



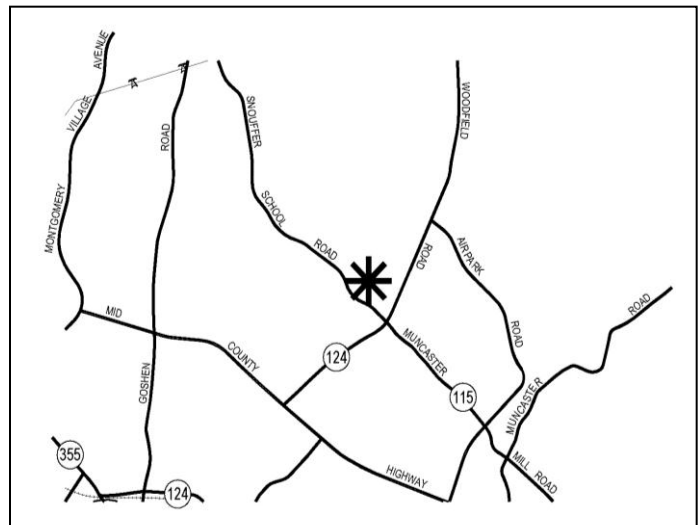
7900 Beechcraft Avenue - Ecology, Site Plan Amendment 81986074A

- Joshua Sloan, Supervisor, Area 2 Planning Division, Joshua.Sloan@montgomeryplanning.org, 301.495.4597
- Glenn Kreger, Chief, Area 2 Planning Division, Glenn.Kreger@montgomeryplanning.org, 301.495.4653

Completed: 4/6/12

Description

- Amendment for modification of parking, addition of fence, and relocation of storage building and tanks.
- 3.02 net acres in the I-4 zone;
- Located at 7900 Beechcraft Avenue within the Gaithersburg Vicinity Master Plan;
- Applicant: Clean Energy;
- Submitted: February 27, 2012.



Summary

- Staff recommends approval.
- Existing site is improved with a gravel parking area, storage building and trailer, and fuel tanks.
- This amendment to the site plan proposes to modify the parking layout, add a fence, and move the existing storage building, trailer, and refueling tanks. Little site area is being disturbed – about 600 feet for a concrete slab for the relocated storage building – and no forest conservation or sediment control plan will be required. Staff has received one letter outlining a number of operational concerns but has determined that the issues raised are not matters that can be resolved by the site plan.

SITE DESCRIPTION

Vicinity

The site is located on the south side of Beechcraft Avenue about 200 feet from the intersection with Mooney Drive. The property is zoned I-4 and is generally surrounded by light industrial uses.



Vicinity Map

Site Analysis

The subject property is currently approved with a gravel parking area, storage building, trailer, and fuel tanks. There are no wetlands, 100-year floodplains, critical habitats or notable historical resources on the property.



Aerial View

PROJECT DESCRIPTION

Previous Approvals

Site Plan

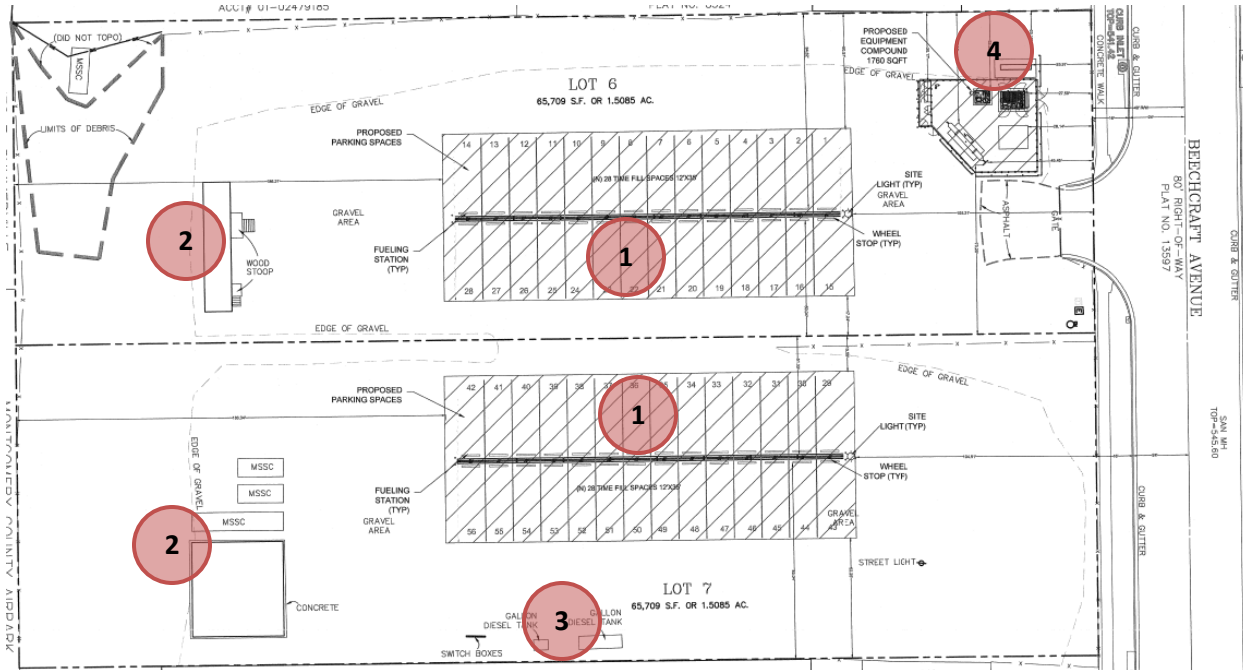
Site Plan 819860470 was approved presumably sometime after mid-1985, but no record of the approved plans or resolution is available in our electronic, paper, or microfiche files. Thus, the existing site conditions and relocation of facilities were reviewed against the standards of the I-4 zone.

Amendment

The Applicant requests the following modifications to the approved site plan:

1. Modification of parking area at center of site;
2. Relocation of storage building and frame trailer to rear of site;

3. Relocation of fuel tanks; and
4. Addition of an equipment compound and fence.



Data Table for the I-4 Zone			
Development Standard	Allowed/Required	Previously Approved	Proposed
Density (FAR)	1.0	0.0 ¹	No change
Height (feet)	42	25	No change
Green Area (%)	20	37 (lot 6); 23 (lot 7)	No change
Building Setback (feet)			
From Property Line	10	0	13.5 (lot 6); 12.4 (lot 7)
From Road	25	16.9	Approx. 370 (lot 6); Approx. 350 (lot 7)
Parking Setback (feet)			
From property line	10	0	10
From road	25	5	25

¹ Only an approximately 670sq.ft trailer is used for office space on site.

COMMUNITY OUTREACH

The Applicant has met all proper signage and noticing requirements. Staff has received one letter outlining a number of operational concerns but has determined that the issues raised are not matters that can be resolved by the site plan. These concerns include:

- Trash and debris on the street;
- Use of on-street parking by employees;
- No stormwater management or planting plan;
- Dust from gravel parking lot;
- Questions about operation of the fueling tanks; and
- Lack of restroom facilities.

Although these operational issues are not under the purview of a site plan approval, Staff asked the Applicant to respond. Montgomery County agencies will have to inspect and license any business and occupancy permits to ensure compliance with applicable laws; these are not zoning issues. If the use was permitted only by special exception, the operational characteristics could be reviewed and regulated more stringently.

RECOMMENDATION AND CONDITIONS

The proposed modifications to the site plan do not alter the overall design character of the development in relation to the original approval and the site remains compatible with existing and proposed development adjacent to the site. The modifications do not impact the efficiency, adequacy, or safety of the site with respect to vehicular and pedestrian circulation, open space, landscaping, or lighting. The density, heights, and green area are unchanged and remain in conformance; the setbacks from property lines and the road exceed the minimum requirements.

Staff recommends approval of site plan amendment 81986047A.

JS:ha: N:\Area 2 Division\Sloan\81986047A 7900 Beechcraft Avenue Ecology Staff Report Final

Attachments:

- A. Citizen Correspondence
- B. Applicant Response to Concerns
- C. Draft Resolution

Steve JK



February 29, 2012

Development Review Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue, Silver Spring, Maryland 20910-3760

Re: Site Plan 81986047A 7900 Beechcraft Avenue

Dear Sir or Madam,

My name is James L. Muscatello, I have owned lot 33 7901 Beechcraft Avenue since 1986. I have operated my business from that site for twenty six years. I use only part of my building and lease the remainder. Since 1986 I have seen a steady decline in the condition of that area, and I am concerned. I will discuss several key issues that have led to the decline.

Since Ecology Service Inc., a partner of Clean Energy, started operations from 7900 Beechcraft Avenue the surrounding area has been extremely dirty. Trash and debris are always present on the street. The trash vehicles carry dirt and mud onto the street, and it is never cleaned up. If you travel down the street you will find the Waste Management operation, which is clean and cared for.

Parking is also a problem. The employees of Ecology Services, Inc. are not allowed to park on the company site. They arrive approximately 5:30 to 5:45 AM and take up all of the on street parking. Some employees use public transportation. We have found it necessary to remove them from our parking lot. The employees also dump trash and debris, as well as car parts mattresses etc. The site plan shows no parking spaces for employees. Every developed site is required to have required parking spaces as well as handicapped spaces.

The site plan depicts a slope from the rear of the property to the front. I see no storm water management facilities on the site plan. I also see no planting plan. Gravel yards with heavy traffic cause dust and debris to be carried to the street, again adding to the down turn of the neighborhood. If you travel down the street to Waste Management, they have hard surface asphalt paving.

What is the purpose of this fueling station? Is the purpose to fuel only Ecology Services Inc. vehicles, or is it a fueling station for others as well? Will Ecology Services have trained personnel to fuel the CNG at the times fueling is taking place. The fueling takes time and the pressures are over 3000psi. If they fuel at off hours it would have to be supervised. To my knowledge, there is no natural gas in the vicinity?

This is a full time business, and I see no restroom facilities. With all of these people they must have restroom provisions. I must ask the Planning board to remove this item from the consent agenda. I can't imagine this being approved without approval from the Montgomery County Department of Licenses and Inspections.

Thank you for your consideration in this matter, and I look forward to hearing from you.

A handwritten signature in black ink that reads "James L. Muscatello". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

James L. Muscatello
224 West Lake Drive
Annapolis, Maryland 21403

Home phone 301-261-1451 cell 240-687-5171

Josh Sloan
Planning Coordinator
Montgomery County

We want to do all we can to provide you with the information needed to keep this project on the earliest consent agenda and receive approval. Please let us know if our responses address your questions adequately.

1. Are there sufficient waste receptacles on site?

The property has sufficient waste receptacles. The proposed plan does not impact current or create additional waste.

2. Is the gravel area clean and free from dirt & mud?

Ecology Services uses gravel as their ground surface. This is typical to waste services yards. Ecology Services maintains their surface and adds aggregate on a regular basis.

3. Is the proposed parking for employees and, if so, a sufficient number of spaces?

Ecology Services has a lot dedicated to employee parking at an adjacent property with a sufficient number of spaces.

4. Is the site exempt from stormwater management regulations (is there any land disturbance)?

The proposed plan will not change the existing conditions or create new land disturbance of the conforming business operation pertaining to on-site stormwater management.

5. Is the fueling station for the owner only and is it properly supervised?

The fueling station is private and is for the exclusive use of Ecology Services. It will be properly supervised and employees will be adequately trained.

6. Are there restroom facilities on site?

The current on-site restroom facilities are sufficient for use of the property.

7. Is the only office area the trailer? About 660sf?

Yes. The office area is approximately 660 SF and is sufficient for the operation of the business.

8. Is the concrete pad for a garage/service area?

Yes. The concrete pad is for a garage/storage area.

9. Are the “islands” at the end of each parking area going to be planted?

There is no proposed landscape. There are no “islands” at the end of each parking area.

10. What is the height of the light poles and can you provide photometrics?

The height of the light poles included on the proposed plan is 20 ft. We are awaiting a photometrics study to provide you with site illumination information.



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 12-44
Site Plan No. 81986047A
Project Name: 7900 Beechcraft Avenue - Ecology
Hearing Date: April 19, 2012

RESOLUTION

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

WHEREAS, the Planning Board approved Site Plan No. 819860470, to allow construction of a fueling station and truck parking area on approximately 3.02 net acres of I-4-zoned property located at 7900 Beechcraft Avenue ("Property"), in the Gaithersburg Vicinity Master Plan ("Master Plan") area; and

WHEREAS, on February 27, 2012, Clean Energy, ("Applicant"), filed a site plan amendment application, which was designated Site Plan No. 81986047A ("Amendment" or "Site Plan"), for approval of the following modifications:

1. Modification of parking area at center of site;
2. Relocation of storage building and frame trailer to rear of site;
3. Relocation of fuel tanks; and
4. Addition of fence around an equipment compound.

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated April 6, 2012 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on April 19, 2012, Staff presented the Amendment to the Planning Board as a consent item for its review and action; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 81986047A, subject to all site development elements as shown on the "CNG Fueling Station – Ecology Services" drawings stamped by The Maryland-National Capital Park and Planning Commission on February 17, 2012.

Approved as to
Legal Sufficiency:

Christina Sonnet 4/4/12

8787 Georgia Avenue, Suite 200, Spring, Maryland 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

BE IT FURTHER RESOLVED, unless amended, all other conditions of approval for Site Plan No. 819860470 remain valid and in full force and effect; and

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, the Montgomery County Planning Board FINDS; the proposed modifications to the Site Plan do not alter the overall design character of the development in relation to the original approval and the site remains compatible with existing and proposed development adjacent to the site. The modifications do not impact the efficiency, adequacy, or safety of the site with respect to vehicular and pedestrian circulation, open space, landscaping, or lighting. The density, heights, and green area are unchanged and remain in conformance; the setbacks from property lines and the road exceed the minimum requirements; and

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

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this written Resolution is _____ (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____ (list) voting in favor of the motion, with Commissioner(s) _____ (list) dissenting, Commissioner(s) _____ (list) abstaining, Commissioner(s) _____ (list) being absent or being temporarily absent, at its regular meeting held on Thursday, _____, 2012, in Silver Spring, Maryland.