



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

MCPB
Item #
2/8/07

January 25, 2007

MEMORANDUM

TO: Montgomery County Planning Board

VIA: John A. Carter, Chief *JAC*
Community-Based Planning Division

FROM: Sue Edwards, Team Leader, I-270 Corridor *SUE*
Community-Based Planning Division (301-495-4518)

N'kosi Yearwood, Senior Planner *N.Y.*
Community-Based Planning Division

SUBJECT: Mandatory Referral No. 07302-DPWT-1: Temporary Day Laborer Center on County-owned Property, 16500 Crabbs Branch Way, TOMX-2/TDR Zone, Shady Grove Sector Plan

STAFF RECOMMENDATION: **APPROVE** transmittal of the following comments to the Department of Public Works and Transportation (DPWT):

1. Participate in the Greater Shady Grove Transportation Management Program when established and enter into a traffic mitigation agreement.
2. Provide the Shady Grove Implementation Advisory Committee with quarterly updates on progress towards finding a permanent day laborer-site.
3. Coordinate with DPWT Transit Services to redirect buses from I-370 to Shady Grove Road to better serve the new center. An alternative is to provide shuttle bus service from Gaithersburg to the new center.
4. Mark the crosswalk area along Crabbs Branch Road where the existing sidewalk crosses driveway(s) of the County-owned property.
5. Install traffic control signs along the Montgomery County Food Service access road prohibiting standing or parking except in areas designated for the day laborer center.
6. Install multi-language directional signs along Shady Grove Road, Crabbs Branch Way, Redland Road and Frederick Road (MD 355) to identify the location of the center.
7. Provide a status report to the Planning Board summarizing site operations, including observed weekday peak period traffic volumes after the temporary day laborer center has been in operation for at least one month.

PROJECT SUMMARY

The Montgomery County Executive proposes to install two temporary office trailers on property owned and controlled by Montgomery County for use as a temporary day laborer center. The proposed site at 16500 Crabbs Branch Way, Rockville, is used as a recycling area for the County's highway services depot operated by the Department of Public Works and Transportation (DPWT). CASA de Maryland, Inc. (CASA) will operate and provide programming of the day laborer center as described in the Project Description section of this staff report.

The proposed day laborer center is intended to address a growing problem in the upcounty area of Montgomery County where immigrant workers are waiting on street corners for day jobs. The Urban Institute estimates that 42 percent of the working poor are employed in non-standard arrangements such as temporary, day labor, and independent contractor positions ("Immigrant Families and Workers: Facts and Perspectives", the Urban Institute, October 2003).

These workers seek a safe place to wait to be hired for temporary low-skilled jobs. In CASA's experience, the oversupply of this low-skill labor force conducted under informal labor market conditions created a situation where workers were vulnerable to exploitation by employers, the police, and general crime in the area.

The Gaithersburg Day Laborer Task Force Report dated April 10, 2006, stated that an informal survey of workers gathered at the informal day laborer site in Gaithersburg indicated that of 55 workers available between 6:30 a.m. and 7:15 a.m. in January 2006, 49 lived in the City of Gaithersburg, three lived in Germantown, and three lived in Montgomery Village (page 7). The Gaithersburg locations were identified as North Summit Avenue area, West Deer Park and Londonderry (page 6).

CASA's first center for Employment and Training opened in 1993 at 734 East University Boulevard, Silver Spring, in response to the growing crisis in Montgomery County. This center started in a temporary trailer in 1991. The Silver Spring center, located on a 1.3-acre County-owned parcel is self-contained with parking and circulation within the fenced property. The center serves a large number of immigrant day laborers every year. Services offered at the center include basic employment activities as well as a wide array of educational, legal, health and leadership development opportunities.

CASA opened a second center at the intersection of Viers Mill Road and University Boulevard in Wheaton in September 2005. This center occupies two retail storefronts on the ground floor of a former hotel now operating as transitional housing. There is some parking on-site, and additional parking is located across University Boulevard at Westfield's Wheaton Shoppingtown Regional Mall. To date, the center has placed 219 workers in permanent jobs and secured over 5,500 temporary and day jobs.

PROJECT BACKGROUND

For several years, day laborers used the Spanish Catholic Center at 117 North Frederick Avenue, as a gathering location to find temporary employment. The center provided immigration counseling, health care services and employment assistance. It closed in 2003. Day laborers continued to gather at this location, including the property owned by Grace United Methodist Church at 119 North Frederick Avenue.

During 2004, Gaithersburg City and Montgomery County police received numerous complaints from business owners and residents regarding littering, public urination, and drinking from day laborers.

The City of Gaithersburg reviewed more than 25 public and private sites within the City limits to find a permanent location for day laborers. The City considered the former Craven Tire and Auto building, a small strip shopping center at 615 South Frederick Avenue, and a vacant site at 17 North Frederick Avenue.

After working for two years with an ad hoc group and a task force to seek a resolution to the matter, the City was unable to find a site to locate a day laborer center within the City limits. Many Gaithersburg residents and business owners opposed the proposed day labor center.

The Montgomery County Council approved a budget in FY 06 to lease a facility and pay CASA de Maryland to manage the facility.

PROJECT DESCRIPTION

Neighborhood Context – The site consists of a portion of a 90+ acre parcel owned by Montgomery County, Maryland (see Existing Conditions photos). Boundaries of this parcel are Shady Grove Road to the north, the I-370 access road to the Shady Grove Metro Station to the east, the WMATA property to the south, and the CSX/Metro rail lines to the west. Approximately 4,000 linear feet of Crabbs Branch Way bisects the County-owned parcel (see Vicinity Network Map).

The entire property is used for various County public service uses including the County's highway maintenance functions. Public service uses immediately adjacent to the proposed day laborer center include: Department of Liquor Control warehouse and distribution facility, the Montgomery County Public Schools (MCPS) Food Service facility, and the County's Equipment Maintenance and Operations Center (EMOC) on the west side of Crabbs Branch Way. On the opposite side of Crabbs Branch, MCPS locates school buses and maintains its fleet. The M-NCPPC Central Maintenance facility is in the general vicinity of the proposed day laborer center (see County Service Park Uses).

Other features of the area include Shady Grove Road to the north of the proposed site; The Grove Shopping Center approximately ¼ mile to the north of the subject site, and the eastern entrance to the Shady Grove Metro Station to the south. The nearest residential area (Park Overlook/Mallard Cove) is approximately 2,000 feet from the subject site and separated by six lanes of the Metro access roadway with concrete barriers (see Residential Communities).

Project Description – The proposed temporary day laborer center consists of the installation of two 24 x 30 foot construction trailers in a double-wide configuration with temporary steel tie-downs in the northeast corner adjacent to Crabbs Branch Way and the driveway used by the MCPS Food Service vehicles. A temporary driveway, queuing and parking area will be constructed of stone on the DPWT property. Lavatories within the trailers will be closed and barricaded; three portable sanitary stalls (commonly known as porta-johns) will be maintained on the site. Temporary security lighting and fencing will be erected. Outdoor picnic tables and trash receptacles will be provided. The County or CASA de Maryland will erect directional signage as needed at major roadways. DPWT will install traffic control signage such as No Standing or No Parking as needed (see Site Plan and detailed sections).

Site preparation includes: reconfiguration of the highway recycling operations and removal of storage bins to accommodate the temporary office trailers; removing accumulated surface materials and level the portion of the site used for the trailers; and creating a short term driveway cut and parking area.

Permit applications have been or will be submitted for:

- Building permit for the temporary trailers
- Electrical service
- Sedimentation and erosion control

The proposed center will operate from 6:00 a.m. to 2:00 p.m. Monday-Saturday. The County estimates that between 40-60 workers will use the facility daily, as taken from other day laborer sites including the informal site in Gaithersburg. Approximately 5-10 contractor vehicles are expected to come to the center seeking workers. Contractors will park on the site, register the need and skills sought for the workers, and agree to pay the workers.

Other operations conducted by the proposed day laborer center include:

- Community organizing, leadership development, and center management
- Employment services and employment placement
- Worker identification cards
- Legal services for employment rights
- English classes including CASA's own English in the Lives of Day Laborers curriculum
- Technical assistance, workshops, and consultation for workers interested in forming small businesses or minority-owned or cooperatively-owned businesses.

Subject Site – The overall 90+ acre site owned by Montgomery County is nearly rectangular in shape. Combined acreage of the DPWT and Food Service properties is approximately 30 acres. There are no environmental features or vegetation on-site. Access to the proposed center will be off Crabbs Branch Way via a 40-foot wide driveway shared with the MCPS Food Service facility.

A natural gas pipeline runs the length of the eastern edge of the property, and a subsurface electrical service supplies the County's refueling station on the overall site.

ANALYSIS

Master Plan Conformance – The proposed temporary day laborer center conforms to the recommendations in the Shady Grove Sector Plan adopted and approved in 2006. The center is temporary and it will not prevent implementing the Sector Plan's recommendation to relocate the facilities in the County Service Park. The Sector Plan references this area as Metro North (see Density Distribution map), which includes the DPWT and Food Service properties. The Sector Plan recommends:

- Relocating the Department of Public Works and Transportation (DPWT) Equipment Maintenance Operations Center (EMOC), MCPS food service facilities and Department of Liquor Control's facility to more appropriate locations.
- Rezoning the site from I-1 to the proposed TOMX-2/TDR Zone.
- To accommodate housing options between Casey 6, Casey 7, Metro-North-CSP and Jeremiah Park, allow up to 615 base density units on Metro North-CSP that can be increased to 960 base density units if jointly developed with Casey 6 and Casey 7. This base density can be increased by workforce housing, TDRs and MPDU bonus density up to 1,540 units...(Page 39; Resolution 15-1283 pages 11-12.)

The Sector Plan also makes the following recommendations about Crabbs Branch Way:

- Providing live-work residential units along Crabbs Branch Way.
- Limiting building heights to eight stories closest to the Metro and stepping down to four stories along Crabbs Branch Way for a compatible transition to existing single-family neighborhoods to the east. Office development along Shady Grove Road may not exceed five stories. Parking garages adjacent to the CSX track may exceed the four-story height limit.
- Allowing Crabbs Branch Way to be developed as a one-way couplet with street parking, short blocks and clearly identified pedestrian crossing (Resolution 15-1283, page 12).

In addition to land use recommendations, The Shady Grove Sector Plan establishes rigorous staging triggers for various stages of development. For Stage 1, the triggers include the County Council adoption of zoning text amendments and establishing a Transportation Management District (TMD) that covers the Sector Plan area except for areas of single-family residential development. The Plan allows for:

....development to proceed prior to establishment of a TMD, but only under the proviso that the owner/tenants of every development ultimately within the boundary of the TMD must participate in its required activities including the preparation of a traffic mitigation plan, the participation the annual commuter survey, and the payment of any annual fees as if it were new development once the TMD is established" (Resolution, page 36).

The staging scenario for the relocation of the County Service Park is intended to allow for the level of development recommended for the CSP within Stage 1...unless the Executive branch determines that a land exchange is not feasible or fails to enter into an agreement with a private developer to relocate the CSP within two years of the adoption of the Plan (Resolution, page 36).

The proposed day laborer center, as a temporary use on County-owned property within the CSP, conforms with the Sector Plan recommendations for the property in the event the “Executive branch determines that a land exchange is not feasible or fails to enter into an agreement with a private developer to relocate the CSP within two years of adoption of the Plan” (January 2008).

Site selection for a permanent day laborer center should conform with the vision established in the 2006 Shady Grove Sector Plan and include consultation with affected communities before a site is finalized. A permanent day laborer center on publicly owned property will require a new Mandatory Referral review.

Conformance with Development Standards – The proposed development conforms to the standards in the TOMX-2/TDR Zone. The TOMX-2/TDR Zone was applied to the property by Sectional Map Amendment in September 2006. The intent of the TOMX-2/TDR Zone is to provide mixed-use, transit and pedestrian-oriented centers that include housing, commercial, biotechnical, and research and development uses. The TOMX-2/TDR Zone provides incentives to redevelop transit areas (Montgomery County Zoning Ordinance section 59-C-13.2).

Two methods of development are available in this zoning category:

- Standard Method of Development
- Optional Method of Development

The Standard Method requires compliance with a specific set of development standards and permits a range of uses and density compatible with these standards. Publicly owned or publicly operated uses are permitted in either the Standard Method or Optional Method of Development.

Development Standards – TOMX-2/TDR Zone under Standard Method of Development		
<i>Development Standard</i>	<i>Required</i>	<i>Provided</i>
Lot size	No minimum	30+ acres
Maximum Building Coverage (percentage of net lot area)	75	10
Minimum Public Use Space (percentage of net lot area)	10	NA
Maximum Density of Development	FAR 0.5	<FAR 0.1
Maximum Building Heights	50 feet	<15 feet
Minimum Setbacks:		
From an adjacent TOMX Zone	15 feet	30 feet
From an adjacent commercial or industrial zone	20 feet	NA
From an adjacent single family residential zone	25 feet	NA
From a public right of way	10 feet	30 feet

The temporary office trailers will be sited in such a manner as to conform to the development standards under the Standard Method of Development of the TOMX-2/TDR Zone.

Transportation and Access — The following paragraphs summarize the analysis of transportation and access:

- **Circulation** – DPWT has developed a site circulation plan (see Circulation Plan) that depicts on-site vehicular circulation. Vehicles will enter the shared driveway from either direction of Crabbs Branch Way using the driveway for approximately 250 feet before entering the temporary parking area for the center. After completing the paperwork for hiring workers, the vehicles will turn right onto the shared driveway and exit the County property.
- **Parking** – Approximately 10 short term parking spaces will be provided within the area designated for the temporary day laborer center. These spaces will be used by contractors seeking workers from the center. CASA employees and visitors will be directed to park in the parking area of the Department of Liquor Control as shown on the Site Circulation Diagram.
- **Bicycle/Pedestrian Access** – Laborers will generally arrive to the site by walking, drop off by vehicle or public transportation (bus). The experience of the informal laborer gathering in Gaithersburg supports the notion that few, if any, laborers will come to the center from the south. For those workers arriving by public transportation, most arrivals are expected to come from the north (e.g. Shady Grove Road). Sidewalks are in place along Shady Grove Road and Crabbs Branch Way for safe pedestrian access. DPWT will stripe new crosswalks to mark the pedestrian area of the access driveway.
- **Bus Service** – The nearest bus shelters are approximately 700 feet to the north on both sides of Shady Grove Road at the intersection of Crabbs Branch Way. Ride-On routes #43 and 61 provide connection on Shady Grove Road to Crabbs Branch Way. However, the Ride-On routes 43 and 61 do not provide direct service to the Gaithersburg's MD 355/Frederick Avenue corridor where many of the day laborers live. To travel to and from the Frederick Avenue corridor, bus riders must transfer to another bus or walk between .75 and one mile to other bus stops located at the intersection of Crabbs Branch Way and MD 355/Frederick Avenue or that terminate at the Shady Grove Metrorail Station.
- **Vehicular Traffic** – Limited information is available on the characteristics of the traffic generated from contractors seeking workers from the temporary day laborer center. DPWT estimates that the facility would be used by 40-60 workers on a daily basis. These workers are likely to arrive by walking or using public transportation. Based on the experience of the two downcounty centers, up to 10 cars per day in the peak period (or 20 trips when counted as entering and departing) are expected to arrive to transport laborers to work sites. In such a scenario, the day laborer center may not generate 30 peak hour vehicle trips

which would be the threshold for an formal Local Area Transportation Review (LATR) study if the site were a stand-alone use. DPWT is collecting information on the observed driveway counts within the County Service Park.

Staff recommends further review of the access and circulation issues after the center has been operational for several weeks. The current utilization could be then confirmed by field estimates. Any operational modifications then could be made by using actual experience. The information compiled on usage of the temporary center could be used to inform selection of a permanent location for the day laborer center.

Landscaping and Lighting – The site is a County-owned industrial property with limited vegetation or landscaping on site. The use is temporary in duration and will not require disturbing vegetation or landscaping. The County will install a 25-foot pole with three 400-watt floodlights to provide security for the site. The floodlights will be positioned to avoid glare on the public right of way.

Environmental Guidelines – This project is in compliance with the Environmental Guidelines. There are no forests, streams, wetlands, floodplains, or environmental buffers within the project area.

- **Forest Conservation Law Compliance** – The proposed project qualifies for a forest conservation exemption under section 22A-5(t) "Modification to an Existing Developed Property". The forest conservation exemption request, 4-07176E, was confirmed on 1/25/07.
- **Leadership in Energy and Environmental Design** – The project applicant states that due to the temporary nature of this use, DPWT does not intend to seek Leadership in Energy and Environmental Design (LEED) certification.

COMMUNITY OUTREACH

On January 19, 2007, staff mailed notices to approximately 70 representatives of community organizations and neighbors identified during the preparation of the Shady Grove Sector Plan. Prior to the Mandatory Referral submittal, the project had received considerable public attention. As the Planning Board hearing date was announced, a number of speakers signed up to testify.

Staff has placed copies of the Mandatory Referral application at the following locations:

- M-NCPPC Headquarters, 8787 Georgia Avenue, Silver Spring - Beginning January 19, 2007 from 8:00 a.m. - 4:30 p.m.
- M-NCPPC Building A, 16641 Crabbs Branch Way, Rockville - Beginning January 19, 2007 from 7:00 a.m. - 3:00 p.m.
- Upcounty Regional Services Center, 12900 Middlebrook Road, Germantown - Beginning January 22, 2007 from 9:00 a.m. - 5:00 p.m.
- Gaithersburg Library, 18330 Montgomery Village Avenue, Gaithersburg - Beginning January 20, 2007 during library hours.

Staff compiled the e-mail messages and other inquiries received prior to January 26, 2007 to be included in this staff report. All other letters and messages will be distributed to the Planning Board prior to the hearing.

CONCLUSION

The staff recommends approval of the day laborer center with comments as described at the beginning of this staff report.

The land use that is proposed by the Department of Public Works and Transportation is temporary in nature and will be placed on land within a large property owned and operated by Montgomery County. Publicly owned and operated uses are allowed in the TOMX-2/TDR Zone. The proposed use is temporary in nature and will not impede implementing the Shady Grove Sector Plan vision for a vibrant mixed-use community, in the event that the County Service Park is relocated.

Workers and those seeking employees will have safe access to the site for the temporary day laborer center. Bus stops along Shady Grove Road will allow workers to use transit to come to the center; sidewalks are provided from Shady Grove Road to the site. Staff recommends directional signage and other considerations to improve use of the center.

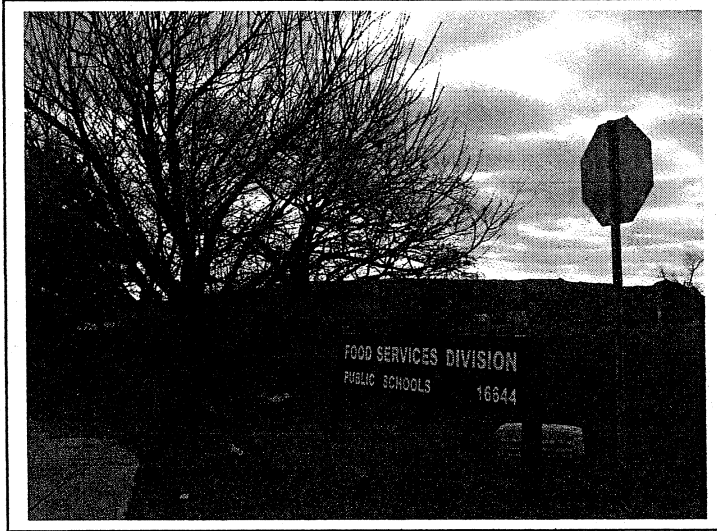
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Attachments

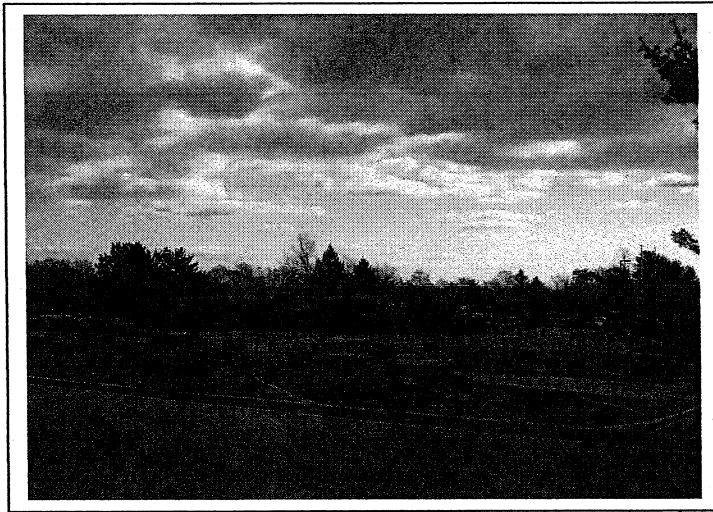
1. Existing Conditions at Proposed Day Laborer Center
2. Vicinity Network Map
3. County Service Park Location of Facilities
4. Residential Communities
5. Shady Grove Day Laborer Site
6. Site Plan Detail
7. Density Distribution Map
8. Circulation Plan
9. Memorandum from Transportation Planning
10. Correspondence

ATTACHMENT 1

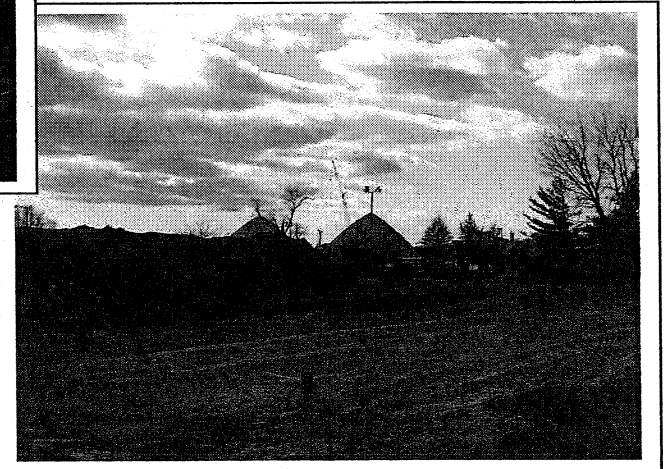
Existing Conditions at Proposed Day Laborer Center

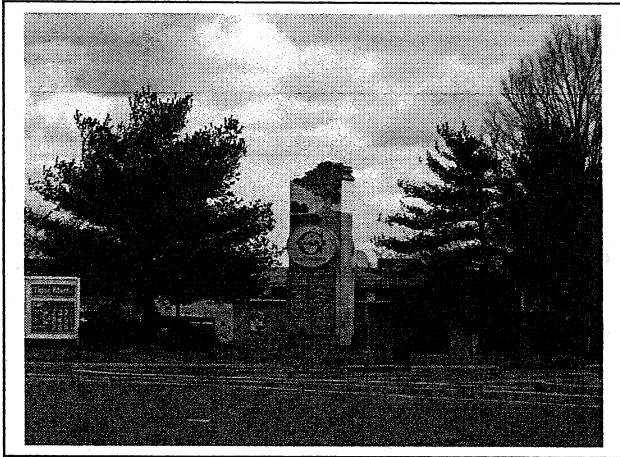


Entrance to proposed day laborer site

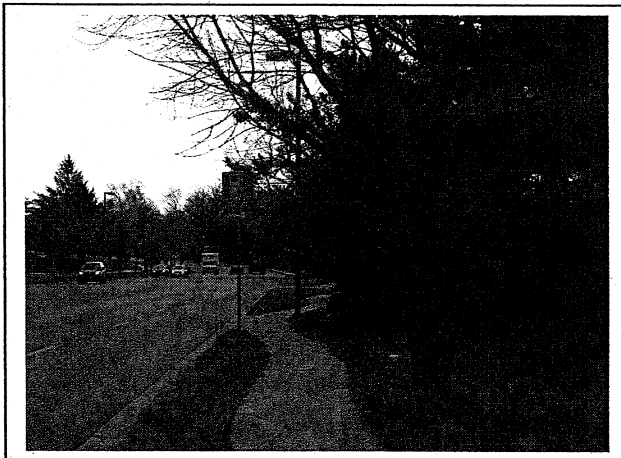


Proposed location for trailers





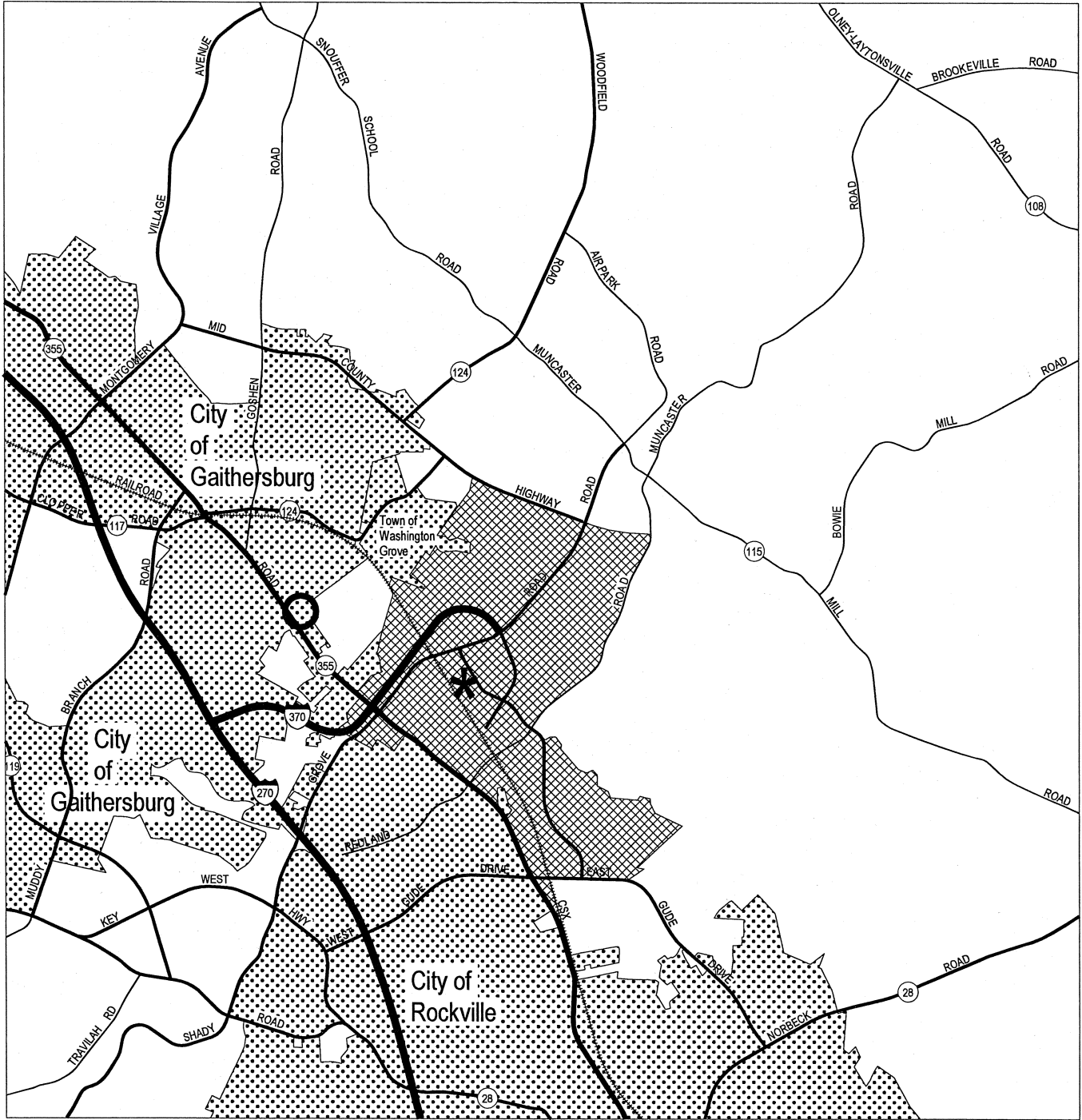
Existing Ride On Bus Stops at Crabbs Branch Way and Shady Grove Road











Crabbs Branch Way

ATTACHMENT 2

Vicinity Network

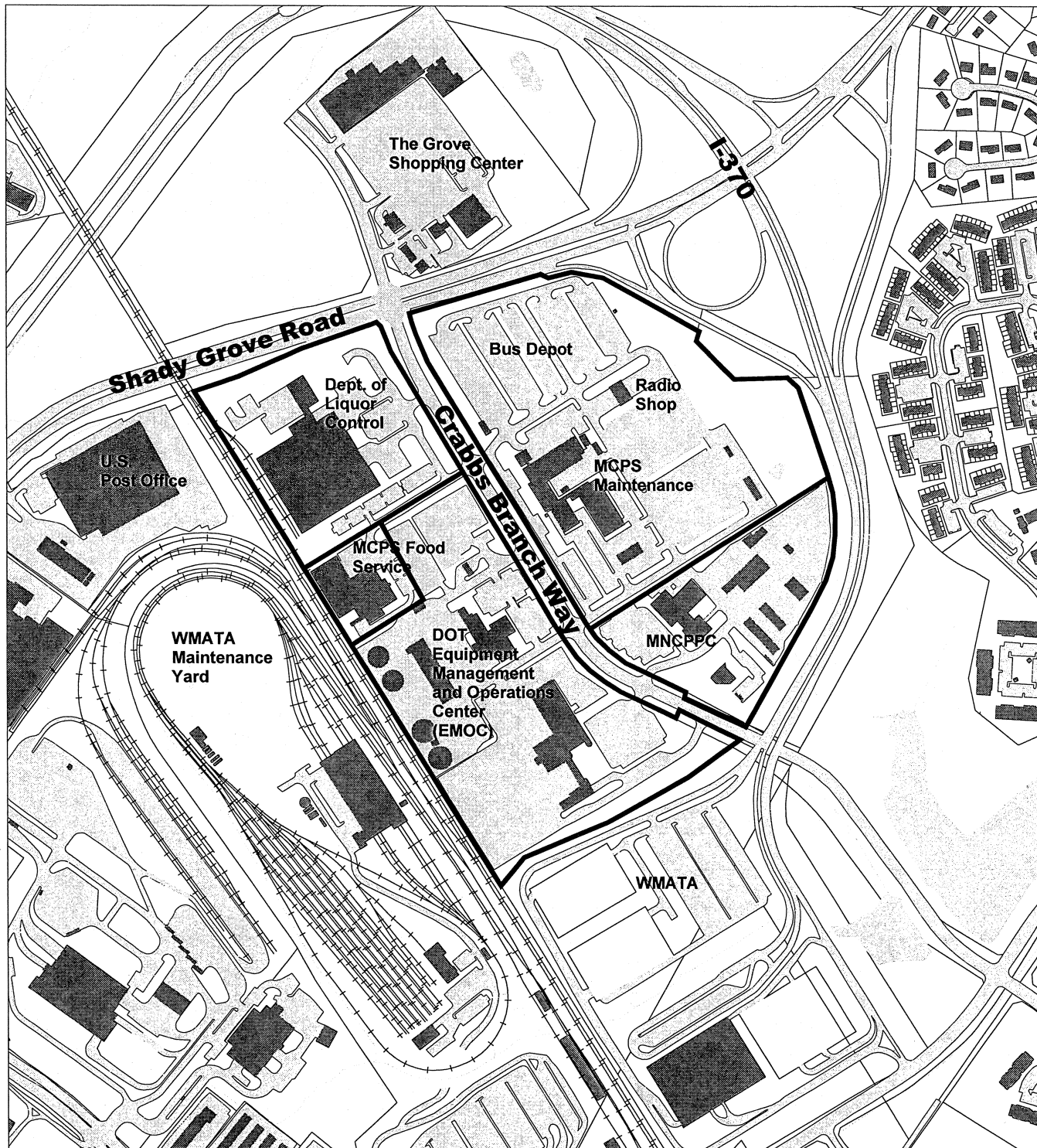


-  Municipalities (City of Gaithersburg, City of Rockville, Town of Washington Grove)
-  Shady Grove Sector Plan
-  Freeways
-  Major Roads
-  Arterial Roads/Commercial Business Streets
-  Primary Roads
-  Proposed Temporary Day Laborer Site
-  Informal Day Laborer Site



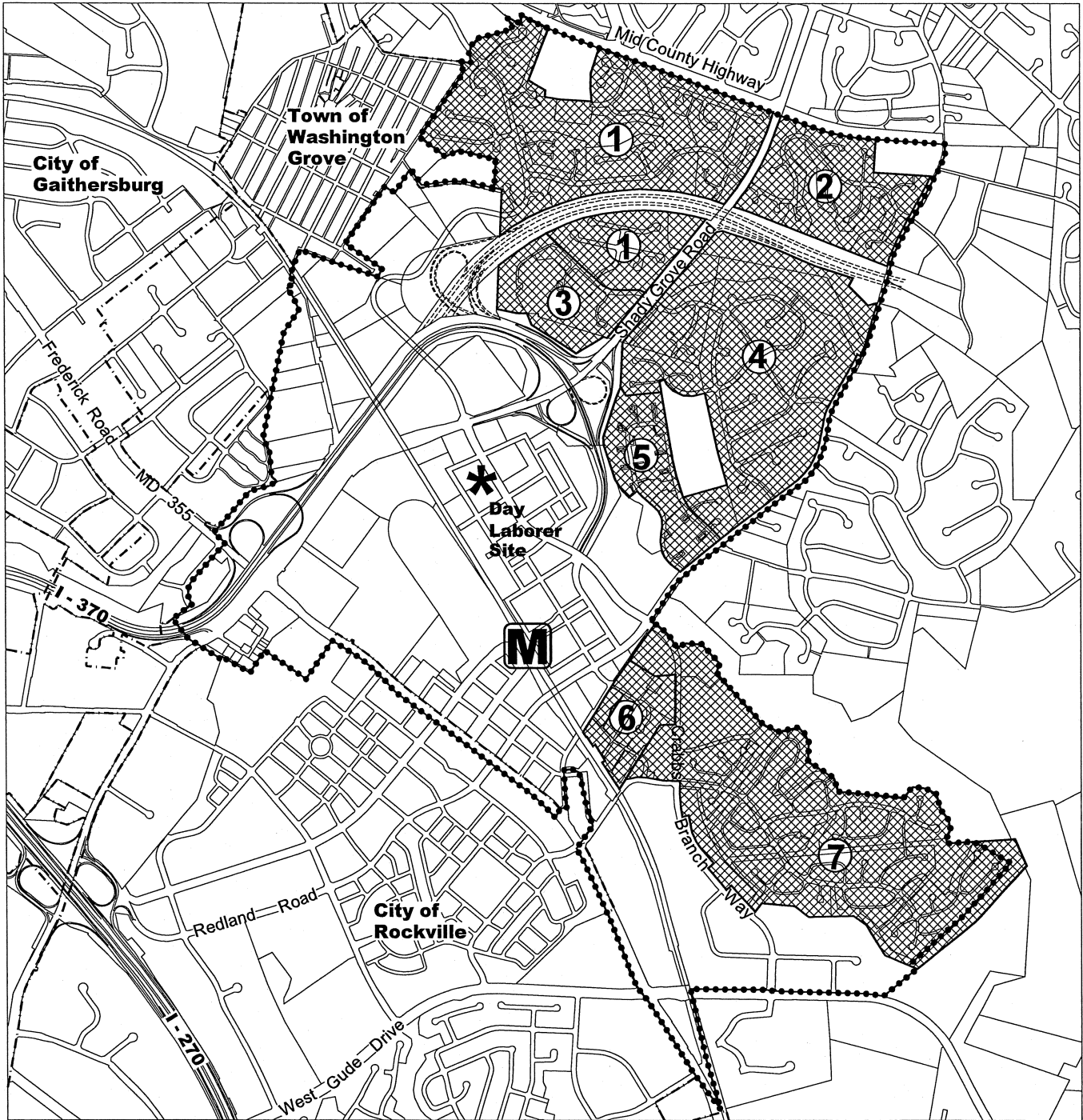
ATTACHMENT 3

County Service Park Location of Facilities



ATTACHMENT 4

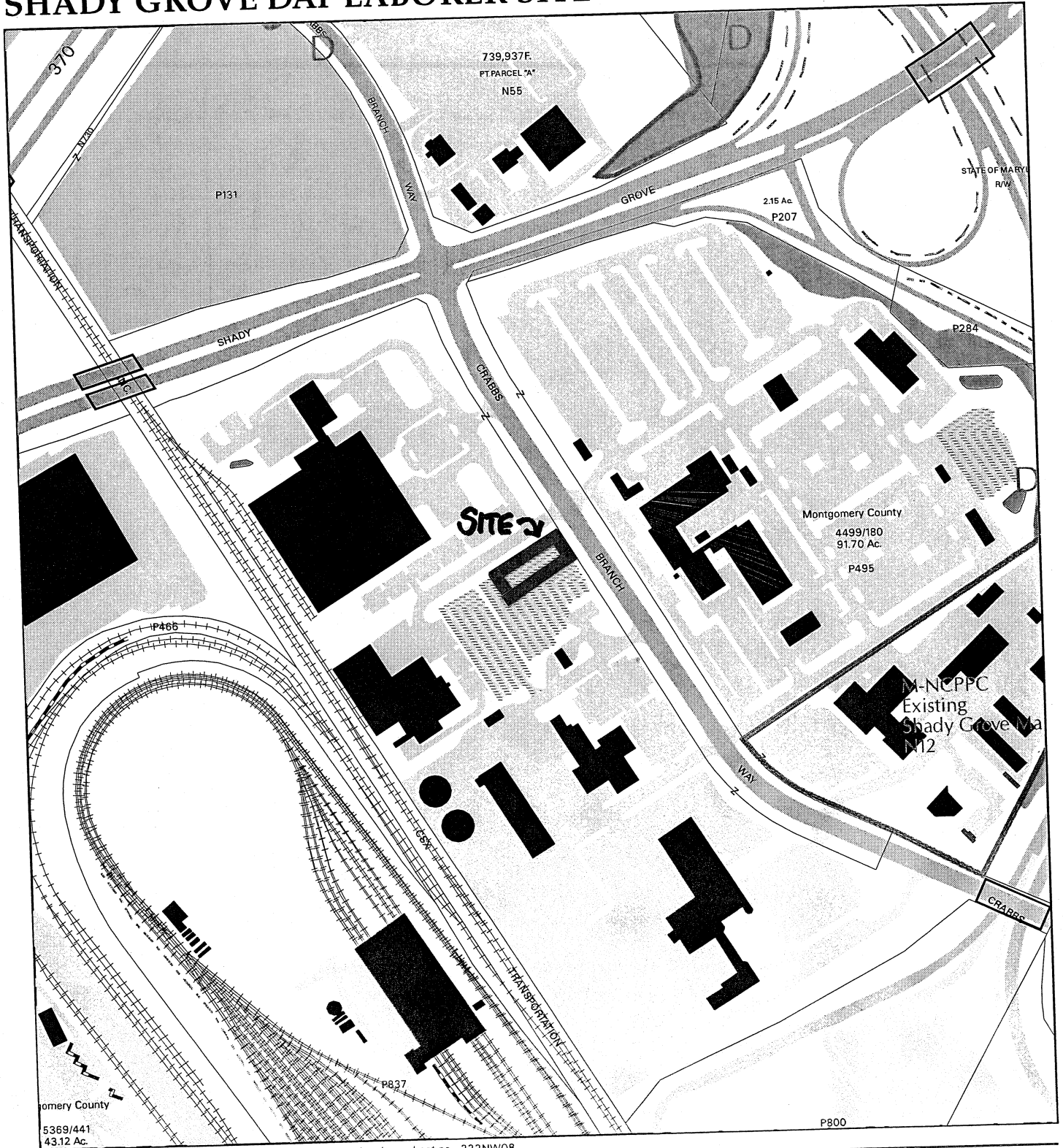
Residential Communities



- | | |
|------------------------------|----------------------------------------------------------------------------|
| ① Mill Creek | ⑦ Derwood Station |
| ② Founders Mill | Shady Grove Sector Plan Boundary |
| ③ Redland Station | ----- City of Gaithersburg, City of Rockville,
Town of Washington Grove |
| ④ Parkside Estates | |
| ⑤ Park Overlook/Mallard Cove | |
| ⑥ Old Derwood | |



SHADY GROVE DAY LABORER SITE



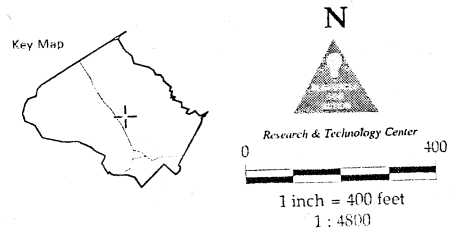
Map compiled on January 22, 2007 at 12:03 PM | Site located on base sheet no - 222NW08

NOTICE

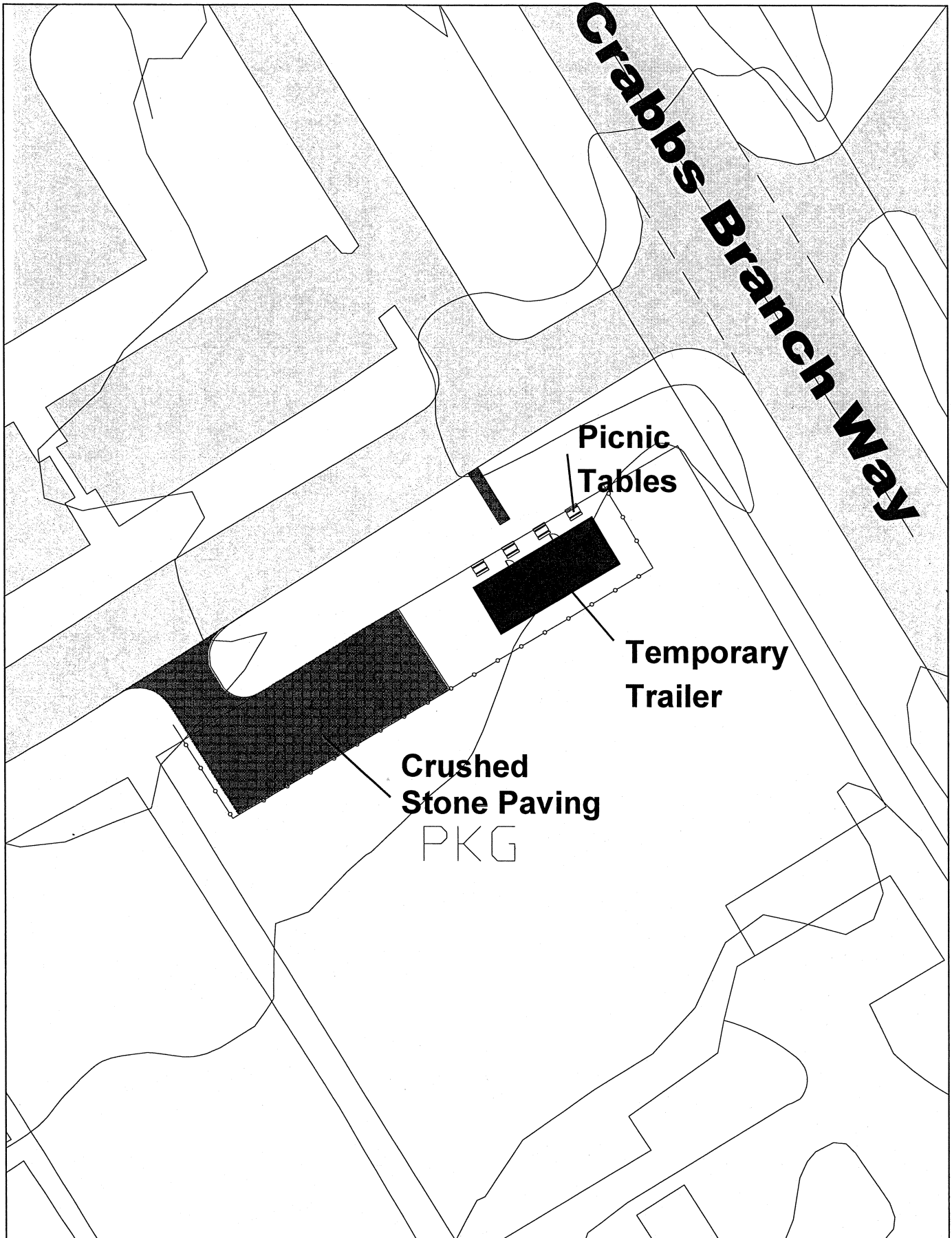
The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland -National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from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

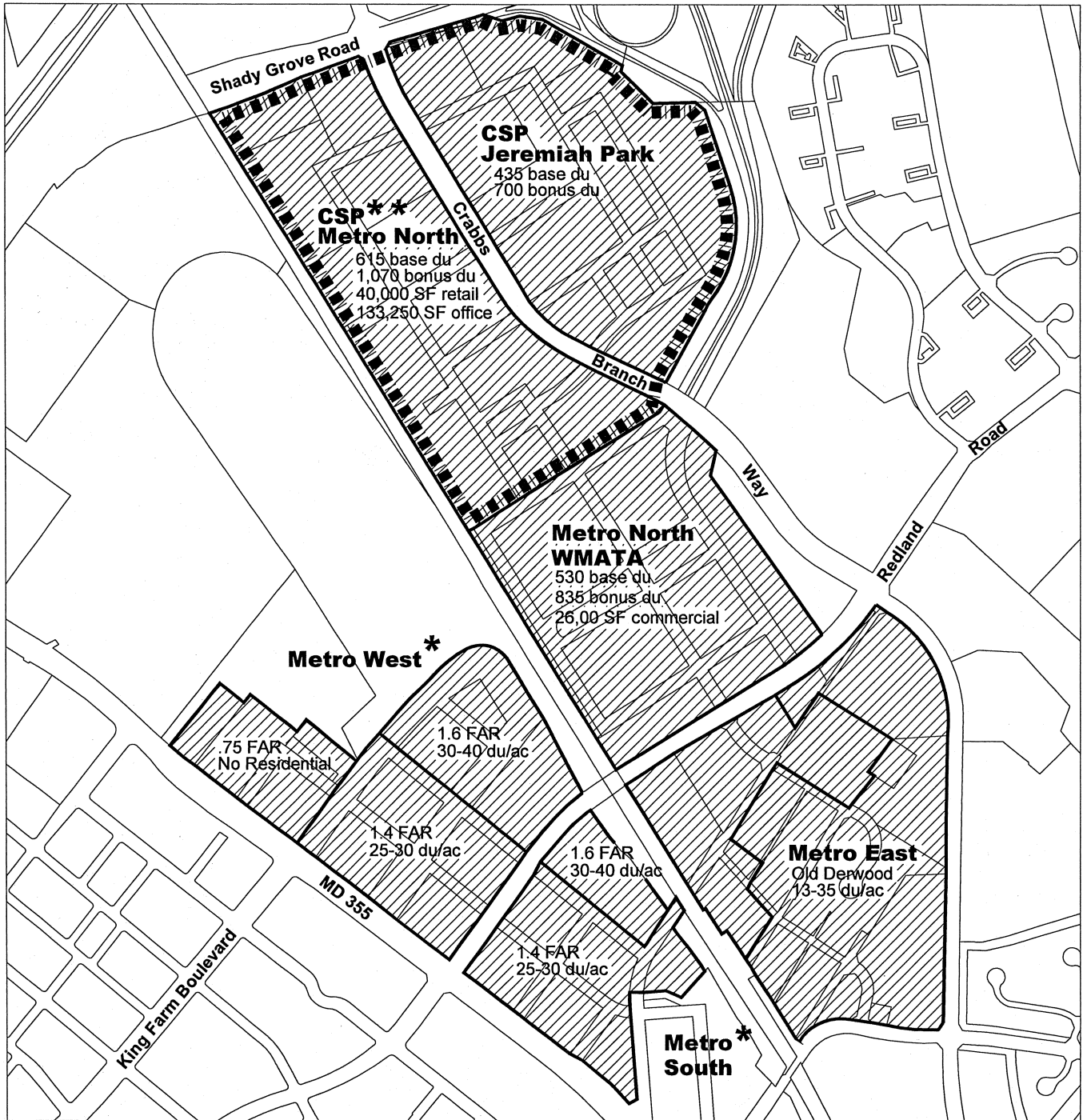


Site Plan Detail



ATTACHMENT 7

Density Distribution Map



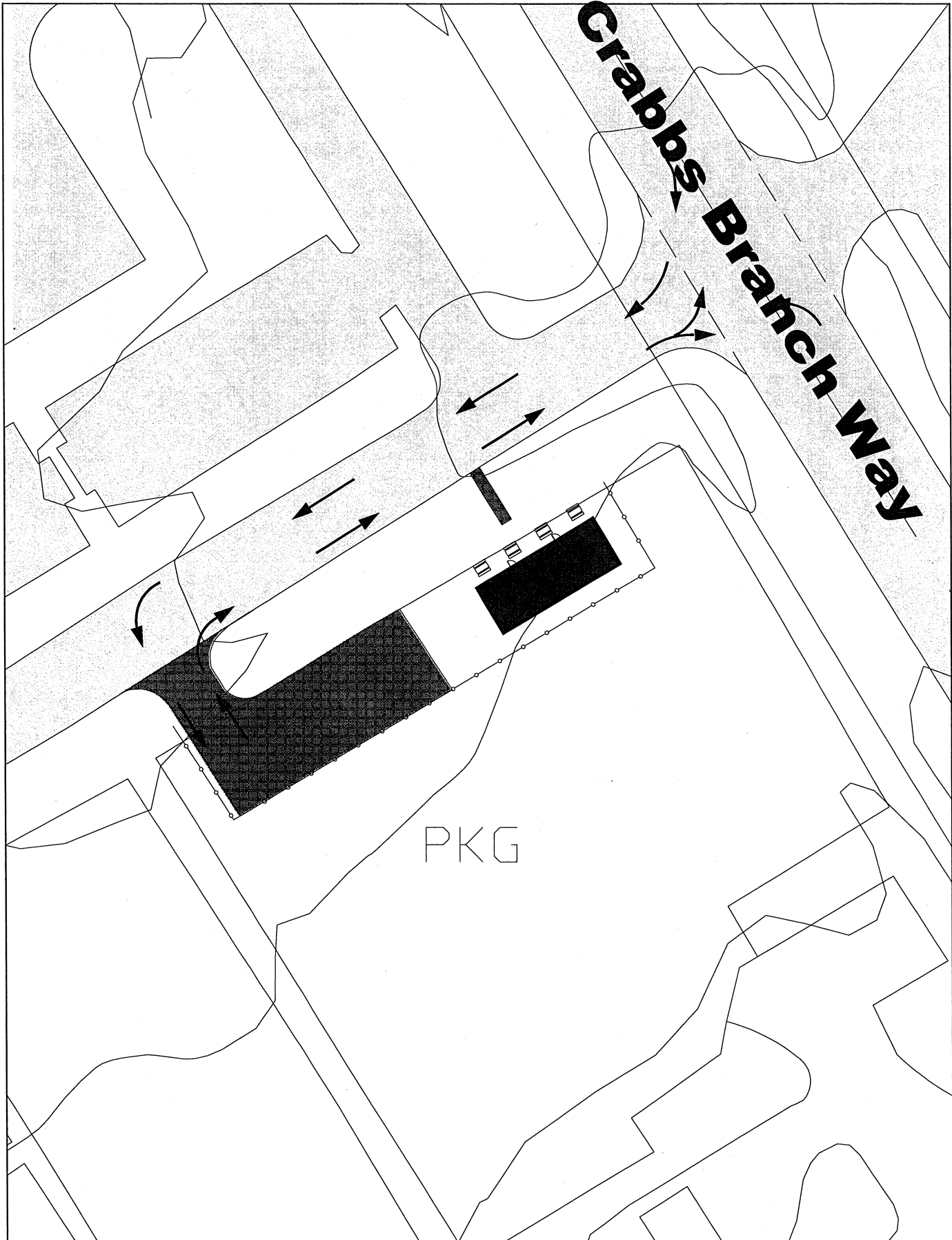
- * Plan allows up to 30% maximum commercial FAR and requires a minimum of 70% residential FAR
- ** Metro North may have increased density under joint development provisions with Casey 6 & 7. See Joint Development Properties.

All residential densities may be increased by the provision of MPDU's, TDR's and workforce housing.

■■■■ County Service Park (CSP)



Circulation Plan



ATTACHMENT 9



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

January 24, 2007

MEMORANDUM

TO: Sue Edwards, I-270 Corridor Team Leader
Community Based Planning Division

VIA: Daniel K. Hardy, Supervisor *DKH*
Transportation Planning

FROM: Ed Axler, Planner/Coordinator *EA*
Transportation Planning

SUBJECT: Mandatory Referral 07302-DPWT-1
Temporary Day Laborer Facility
Shady Grove Sector Plan

This memorandum is Transportation Planning staff's review of the proposal to relocate the temporary day-laborer site to a location within the County Service Park (CSP) property, Parcel P495, in the Shady Grove Sector Plan area. Within the County Service Park, the proposed site is located in the southwest corner of Crabbs Branch Way and the driveway leading to the Montgomery County Public School (MCPS) Food Service Division's facility at 16644 Crabbs Branch Way. Staff cannot make a complete Adequate Public Facilities (APF) finding with the data available at this time, but recommends additional observation and documentation of site operations to address concerns for which data is not yet available.

RECOMMENDATIONS

Transportation Planning staff recommends the following comments as part of the transportation-related review of the proposal:

1. Provide a status report to the Planning Board summarizing the site operations after the site has been in operation for at least one month. This report should include information on the number of daily visitors, the observed traffic volumes, and identify any operational concerns associated with on-site vehicular circulation, including:
 - a. Assurance that the site-generated traffic does not conflict with the trucks entering and leaving the Food Service facility and motorists parking maneuvers.

- b. Provision for adequate on-site queuing of vehicles.
2. Coordinate with Montgomery County Division of Transit Services and other appropriate agencies to improve transit service between the proposed site and the Frederick Avenue corridor in Gaithersburg.
3. Establish clear signing and marking to direct the activities of all users to and on the site, including:
 - a. Clear direction regarding pedestrian and vehicular access to the proposed trailer, its parking and queuing area, and the access point from the driveway leading to the Public School's Food Service Facility.
 - b. Appropriate regulatory signing prohibiting vehicle standing or parking along nearby segment of Crabbs Branch Way and the driveway leading to the Public School's Food Service Facility.
 - c. Wayfinding signing along Crabbs Branch Way and Shady Grove Road
4. Each of the County Service Park entities should participate in the Greater Shady Grove Transportation Management District (TMD) when it is established, and enter into a traffic mitigation agreement that includes, but is not limited to, the following:
 - a. Participation in the TMD activities, programs, and services
 - b. Designation of an employee transportation benefits coordinator
 - c. Promotion of alternative transportation options to employees
 - d. Creation of a public display area for transit/carpool/bike/walk information
 - e. Promotion of Guaranteed Ride Home services
 - f. Participation in commuter surveys
 - g. Submission of an annual report

DISCUSSION

The staff review of this proposal is based on information available to date. This information includes description and interagency staff discussions regarding the intent and general description of the site and the proposed operations. Materials to address the Local Area Transportation Review elements of a mandatory referral review are not yet available.

From the perspective of on-site circulation and local area traffic impacts, the proposed temporary site is expected to be commensurate with, and could even be categorized as, an operational change to the County Service Park. A 2005 study prepared by Eakin Youngentob estimated that the entire CSP generates approximately 560 peak hour vehicle trips during the weekday peak periods (and as many as 800 hourly vehicle

trips immediately preceding the morning peak period), based on a series of CSP driveway counts. The same study estimated that the combined Division of Liquor Control (DLC) and Food Services sites generate approximately 60 vehicle trips during the AM peak hour, or about one vehicle per minute.

The Department of Public Works and Transportation (DPWT) estimates that the day-laborer facility would be used by 40 to 60 day-laborers on a daily basis. Those clients seeking employment are likely to arrive via either walking or public transit, although observations made at the current sites in Takoma Park, Wheaton, or Gaithersburg may not be representative of the mode of access at the proposed site which is not located near residential communities. Based on the success of placement activities at other sites, up to 10 cars per day are expected to transport laborers from the trailers to work sites. The day-laborer site therefore may not generate 30 peak hour vehicle trips, which would be the threshold for a formal LATR study if the site were a stand-alone use. DPWT is collecting information on observed driveway counts at other locations.

The primary difference between the access and circulation activities associated with the day-laborer site and other CSP activities is that the day-laborer site should be designed (with appropriate signing and marking) to welcome the general public, whereas the remainder of the site is primarily designed for professional services staff and their customers. Staff therefore recommends that particular attention be given to both regulatory and guide signing to clearly differentiate day-laborer site activities from other CSP-related uses. This signing and marking is important on the site itself for safety purposes to avoid pedestrian or vehicular conflicts between day-laborer activity and other CSP users. Wayfinding signage should be provided along Crabbs Branch Way and Shady Grove Road to direct customers to the site.

In summary, staff recommends further review of the access and circulation issues after the site has been established for several weeks. The current utilization estimates could then be confirmed by field observations. Any operational changes could be made considering the experience obtained to date. The information compiled would also be useful in considering alternative permanent sites for the facility.

Site Location

The proposed day-laborer facility is to be located on the north side of the DPWT Highway Services Depot along the west side of Crabbs Branch Way. The site would consist of a double-wide trailer providing approximately 1,440 square feet of office and closet space and three portable sanitary stalls. A parking area with approximately 10 spaces will be provided directly to the west of the trailers for both the site operators (CASA de Maryland) and the vehicles of the day-laborer employers (and employees, if any need to leave a car at the site).

Vehicular Site Access and Parking

The proposed site is within the County Service Park at the southwestern corner of Crabbs Branch way and the driveway serving the Montgomery County Public Schools (MCPS) Food Service Division facility, along a tangent section approximately 250 feet in length. A vehicular access point is proposed into a queuing and parking areas near the trailer from the driveway. This driveway is approximately 700 feet south of Shady Grove Road and approximately 35 feet in width. It provides the sole access to the Food Service facility and serves as a secondary point of access to the Department of Liquor Control warehouse.

Staff observed during a field visit January 24 that the off-street parking on the Liquor Control site was fully utilized with some overflow parking on the Food Service facility's driveway. An existing grass mound is along the south side of this driveway and may need to be graded to provide adequate sight distance from the proposed day laborers site access point.

The parking area is approximately 30 feet wide by up to 100 feet in length and 10 spaces are proposed. Some on-site parking is anticipated for Casa de Maryland staff and DPWT is exploring whether there is a need for a limited number of spaces for day-laborer vehicles.

The parking area must be clearly delineated to accommodate all staging activity. Signing and marking may be needed to prohibit vehicle standing or parking along the Food Services site driveway or Crabbs Branch Way.

Pedestrian and Transit Facilities

Sidewalks exist along both sides of Crabbs Branch Way between Shady Grove Road and Redland Road and along Shady Grove Road between Crabbs Branch Way and Oakmont Avenue to the west.

The nearest bus stops with shelters are approximately 700 feet to the north on Shady Grove Road at its intersection with Crabbs Branch Way. Ride-On routes 43 and 61 serve this segment of Shady Grove Road. Ride-On route 43 serves persons traveling to the west towards Darnestown Road. Ride-On route 61 serves persons traveling to the north towards the Germantown Transit Center via Old Town Gaithersburg and the Lakeforest Mall.

Ride-On routes 43 and 61 do not provide direct service to the Frederick Avenue corridor in Gaithersburg where the current day laborer facility exists. To travel to and from the Frederick Avenue corridor, bus riders must transfer to another bus or walk up to a mile to other bus stops located at the intersection of Crabbs Branch Way and Frederick Avenue or at the Shady Grove Metrorail Station.

Master-Planned Roadway and Bikeway

Crabbs Branch Way is currently built as a five-lane undivided roadway within an 80-foot wide right-of-way. The *Shady Grove Sector Plan* recommends reconstructing this roadway as a four-lane divided Commercial Business District Street (B-2) with minimum 100-foot right-of-way and a shared-use path (Class I bikeway, SP-53) along the east side. The *Sector Plan* also notes that as pertains to use and function, Crabbs Branch Way should be treated as an arterial roadway to allow truck traffic and through movement.

Local Area Transportation Review (LATR)

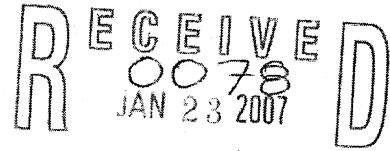
The data available at this time includes the following:

1. Operating hours from 6:00 a.m. to 2:00 p.m. and within the weekday morning peak period (6:30 to 9:30 a.m.)
2. Up to 10 employees' vehicles arriving at the site per hour (or 20 peak-hour trips in and out) to hire temporary laborers.
3. Up to 60 persons seeking temporary labor employments.

EA/dkh:

Coleman, Joyce

From: Suanach@aol.com
Sent: Tuesday, January 23, 2007 7:12 AM
To: Coleman, Joyce
Subject: Gaithersburg Day Labor Center



OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

To Whom It May Concern:

Last week, I sent some pics of the proposed Gaithersburg Day Labor Center which I took on the morning of Wednesday, January 17th. I sent these pics, and notified a local TV station, because it was clear that ground had been broken BEFORE any process had begun through either the county council or the planning board. You will recall that Leggett didn't even announce the site selection until the following morning.

As a citizen, I am concerned that such a project would be started without any public input. In fact, the front loaders were sent to the site and began digging on Thursday, January 11, 2007. This was the result of a reported meeting of Tuesday, January 9th. This meeting may well be in violation of the Maryland Open Meetings Act.

I participated in a meeting with Chuck Short on Jan. 4, 2007, and was told by Short that the county executive felt there was no need for public input. He also said that since the project was on county land, the executive could basically do as he pleases. I know this sounds unbelievable to hear these words from a county executive in Montgomery County, but all of us who were there heard the same thing.

In addition, there was NO data concerning any analysis. This would include, cost, traffic, noise, crime, sediment, master plan adherence, and the data to justify the site at all. Short said he had read a couple of editorials in the Post, and had a "feeling" we needed a center in Gaithersburg. He also said the entire process would be in secret, without any public notification until AFTER the selection.

As you know, this site is sitting where the Shady Grove Sector Plan indicates a library is planned. However, when questioned, Short informs us that Leggett won the election, and that win was a mandate to do what he wants with county land.

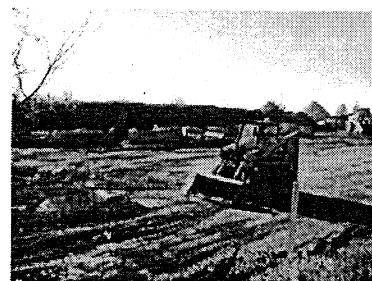
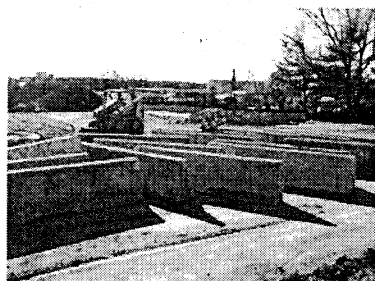
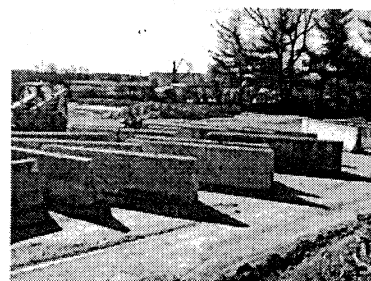
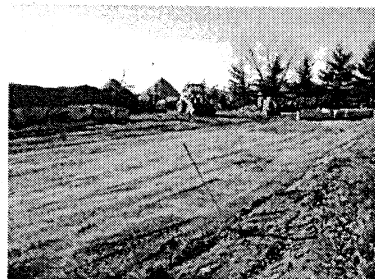
Finally, after a week of outrage from concerned citizens, Leggett agreed to the Mandatory Referral scheduled for Feb. 8, 2007. . . something Short declared he was NOT going to do at the 1-4-07 meeting. It is my understanding that within the last day or so, Leggett has begun the permitting process. . . also, AFTER he has broken ground for this facility.

We were told that a 24 foot trailer was scheduled to be put in place this morning at 9am. Since reporting this to the press, the executive has now agreed to wait until after the planning board hearing. However, he has said that it doesn't matter what the planning board does, "this is the site and we're moving forward".

Montgomery county citizens are outraged by this behavior, and intend to participate fully in the hearing scheduled for Feb.8, 2007.

If I can be of any assistance in this matter, please do not hesitate to contact me.

sue payne



Edwards, Sue

From: John K. Atchley [atchley-matheus@worldnet.att.net]
Sent: Saturday, January 20, 2007 2:23 PM
To: Edwards, Sue; MCP-Chairman
Subject: Hearings on Temporary Day Labor site

Hello Sue,

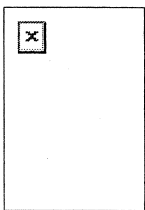
I looked at the circular that was sent around regarding the hearing on this issue on February 8 and the dates that the background materials can or could be reviewed in various locations. I am the Vice President of the Park Overlook Homeowners Association. Park Overlook, as I am sure you know, is located at Needwood and Redland and is thus close to the proposed site. I have some observations to make:

There is no way that anyone who must work all day during the week can get to the locations mentioned to review the materials.

No time is indicated for the hearing. Has one been set? I hope that it will be in the evening, or else you have shut out everyone who must work. (I am in real estate, but also must hold down a second full-time job Mon-Fri despite being 65, and they are strict about time.)

Personally, I support the temporary center. People need a place to come to in an organized fashion, and this seems like a good one to me. The facilities and space are appropriate and the county has control of the site and can exercise supervision. There should be no issue about foreign workers hanging around pestering people and driving away customers. However, you are going to run into lots of NIMBY (not in my back yard) types of protest on this, with lots of whining about how much extra traffic it will create, and potential crime, and so on and so on. Most of the workers who come to these sites are not Mara Salvatrucha gang members, but hard working honest people. I spent nearly 30 years in the U.S. Foreign Service, served in El Salvador, Guatemala, Mexico and Venezuela, am married to a Venezuelan, and speak Spanish, so I do have some familiarity with the issues. Gaithersburg covered itself in shame at the way they rejected this site, and it is time for county authorities to put their foot down and do the right thing. But that is all the more reason you need to have the hearing at a time when people who may support you can come.

Sincerely,



John K. Atchley
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Edwards, Sue

From: BRAD BOTWIN [BBOTWIN@bis.doc.gov]
Sent: Monday, January 22, 2007 12:01 PM
To: Edwards, Sue
Subject: feb 8 hearing

Sue, I am on the speakers list for Feb 8. Do I need to get my testimony in by end of this week or do I just bring copies on Feb 8? Thanks.
Brad