Number: 1- TBD

Street Name: Castle Blvd.

Master Plan Road Classification: Business

Posted Speed Limit: 30 mph

Street/Driveway #1 (Castle Blvd.)

Street/Driveway #2 (Briggs Chaney Road) (Arterial)

Sight Distance (feet) OK?
Right 750' YES
Left 780' YES

Sight Distance (feet) OK?
Right 1,100' YES
Left 680' YES

Comments: View beyond required 200'
Site Distance is 750' to the right
and 780' to the left.

Comments: View beyond the required 200'
is 1,100' to the right of the 600'
to the left.

GUIDELINES

Table with 2 columns: Classification or Posted Speed (use higher value) and Required Sight Distance in Each Direction. Rows include Tertiary (25 mph, 150'), Secondary (30, 200'), Business (30, 200'), Primary (35, 250'), Arterial (40, 325'), Major (50, 400'), and Major (55, 475').

\*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: [Handwritten Signature] Date: 12/23/05

26720
PLS/P.E. MD Reg. No.

Montgomery County Review:
[Checked] Approved
[ ] Disapproved:
By: SF
Date: 5/25/06





**THE MARYLAND-NATIONAL CAPITAL PARK AND  
PLANNING COMMISSION**  
Department of Park & Planning, Montgomery County, Maryland  
8787 Georgia Avenue, Silver Spring, Maryland 20910

**MEMORANDUM**

TO: Cathy Conlon, Supervisor, Development Review  
Calvin Nelson, Development Review

FROM: Mark Pfefferle, Planning Coordinator, Environmental Planning Division

*MP*

DATE: May 11, 2006

SUBJECT: Preliminary Plan 120060930  
Site Plan 820060320  
Commerce Bank – Silver Spring

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The Environmental Planning has reviewed the preliminary plan referenced above. The plan is exempt from Forest Conservation and the site is not subject to a tree save plan. Environmental Planning recommends approval of the preliminary plan of subdivision.

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
DEVELOPMENT REVIEW COMMITTEE RECOMMENDATIONS

TO: Cathy Conlon  
Development Review Division

SUBJECT: Pre-Preliminary Plan # 7-06029  
Name Commerce Bank - Silver Spring  
DRC date: Monday, February 6, 2006  
NRI/FSD 4-06116E approved December 20, 2005

EPD COMMENTS

1. The site is exempt for forest conservation
2. The site does not require a tree save plan
3. Environmental Planning does not object to the submission of a preliminary plan of subdivision.

SIGNATURE:

  
\_\_\_\_\_  
Mark Pfeiffer  
Environmental Planning Division

DATE: January 30, 2006

cc: Bohler Engineering.

**Reminder:** Address your submissions/revisions to the Reviewer who completed the Comments sheet.  
Put the Plan numbers on your cover/transmittal sheets.

**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FOREST CONSERVATION RECOMMENDATIONS**

**TO:** Plan review staff, Environmental Planning, Countywide Planning Division

**SUBJECT:** Project Name Commerce Bank Property, Parcel 568 NRI/FSD # 4-06116E

The above-referenced plan has been reviewed by the Environmental Planning Division to determine the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law). A determination has been made that the plan qualifies for the following exemption:

**EXEMPTION:**

**X** Small Property

**X** Activity occurring on a tract less than or equal to 1.5 acre in size where there is no existing forest and afforestation requirements would be less than 10,000 square feet, and no specimen or champion trees will be disturbed;

Activity occurring on a tract less than or equal to 1 acre in size where activity will not result in the clearing of more than 30,000 square feet of existing forest, or any specimen or champion trees, and reforestation requirements would be less than 10,000 square feet.

**Note: Tree Save Plan, including preservation and/or replanting of individual trees is required in lieu of a FCP where trees are impacted. Forest within any priority area on-site must be preserved.**

**NOTE:** Per section 22A-6(b) of the Forest Conservation Law, Tree Save Plans may be substituted for Forest Conservation Plans on properties where the proposed development is exempt from Forest Conservation except that it involves clearing of specimen or champion trees.

**This property is not subject to a Tree Save Plan.**

**This property is not within a Special Protection Area.**

Signature: Candy Bunnag  
, Environmental Planning

Date: 12/20/05

cc: Shawn Frost, Bohler Engineering (fax: 703-709-9501)

fcpxemption.doc r01/03

Post-It® Fax Note	7671	Date	12/20	# of pages	2
To	Shawn Frost	From	Candy Bunnag		
Co./Dept	Bohler Eng'g's.	Co.	MNCPPC		
Phone #		Phone #	301 495 4583		
Fax #	703-709-9501	Fax #			



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

February 13, 2006

Mr. Daniel M. Duke, P.E.  
Bohler Engineering, P.C.  
22630 Davis Drive, Suite 200  
Sterling, VA 20164

Re: Stormwater Management **CONCEPT** Request  
for Commerce Bank Silver Spring  
Preliminary Plan #: N/A  
SM File #: 222340  
Tract Size/Zone: 1.03 acres / LT  
Total Concept Area: 1.03 acres  
Lots/Block: N/A  
Parcel(s): P568  
Watershed: Little Paint Branch

Dear Mr. Duke:

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 a waiver to the existing Montgomery Auto Park Regional Pond; on-site water quality control via installation of proprietary filtration units with hydrodynamic pretreatment; and onsite recharge via landscaped recharge areas.

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.

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 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,

A handwritten signature in black ink, appearing to read "Richard R. Brush". The signature is fluid and cursive, with a large initial "R" and "B".

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

RRB:dm mce

cc: C. Conlon  
S. Federline  
SM File # 222340

QN -SW; Acres: 1  
QL - ON; Acres: 1  
Recharge is provided

## WSSC Comments

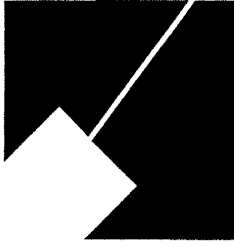
April 24, 2006 Development Review Committee Meeting

### 9. 120060930 COMMERCE BANK – SILVER SPRING

820060320

**Water and sewer connections required (as was done on the preliminary plan)– show existing and proposed on plan. WSSC on-site process may be required depending on required connection sizes. Follow WSSC procedures for any abandonment and fixture counts. See WSSC Relocations unit for work in vicinity of existing main.**

**Unless otherwise noted, all extensions require Requests for Hydraulic Planning Analysis and need to follow the System Expansion Permit (SEP) Process. Contact WSSC's Development Services Center (301-206-8650) or visit the Development Services on WSSC's web-site ([www.wsscwater.com](http://www.wsscwater.com)) for information on requesting a Hydraulic Planning Analysis and additional requirements for extensions. Contact WSSC's Permit Services (301-206-4003) for information on service connections and on-site system reviews.**



June 8, 2006

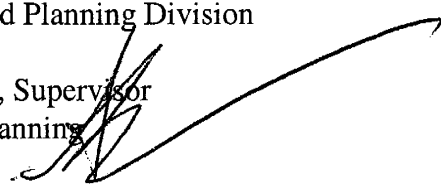
**MEMORANDUM**

TO: Delores Kinney, Planner/Coordinator  
Development Review Division

Calvin Nelson, Planner/Coordinator  
Community-Based Planning Division

FROM: Shahriar Etemadi, Supervisor  
Transportation Planning

SUBJECT: Preliminary Plan No. 120060930 and Project Plan # 820060320  
Commerce Bank Silver Spring



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This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject preliminary plan.

**RECOMMENDATIONS**

To support the approval of this application for preliminary plan, Transportation Planning staff recommends the following conditions as part of the APF test for transportation requirements related to approval of this application:

1. Limit the preliminary plan to 4,100 Square feet of bank with a maximum four drive-through banking lanes.
2. Show clearly on the plan the dedication of 60 feet of right-of-way from the centerline or 120 feet from the opposite right-of-way line for Briggs Chaney Road required by Fairland Master Plan.
3. Dedicate 40 feet from the centerline of Castle Boulevard for a total of 80 feet right-of-way as required by Fairland Master Plan.

4. Provide the following sidewalk improvements in the vicinity of the site:
  - A. Replace the substandard four-foot sidewalk with a five-foot concrete sidewalk along Castle Boulevard with a minimum of two feet setback from the property line with street trees, subject to approval by DPWT.
  - B. Provide level sidewalk across the driveways on Briggs Chaney Road and Castle Boulevard, subject to approval by Department of Public Works and Transportation (DPWT).
  - C. Provide a raised pedestrian refuge area across the curb cut from Castle Boulevard.
  - D. Provide lead-in sidewalks along the western side of the Briggs Chaney Road curb cut and from Castle Boulevard.
  - E. Provide one handicapped ramp in each direction at the corner of the Briggs Chaney Road and Castle Boulevard.
5. Provide for an increased turning radius to 30 feet at the intersection of Briggs Chaney Road and Castle Boulevard required by DPWT, subject to approval by DPWT.
6. Provide one bike rack at the main entrance.
7. Coordinate with Department of Public Works and Transportation and Washington Metropolitan Area Transit Authority for the locations of site access near Ride On and Metro bus stops on Briggs Chaney Road and Castle Boulevard.
8. Satisfy all requirements of Department of Public Works and Transportation, and State Highway Administration.
9. All improvements referenced above must be complete prior to issuance of use and occupancy permits.

## **DISCUSSION**

### Site Location and Pedestrian/Vehicular Access

The site is located at the northeast corner of Briggs Chaney Road and Castle Boulevard. The site will be provided with “right in and right out only” access points on both Briggs Chaney Road and Castle Boulevard. Lead-in sidewalks connect internal walkways to external sidewalks on both roadways at the site access points. Internal circulation, ingress and egress points are designed safely for vehicular and pedestrian access. An eight-foot shared-used path will be constructed on the south side (opposite side of the proposed bank) of Briggs Chaney Road.



Staff believes vehicular and pedestrian access will be safe and sufficient upon implementation of recommended improvements stated for this application.

Roadway Classifications

**Briggs Chaney Road** is classified in the Fairland Master Plan as a four-lane arterial roadway with 120 feet of right-of-way with a five-foot sidewalk on the north side and a shared-used path on the south side.

**Castle Boulevard** is classified in the Fairland Master Plan as a four-lane (in front of the site) industrial roadway with 80 feet of right-of-way and five-foot sidewalks on both sides.

Local Area Transportation Review

A traffic study was submitted to satisfy Local Area Transportation Review (LATR) and to determine the impact of the proposed development on area transportation system. The site is projected to generate 41 and 108 new trips and 37 and 96 Pass-by trips during the typical peak hours of the morning and evening peak periods respectively. Total of one intersection and both access points were identified for analysis in the traffic study. Site trips were added to the existing and background traffic (trips from approved but unbuilt developments) to form the total traffic condition. Traffic was assigned to the three effected intersections and the result shows that all intersections will operate within the congestion standard of 1,500 Critical Lane Volume (CLV) for the Fairland/White Oaks Policy Area. The following table shows the result of CLV analysis for these intersections.

**Results of Intersection Capacity Analysis**

Intersection	Congestion Standard	Peak Hour	Existing	Background	Total Future
Briggs Chaney Road and Castle Boulevard*	1,500	Morning	855	746	737
		Evening	1,244*	919*	989*
Castle Boulevard and Site Access	1,500	Morning	344	357	380
		Evening	540	557	666
Briggs Chaney Road and Site Access	1,500	Morning	NA	NA	414
		Evening	NA	NA	476

\*A planned roadway improvement currently under construction for the intersection of Briggs Chaney Road and Castle Boulevard will create additional capacity and as the result the future CLV will be less than existing condition.

As shown in the previous table, all intersections operate within the congestion standard of 1,500 CLV for this Fairland/White Oak Policy Area and therefore, the application satisfies the LATR requirements.

SE:gw

mmo to Kinney re Commercebank SS



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## FIRE MARSHAL COMMENTS

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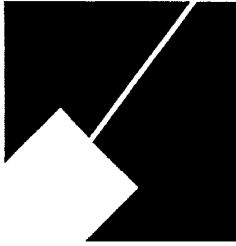
**DATE:** 5-16-06  
**TO:** PLANNING BOARD, MONTGOMERY COUNTY  
**VIA:**  
**FROM:** CAPTAIN JOHN FEISSNER 240 777 2436  
**RE:** APPROVAL OF ~ *COMMERCE BANK SILVER SPRING #8-20060930*

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**1. PLAN APPROVED.**

- a. Review based only upon information contained on the plan submitted 5-16-06. 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.

cc: Department of Permitting Services



June 14, 2006

**MEMORANDUM****TO:** Dolores Kinney, Development Review Division**FROM:** Calvin Nelson, Jr., Community-Based Planning Division **SUBJECT:** Commerce Bank – Silver Spring #120060930

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The subject site is situated in the Briggs Chaney area of Fairland, opposite the Montgomery Auto Sales Park and the Briggs Chaney Plaza Shopping Center.

The Approved and Adopted Fairland Master Plan, dated 1997 (pages 44, 63-65), recommends that the subject single-family home site (designated as Area 36) located at the intersection of Briggs Chaney Road and Castle Boulevard is appropriate for CT, Commercial Transition Zone. The Plan also states that “transitional, small-scale, non-residential uses such as offices” be considered for the site.

The site was rezoned to CT, Commercial Transition Zone by Sectional Map Amendment G-747 on July 8, 1997.



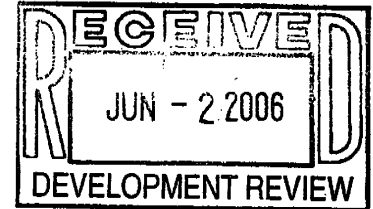
DEPARTMENT OF PUBLIC WORKS  
AND TRANSPORTATION

Douglas M. Duncan  
*County Executive*

Arthur Holmes, Jr.  
*Director*

May 25, 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 #1-20060930  
Commerce Bank -- Silver Spring

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 3/20/06. This plan was reviewed by the Development Review Committee at its meeting on 4/24/06. 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. Show all existing planimetric and topographic details specifically entire paving, storm drainage, driveways adjacent and opposite the site as well as existing rights of way and easements on the preliminary plan.
2. Necessary dedication for Briggs Chaney Road and Castle Boulevard in accordance with the master plan.
3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
4. We did not receive complete analyses of the capacity of the downstream public storm system(s) and the impact of the post-development runoff on the system(s). As a result, we are unable to offer comments on the need for possible improvements to the system(s) by this applicant. Prior to approval of the record plat by the Department of Permitting Services (DPS), the applicant's consultant will need to submit this study, with computations, for review and approval by DPS. 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. If the proposed subdivision drains to an existing closed section street, include spread and inlet efficiency computations in the impact analysis.



Division of Operations

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

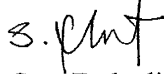
5. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
6. In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision. Sidewalks are to be provided along the site frontage.
7. The parking layout plan will be reviewed by the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, handicap parking spaces and access facilities, and sidewalks. The applicant may wish to contact Ms. Sarah Navid of that Department at (240) 777-6320 to discuss the parking lot design.
8. Curb radii for intersection type driveways should be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site.
9. The parking lot travel lanes are to be designed to allow a WB-50 truck to circulate without crossing the centerline nor the curblines.
10. The applicant needs to submit a truck circulation plan for review by the M-NCPPC and MCDPS. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed dumpsters. The truck circulation pattern and loading position should be designed for counter-clockwise entry and for a left-side backing maneuver. Passenger vehicle travel ways should be separated from the expected truck patterns and storage areas. The applicant may also need to provide documentation of their proposed delivery schedules.
11. Truck loading space requirements to be determined in accordance with the County's "Off-Street Loading Space" policy.
12. On the site plan, delineate the location and dimensions of the proposed truck loading and/or dumpster spaces.
13. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans With Disabilities Act.
14. 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.
15. The owner will be required to furnish this office with a recorded covenant whereby said owner agrees to pay a prorata share for the future construction or reconstruction of Briggs Chaney Road, whether built as a Montgomery County project or by private developer under permit, prior to DPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
16. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.

17. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
18. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Traffic Management Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
19. Trees in the County rights of way - species and spacing to be in accordance with the applicable DPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
20. Please coordinate with DPWT division of Transit Services about their requirements and project impacts on their network.
21. Obtain CIP road widening design plans from MCDPWT Division of Capital Development and show improved roadway for Briggs Chaney Road and right-of-way for both Briggs Chaney Road and Castle Boulevard on both sides (Briggs Chaney will be a divided arterial). Contact Jim Lutz, with Construction Section.
22. 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. Construct five (5) foot wide concrete sidewalk along the site frontage.
  - B. Improvements to the existing public storm drainage system, if necessitated by the previously mentioned outstanding storm drain study. If the improvements are to be maintained by Montgomery County, they will need to be designed and constructed in accordance with the DPWT Storm Drain Design Criteria.
  - C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
  - D. 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.
  - E. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

Ms. Catherine Conlon  
Preliminary Plan No. 1-20060930  
Date May 25, 2006  
Page 4

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

Sincerely,



Sam Farhadi, P.E., Senior Planning Specialist  
Development Review Group  
Traffic Engineering and Operations Section  
Division Of Operations

m:/subdivision/farhas01/preliminary plans/ 1-20060930, Commerce Bank -- Silver Spring.doc

Enclosures (1)

cc: Jason LaVeglia, Commerce Bank  
Daniel Duke, Bohler Engineering  
Jody Kline, Miller, Miller & Canby  
Joseph Y. Cheung; DPS RWPPR  
Christina Contreras; DPS RWPPR  
Sarah Navid; DPS RWPPR  
Shahriar Etemadi; M-NCPPC TP  
Gregory Leck, DPWT TEOS  
Preliminary Plan Folder  
Preliminary Plans Note Book





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

**SIGHT DISTANCE EVALUATION**

Facility/Subdivision Name: Commerce Bank -Silver Springs Preliminary Plan Number: 1- TBD

Street Name: Castle Blvd. Master Plan Road Classification: Business

Posted Speed Limit: 30 mph

Street/Driveway #1 (Castle Blvd.) Street/Driveway #2 (Briggs Chaney Road) ( Arterial )

Sight Distance (feet)      OK?  
 Right 750'                      YES  
 Left 780'                         YES

Sight Distance (feet)      OK?  
 Right 1,100'                    YES  
 Left 680'                         YES

Comments: View beyond required 200'  
Site Distance is 750' to the right  
and 780' to the left.

Comments: View beyond the required 200'  
is 1,100' to the right of the 600'  
to the left.

**GUIDELINES**

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*	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)
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

**ENGINEER/ SURVEYOR CERTIFICATE**

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

[Signature]                      12/23/05  
 Signature                                      Date

26720  
 PLS/P.E. MD Reg. No.

Montgomery County Review:	
<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved:
By:	<u>SF</u>
Date:	<u>5/25/06</u>