



**Centra Care Middlebrook: Preliminary Plan 11988271B and Site Plan 82008017A**

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**Staff Report Date: 10-31-14**

**Description**

**Centra Care Middlebrook**

**A. Preliminary Plan No. 11988271B:**

Request to amend an approved Preliminary Plan to change a use condition for a new Urgent Care Facility, and to analyze traffic, fire access, and stormwater management; 19825 Frederick Road SE of Middlebrook Road, Lot 4, 0.92 acres, C-3 Zone, Germantown Employment Area Sector Plan.

**Staff Recommendation:** Approval with conditions

**B. Site Plan No. 82008017A (including final forest conservation plan):**

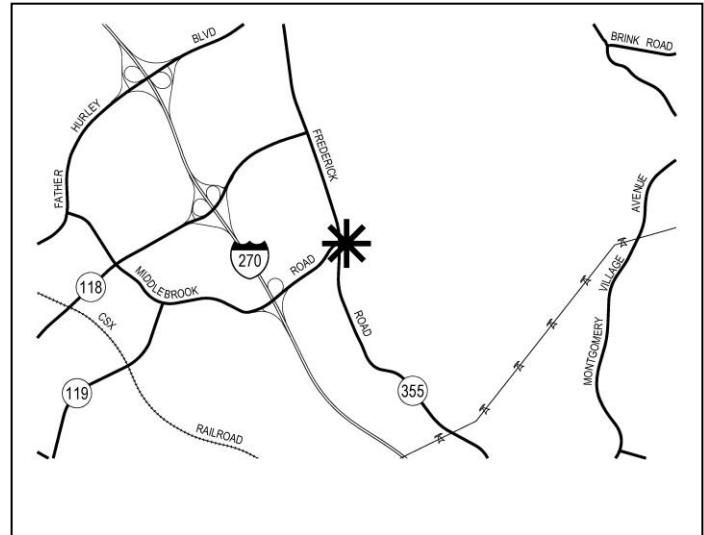
Request to amend an approved Site Plan for a new 4,999 square foot Urgent Care Facility, 19825 Frederick Road SE of Middlebrook Road, Lot 4, on 0.92 acres; C-3 Zone; Germantown Employment Area Sector Plan.

**Staff Recommendation:** Approval with conditions

**Applicant:** Maryland Urgent Care Developer, LLC

**Preliminary Plan Filing Date:** December 23, 2013

**Site Plan Filing Date:** December 23, 2013



**Summary**

- Application to abandon existing use and establish as an Urgent Care Facility
- Site Plan amendment includes a Final Forest Conservation Plan amendment to update the plans and satisfy forest conservation requirements.
- The Preliminary and Site Plans are in substantial conformance with the Germantown Employment Area Sector Plan.
- The Preliminary and Site Plans meet the requirements of C-3 Zone.
- As of the posting of this Staff Report, no community opposition has been received.

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## SECTION 1: RECOMMENDATIONS & CONDITIONS

### PRELIMINARY PLAN

The Preliminary Plan Amendment meets all requirements of Chapter 50 of the County Code, the Subdivision Regulations. The Preliminary Plan Amendment substantially conforms to the recommendations of the Germantown Employment Area Sector Plan and will be served with Adequate Public Facilities. The lot is appropriately dimensioned to accommodate the requested development and supporting infrastructure.

**Staff recommendation:** Approval, subject to the following conditions:

1. This Preliminary Plan is limited to one (1) lot for 4,999 square feet of commercial use.
2. The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated June 24, 2014, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
3. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
4. The Planning Board has accepted the recommendations of the Maryland State Highway Administration (“MDSHA”) in its letter dated January 15, 2014, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
5. Prior to issuance of access permits, the Applicant must satisfy the provisions for access and improvements as required by MDSHA
6. The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Service (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated January 29, 2014, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
7. The certified Preliminary Plan must contain the following note:

Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please

refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval.

8. The Adequate Public Facility ("APF") review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of this Planning Board Resolution.
9. Final approval of the number and location of buildings, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
10. No demolition, clearing, or grading prior to certification of the site plan.

## **SITE PLAN**

Staff Recommendation: Approval of Site Plan 82008017A. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.<sup>1</sup>

### **Conformance with Previous Approvals**

1. Preliminary Plan Conformance  
The development must comply with the conditions of approval for Preliminary Plan 11988271B, or as amended.

### **Environment**

2. Forest Conservation & Tree Save  
The development must comply with the conditions of the approved Final Forest Conservation Plan and/or Tree Save Plan dated July 31, 2014.
  - a. Submittal of fee-in-lieu payment to M-NCPPC prior to any clearing or grading.
  - b. The Final Sediment Control Plan must be consistent with final limits of disturbance as approved by M-NCPPC Staff.
  - c. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.

### **Transportation & Circulation**

3. Transportation
  - a. The Applicant must make a Transportation Policy Area Review (TPAR) Mitigation Payment, equal to 25 percent of the General District Transportation Impact Tax, as required by the 2012-2016 Subdivision Staging Policy within the Germantown East

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<sup>1</sup> For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.

Policy Area. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code.

4. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Services (MCFRS) Fire Code Enforcement Section in its letter dated September 15, 2014, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCFRS may amend if the amendments do not conflict with other conditions of Site Plan approval.

**Site Plan**

5. Site Design

- a. The exterior character, proportion, materials and articulation must be substantially similar to the illustrative elevations shown on the submitted architectural plans.

6. Lighting

- a. Before issuance of the any building permit, the Applicant must provide certification to M-NCPPC Staff from a qualified professional that the lighting plans conform to the Illuminating Engineering Society of North America (IESNA) standards for commercial development.
- b. All on-site down light fixtures must be full cut-off fixtures.
- c. Deflectors must be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- d. Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
- e. The height of the light poles must not exceed 20-feet including the mounting base.

7. Site Plan Surety and Maintenance Agreement

Before issuance of the any building permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board. The Agreement must include a performance bond(s) or other form of surety as required by Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private roads, paths and associated improvements within the relevant phase of development. The surety must be posted before issuance of the any building permit within each relevant phase of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by inspection and potential reduction of the surety.
- d) The bond or surety for each block/phase shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific CSP sheets depicting the limits of each block/phase.

8. Development Program

The Applicant must construct the development in accordance with the Development Program.

9. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the final forest conservation approval letter, stormwater management concept approval letter, development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
- c) Modify data table to reflect development standards approved by the Planning Board.
- d) Ensure consistency of all details and layout between Site and Landscape plans.

## SECTION 2: CONTEXT AND PROPOSAL

### SITE DESCRIPTION

#### Vicinity

Centra Care Middlebrook, is identified as Lot 4, Middlebrook Center on record plat No. 24008. The property is 0.926 acres in size; zoned Highway Commercial (C-3), and is located on the east side of MD 355, at the intersection with Middlebrook Road in the Southeast Quadrant, within the Germantown Employment Area Sector Plan (“Sector Plan”) area (“Property” or “Subject Property”). The area surrounding the Property is characterized by commercial and institutional uses along MD 355 and single-family residential further to the east along Middlebrook Road. Along the eastern and southern sides are additional commercial uses in the Fox Chapel Shopping Center which share common points of ingress/egress.

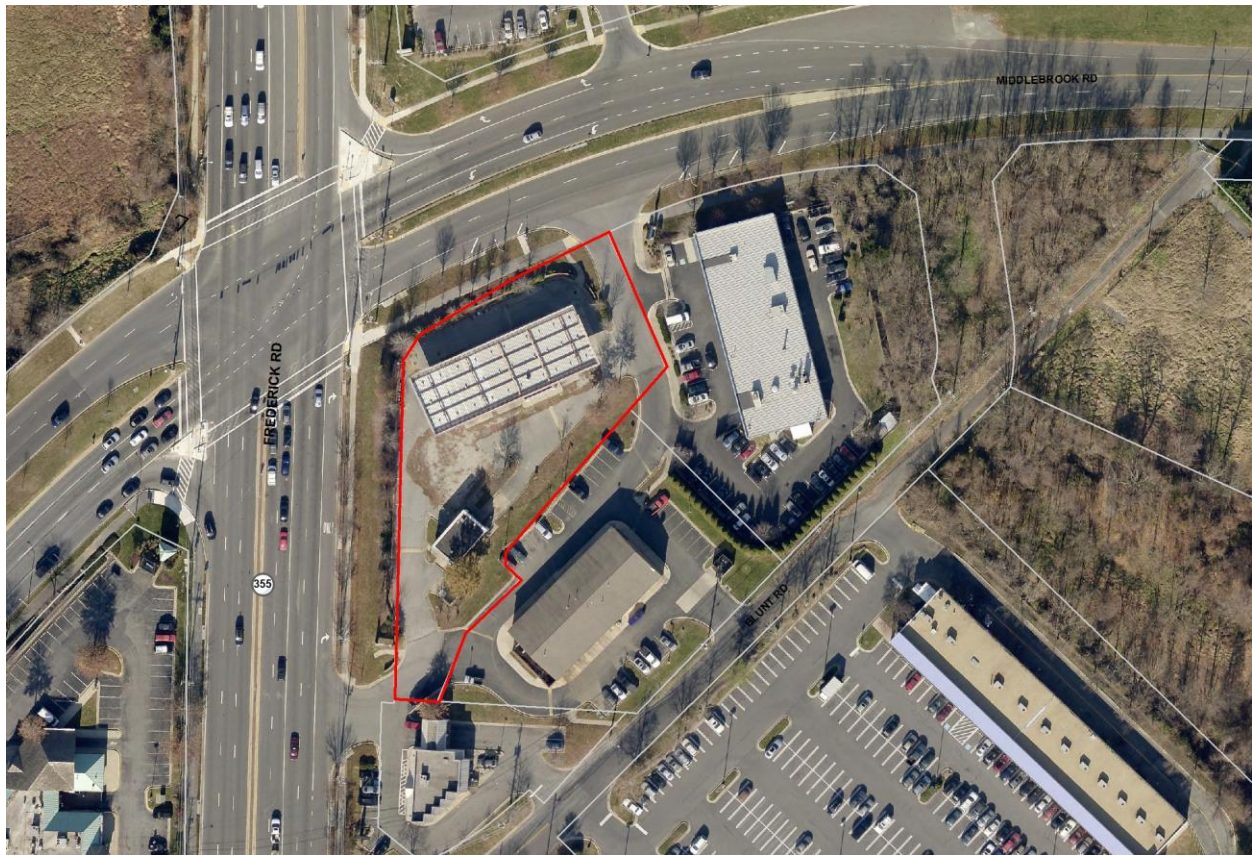


Figure 1: Vicinity Map

#### Site Analysis

The Property is currently developed with a closed gas station consisting of two buildings, one of which contained the gas pump canopy, office, and retail space. The second building is a freestanding car wash. There are sidewalks and street trees along both MD 355 and Middlebrook Road. In addition to the street trees the Property has internal landscaping along the former gas station drive aisles and

parking lot adjacent to both MD 355 and Middlebrook Road. The Subject Property is entirely developed and contains no forest, environmental buffers, or other sensitive features.



**Figure 2: Aerial Photograph**

## **PROJECT DESCRIPTION**

### **Background and Previous Approvals**

The Planning Board approved the original Preliminary Plan No. 119882710, Cracked Claw, on May 25, 1993. The property approved under this original application included the Subject Property as well as portions of the adjacent Fox Chapel Shopping Center. This approval was for 4 lots in the C-3 zone and limited total development to 11,901 square feet of retail use, including an automobile filling station with no more than 600 square feet of convenience retail shop area. Retail uses were limited to convenience retail only, no fast food, banks, offices, or other types permitted. The Subject Property was specifically approved for a filling station with a retail convenience shop to be no more than 600 square feet in size.

Site Plan No. 819920120, Exxon Middlebrook Road, was approved on June 4, 1993 for a 1,904 square foot automobile filling station and carwash, located on the Subject Property.



11988271A Chevy Chase Bank at Fox Chapel was a Preliminary Plan amendment approved on October 6, 2008 which changed the use of the Subject Property (Lot 1) from a gasoline filling station to a 3,712 square foot bank with drive through.

820080170 Chevy Chase Bank at Fox Chapel was a Site Plan approved on October 6, 2008 for a 3,712 square foot bank with drive through.

The approvals 11988271A and 820080170 Chevy Chase Bank at Fox Chapel were never implemented, but remain within their validity period. The gas station is now closed but the building, canopy, and carwash remain on the Property. The gas pumps and underground tanks have been removed.

### **Proposal**

The applications reviewed by this Staff Report includes an amendment to the existing Preliminary Plan, identified as No. 11988271B ("Preliminary Plan Amendment") and a Site Plan amendment identified as No. 82008017A ("Site Plan Amendment"). The Preliminary Plan Amendment is required to address the requirements for a new Adequate Public Facilities study for the new use and the Site Plan Amendment is required to make the necessary findings pursuant to 59-D-3 of the Montgomery County Zoning Ordinance.

These applications propose the removal of the remaining gas station buildings and the construction of a new one-story 4,999 square foot medical clinic facility with a total of twenty-five (25) associated surface parking spaces, inclusive of two accessible spaces.

### **COMMUNITY OUTREACH**

The Applicant has met all proper signage, noticing, and submission meeting requirements. A meeting with the community was held on October 16, 2013. According to the minutes provided by the Applicant, there was no opposition to this project from the public at the public meeting. However several questions were raised in regards to building height, medical waste, need for urgent care, access drive maintenance, and stormwater management. Staff has not received any correspondence on the Application.

### SECTION 3: PRELIMINARY PLAN

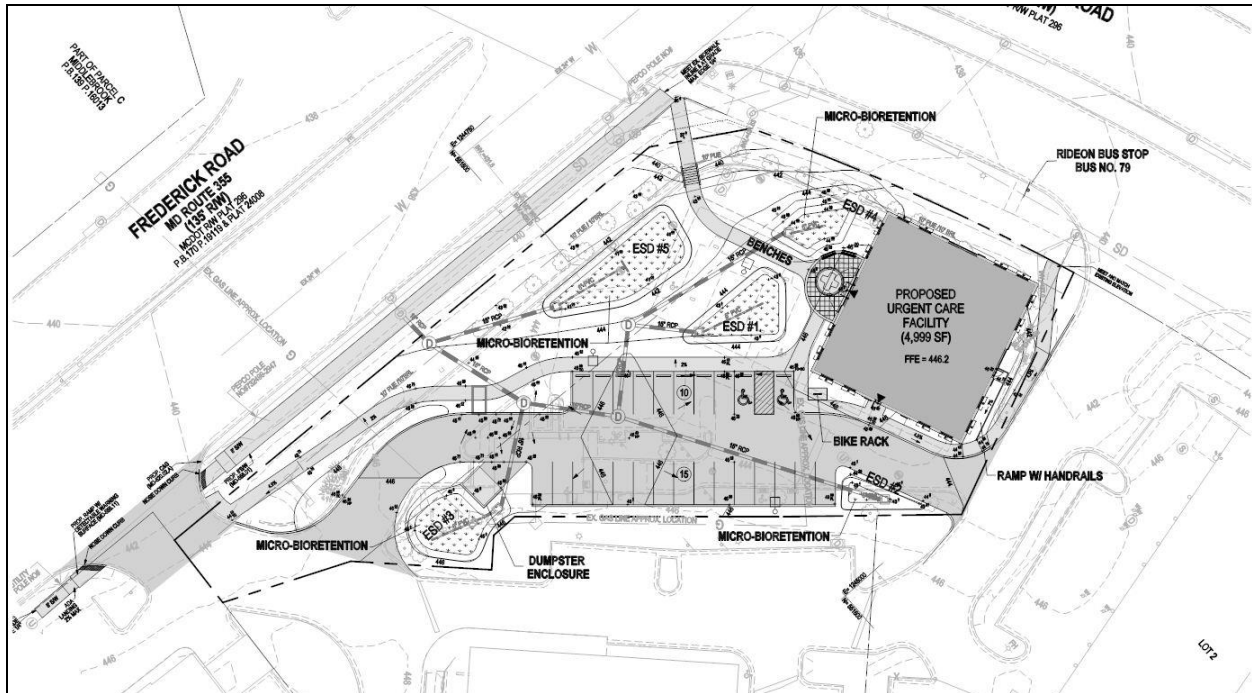


Figure 3: Preliminary Plan

#### PRELIMINARY PLAN ANALYSIS AND FINDINGS

##### Master Plan Conformance

The Property is located in the Fox Chapel District of the 2009 *Germantown Employment Area Sector Plan* ("Sector Plan"), and along Corridor 3: MD 355 North, of the *2013 Countywide Transit Corridors Functional Master Plan* (CTCFMP).

The Sector Plan provides guidance that applies to the proposal, as discussed below.

On land use and zoning, the Sector Plan includes the following:

- The Sector Plan describes the Fox Chapel District as "the commercial hub at the intersection of MD 355 and Middlebrook Road with a bus transit center providing the transit link to other parts of Germantown" (p. 74).
- The property is one of the FC3 properties (map, p. 76) identified by the plan; the Sector Plan does not provide specific guidance for the redevelopment of these properties, but shows commercial uses for these properties (map, p. 74). The adjacent property is recommended for 0.3 FAR for commercial uses and five dwelling units (if properties are not assembled) to 22 (if assembled) dwelling units per acre (p. 75).
- The existing C-3 zone was reconfirmed (maps, p. 84).

The proposed medical use supports the Sector Plan’s commercial hub vision for the District, and is consistent with the land use and zoning recommendations in the Sector Plan. The density of 0.12 FAR is below the recommended density for the Subject Property and the adjacent properties.

For urban form, the Sector Plan provides several recommendations:

- “...redevelop commercial sites along MD 355 with street-oriented commercial development, wrapping corner properties, and placing parking and service areas in the rear of the property, screened from adjacent residential areas. Encourage rear connections along alleys.
- “Building heights should not exceed 60 feet along MD 355, stepping down in height to 50 to 60 feet along the eastern edge of the district to be compatible with existing residential neighbors.
- “Establish a consistent building setback from MD 355, provide an eight-foot wide sidewalk along commercial development, and implement the streetscape plan” (p. 75).
- “Concentrate development at transit stations creating compact, walkable centers....
- “Locate buildings adjacent to the street to form a building line of the sidewalk and street that forms public spaces. Provide front entrances along the street to improve pedestrian convenience, activate the street, and reduce walking distances....
- “On the first floor of buildings with activating uses, provide significantly sized windows to create an interesting pedestrian experience and improve visibility of the first floor uses. Interior lighting should animate the street and public spaces during nighttime hours...
- “Use a minimum building height of three stories, where feasible, to enhance value, efficiency, and compactness....
- “Locate parking on the street, in mid-block structures or in structures lined with street activating uses. Surface parking, where necessary, should be located behind or to the side of development and screened with building extensions, low walls, or evergreen hedges.
- “Parking should not exceed the minimum required in the Zoning Ordinance” (pp. 21-22).

The proposed building is oriented to Middlebrook Road, and begins to form a building line with the existing building to the east. The building is set back from MD 355 to limit the potential for disruption of the business, in the event that additional right-of-way must be acquired in the future as per the Sector Plan. The main entrance faces the intersection of MD 355 and Middlebrook Road.

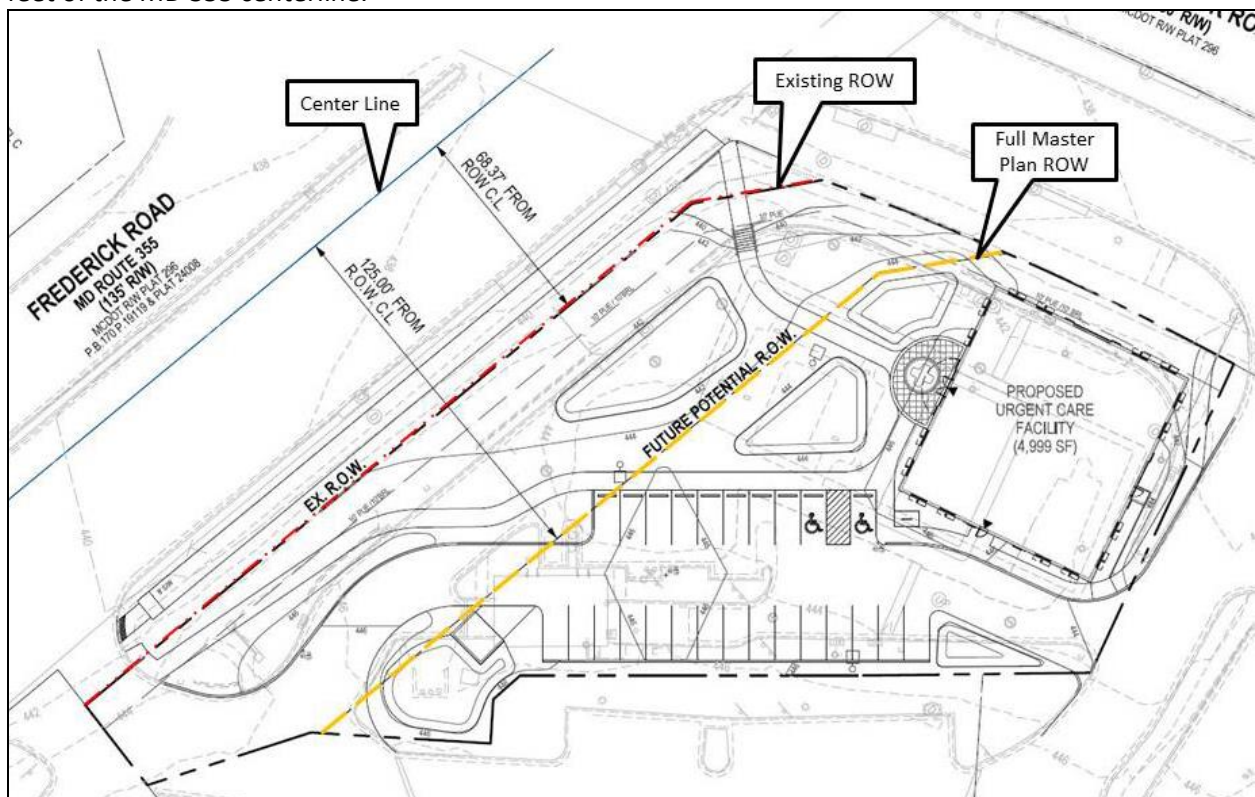
As shown on the Site Plan Amendment, the proposed building height is 30 feet, which is lower than the 42-foot limit in the C-3 zone. Parking is to be located to the rear and to the side of the building when viewed from Middlebrook Road, but on the front and to the side from MD 355; this location is discussed below. The minimum parking requirement is all that is being supplied, as recommended by the Sector Plan.

For the adjacent roads, both the 2009 Sector Plan and the 1989 Germantown Master Plan provide recommendations:

- The section of Middlebrook Road adjacent to this property was outside of the boundary of the 2009 Master Plan the current 150-foot right-of-way was recommended in the 1989 Germantown Master Plan (p. 105).
- The Sector Plan recommends a 250-foot right-of-way for MD 355, with a footnote: “This Plan recommends a 250’ right-of-way for Frederick Road (MD 355) pending completion of the Midcounty Highway Extended (M-83) and Countywide Bus Rapid Transit facility planning studies. Following completion of these studies, the Council may by resolution set a smaller minimum right-of-way, but not less than 150’” (p. 86).

- The Property is located at the corner of Frederick Road (MD 355) and Middlebrook Road. This intersection is recommended for a grade-separated interchange or for at-grade, one-way couplets (GEASP, p. 36).

The 150-foot right-of-way for Middlebrook Road was acquired and platted in 1989 with the relocation of Middlebrook Road (Right-of-Way Plat 296). On MD 355, there is currently 68.37 feet of dedication from the centerline of the road. This dedication was approved on Record Plat No. 24008 in 2009 for the Chevy Chase Bank project. In order to achieve the 250 foot wide right-of-way width recommended for MD 355, an additional 57 feet of the Property from the current right-of-way line would need to be dedicated. Staff has concerns about whether dedication of an additional 57 feet from the existing MD 355 right-of-way is proportionate to the size and scale of the project. Such a dedication would essentially reduce the size of the existing Lot 1 by one- third. In light of this, the Applicant was not required to dedicate, but rather re-locate the building outside of the potential Sector Plan right-of-way, thereby preserving the possibility of the right-of-way acquisition in the future and allowing the building to remain viable after any acquisition. Only a small corner of one parking space is located within 125 feet of the MD 355 centerline.



**Figure 4: Right of Way Exhibit**

As shown on Figure 4 , the project has been designed in such a way that all structures and all parking except a corner of one parking space are located outside the area which would be within the 250 foot wide right-of-way planned acquisition line . However, stormwater facilities, sidewalks, plantings and the entrance drive are located within that same area. The proposed design as shown on the Site Plan is in conformance with Section 59-A-5.6 of the Montgomery County Zoning Ordinance below.

Sec. 59-A-5.6. Master Plan of Highways.

"In areas where a master plan of highways has been duly adopted by the Commission showing a proposed new highway or street or a proposed relocation or widening of an existing highway or street, or a proposed rapid transit route or facility, no building or part of a building shall be permitted to be erected within the planned acquisition line of such proposed highway or street, or rapid transit line or facility.

The owner of the property so affected, however, shall have the right to appeal the refusal of a building permit to the board and the board may grant a permit to build, subject to such conditions and restrictions as it deems necessary, if it should find, upon the evidence and arguments to it upon such appeal, (1) that the entire property of the appellant of which the area affected by the master plan forms a part cannot yield a reasonable return to the owner unless such appeal is granted, and (2) that balancing the interest of the general public in preserving the integrity of the plan and the interest of the owner of the property in the use and benefits of his property, the granting of such permit is required by consideration of reasonable justice and equity. Before taking any action, the board shall hold a public hearing at which the parties in interest shall have an opportunity to be heard."

In accordance with the Sector Plan's recommendation for one-way couplets at this intersection, there has been dedication of Blunt Road (just south of this Property) to provide the connection to Middlebrook Road.

The *2013 Countywide Transit Corridors Functional Master Plan* (CTCFMP) provides guidance that applies to the proposal, as discussed below.

- The CTCFMP locates Corridor 3 adjacent to this property and designates the intersection of MD 355 and Middlebrook Road as a Station Location (pp. 42-44).
- The CTCFMP confirms the 250-foot right-of-way for this section of MD 355 (p. 44).

A station location at this intersection is consistent with both the 2009 Germantown Sector Plan and the CTCFMP, and the proposed use is consistent with this location. The proposal includes an eight-foot sidewalk along MD 355, connecting to the future station. Three lead-in sidewalks connect from the sidewalks along MD 355 and Middlebrook Road to the front entrance.

### **Adequate Public Facilities**

#### Local Area Transportation Review

The Local Area Transportation Review (LATR) guidelines require a traffic study to be performed if a development generates 30 or more weekday peak-hour trips. Traffic was analyzed by the Applicant using the land use code for a medical-dental office building per the Institute of Transportation Engineers (*Trip Generation*, 8<sup>th</sup> Edition). The Application is expected to generate 24 morning peak-hour trips, 21 evening peak-hour trips (4:00 p.m. to 7 p.m.), all below the 30-trip threshold. Therefore, no LATR is required.

### Transportation Policy Area Review

The Subject Property is located in the Germantown East Policy Area which is defined as “inadequate” under the transit test and “adequate” under the roadway test for Transportation Policy Area Review (TPAR). To mitigate the inadequate transit test level, the Applicant must make a TPAR Mitigation Payment, equal to 25 percent of the General District Transportation Impact Tax, pursuant to the 2012-2016 Subdivision Staging Policy. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code (See condition No. 3, SP).

### Other Public Facilities

Public facilities and services are available and will be adequate to serve the proposed development. The Property will be served by public water and public sewer. Both amendment applications have been reviewed by the Montgomery County Fire and Rescue Service who has determined that the project has appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations, firehouses, and health services, are operating according to the 2012-2016 Subdivision Staging Policy and will be adequate to serve the Property. Electrical, telecommunications, and natural gas services are also available to serve the Subject Property.

### **Lot Design**

The proposed lot is the appropriate size, shape, width and orientation for the location of the subdivision taking into account the recommendations of the applicable master plan and for the type of development proposed or use contemplated, in order to be approved by the Planning Board.

The Preliminary Plan proposes a single, 4,999 square foot, urgent care facility. Staff has determined that the lot is appropriately dimensioned to accommodate the facility itself and all support infrastructure including the 25 space parking lot, sidewalks, stormwater management structures, and landscaping. The lot provides a suitable buildable area that will allow the proposed building and parking to meet all minimum setbacks established in the C-3 Zone. The buildings and infrastructure associated with the building to not conflict with any area that might be needed for future right-of-way.

### **Environment**

The Property has no existing forest, streams, wetlands, floodplains, or environmental buffers. Existing conditions include a two buildings and asphalt surfaces. There are some street trees and landscaping present on the Property, however there are no large trees on or adjacent to the Property.

The Preliminary Plan Amendment is subject to the County Forest Conservation Law (Chapter 22A of the Montgomery County Code). There is a 0.17 acre afforestation requirement for the project. The previously approved Forest Conservation Plan (FCP) indicated the afforestation would be met via landscaping credit. However, the Applicant now proposes to meet the afforestation requirement offsite with a Fee-in-Lieu Payment, no onsite credit will be taken. The project requires an amendment to the approved FCP to update the plans and change the method used to satisfy the planting requirement.

The development is subject to the Stormwater Management Concept conditions dated January 29, 2014, or unless amended and approved by the Montgomery County Department of Permitting Services. The stormwater management concept will use Environmental Site Design techniques including micro-biofilters.

**SECTION 4: SITE PLAN**

**SITE PLAN ANALYSIS AND FINDINGS**

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

A development plan, diagrammatic plan, schematic development plan, or project plan are not required for the Subject Site.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

An urgent care facility is a use permitted in the C-3 Zone. The Site Plan Amendment meets all of the requirements of the C-3 Zone and fulfills the purposes of the zone.

The Site Plan Amendment also meets all of the development standards of the zone with respect to the green space, building setbacks, building height, and parking. As demonstrated in the Data Table below, the project meets all of the applicable requirements of the C-3 Zone, and the required minimum building setbacks.

***Project Data Table for the C-3 Zone***

<b>Development Standard</b>	<b>Permitted/Required</b>	<b>Proposed for Approval</b>
<b>Gross Tract Area (For Density)</b>		
Lot 4	40,354 SF (0.926 Ac)	
Sub-Total (Tract Area)	40,354 SF (0.926 Ac)	
<b>Total Gross Tract Area (For Density Calculations)</b>		
Commercial	Not Specified	4,999 SF
<b>Green Area (Sec 59-C-4.36)(% of Net Lot Area)</b>		
Green Area (10% of Net Lot Area)	4,035 SF	19,008 SF
<b>Minimum Building Setbacks (Sec. 59-C-4.362)</b>		
Street Right-of-Way	10 ft	10 feet
Other Lot Line	none	45 feet
<b>Building Height (Sec. 59-C-4.361)</b>		
	42 ft	30 ft
<b>Parking (Sec.59-E-3.7)</b>		
Total spaces (min)		
• 5 SP / 1,000 SF(Medical Clinic)	25	25 (including 2 HC spaces)
Motorcycle spaces	0	0
Bicycle spaces	2	2

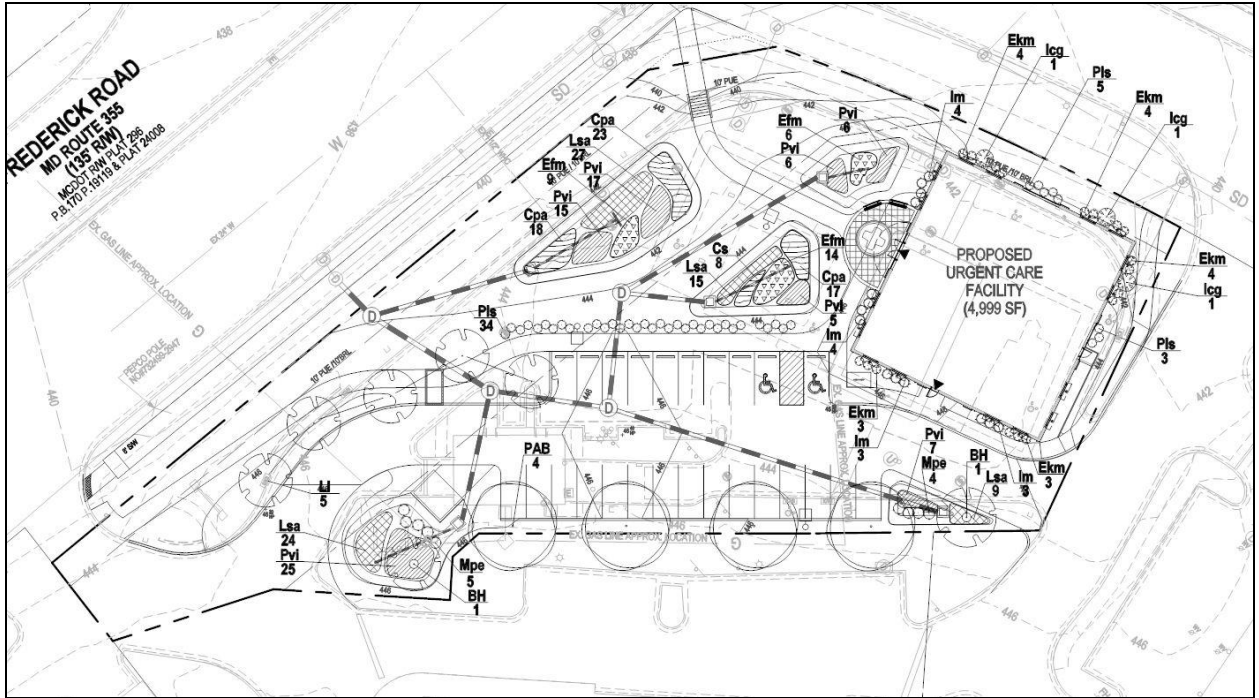
3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

The building is located in the northeast corner of the Property, which is appropriate for the character envisioned by the Sector Plan. This location provides easy access to the building from adjoining sidewalks and parking. The Sector Plan makes a recommendation of a 250' Right-of-Way (ROW) along this section of MD355, therefore, the structure and parking lot were shifted east as much as possible to allow for future ROW along MD 355 (250' overall or 125' from centerline) while not limiting the viability of the proposed facility. Staff finds the locations of the buildings and structures to be adequate and efficient, while meeting the aesthetic concerns of the area, and do not pose any safety concerns on the site.

The open space that is provided is in front of the proposed building and is landscaped and separates the use and parking from MD 355. Landscaping provides a screen for the parking, open space is used for stormwater management, a traditional foundation planting area for the building, and as a colorful space for ornamental plantings. Landscaping trees, bushes, and lighting are provided along the drive aisle and walkways to enhance the pedestrian environment. Interior lighting will create enough visibility to provide safety but not so much as to cause glare on the adjacent roads or properties. There are no recreation facilities required for this Site Plan Amendment, but benches and bicycle facilities are provided. The open spaces, landscaping, and site details adequately and efficiently address the needs of the proposed use and the recommendations of the Sector Plan, while providing a safe and comfortable environment.

Pedestrian access from adjacent sidewalks adequately and efficiently integrates this site into the surrounding area. Safety is enhanced by several improvements including pedestrian separated walkways from the drive aisle and parking, a new 8 foot sidewalk along MD355, and pedestrian ramp and curb improvements at the main entrance along MD 355. Large windows are proposed on all four sides of the building to enhance the pedestrian experience. The vehicular circulation design efficiently directs traffic into and through the site with minimal impacts to pedestrian circulation. The recommendations of the Sector Plan and the needs of the use is an efficient and adequate means to provide a safe atmosphere for pedestrians, cyclists, and vehicles.





**Figure 5: Landscape Plan**

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The proposed urgent care facility is compatible with the adjacent and confronting commercial uses. The facility has been designed to be visually compatible with the suburban commercial character of the surrounding area.

The structure itself is in scale with the nearby buildings and is located such that it will not adversely impact existing or proposed adjacent uses.

The lighting is consistent with the area's character in terms of style, scale and intensity. However, the light poles (maximum 28 feet tall) which are centrally located around the perimeter of the parking facility are very tall, CVS across Middlebrook Road has a max of 23 foot light poles and this site, the bank was approved with 20 foot poles. Staff believes that to remain consistent with the character of the existing uses the light poles should be no higher than the previously approved 20 feet for this Property.



Figure 6: East and West Building Elevations

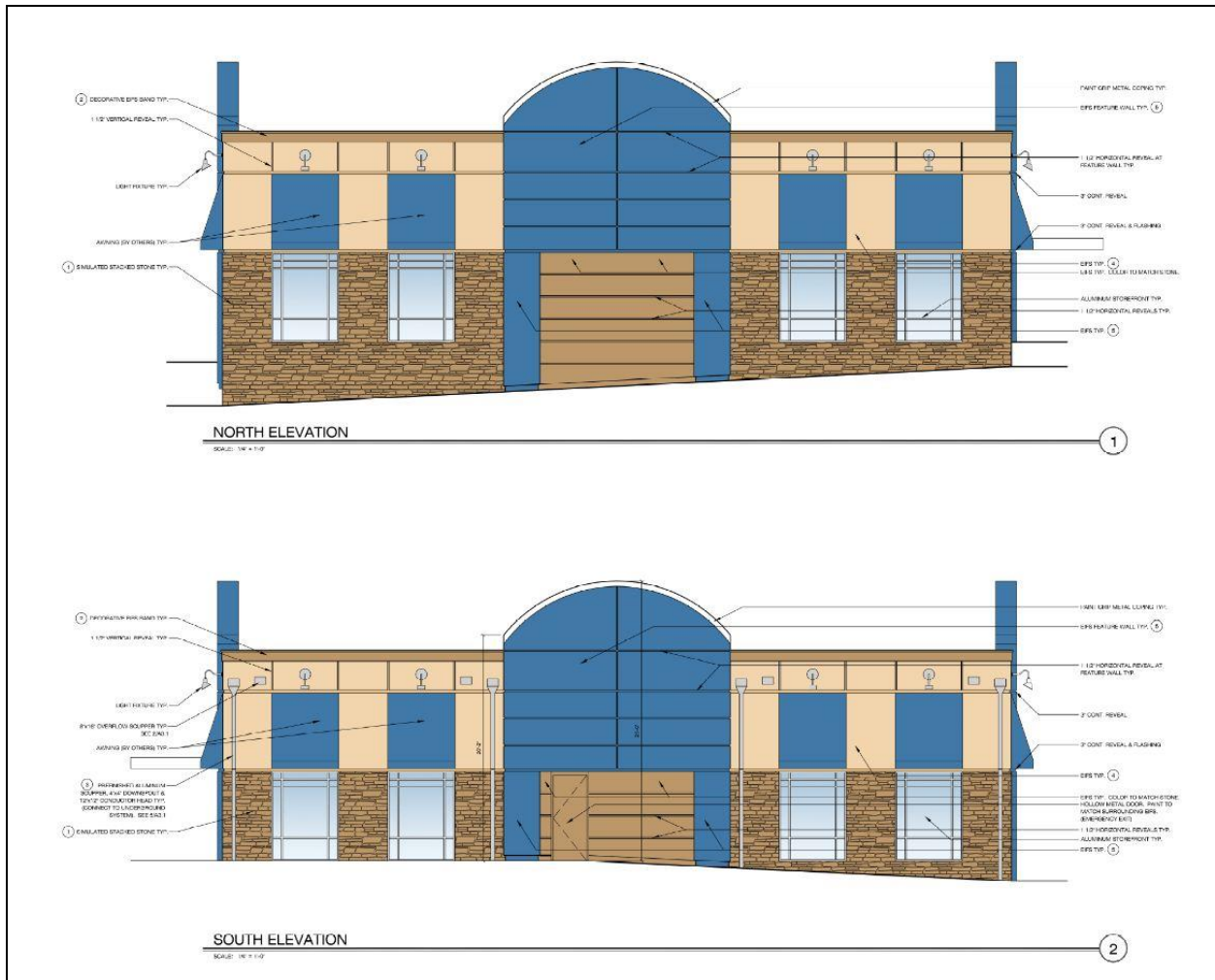


Figure 7: North and South Building elevations

- The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.

The Property has no existing forest, streams, wetlands, floodplains, or environmental buffers. Existing conditions include a two buildings and asphalt surfaces. There are some street trees and landscaping present on the Property, however there are no large trees on or adjacent to the Property.

### Forest Conservation

The Final Forest Conservation Plan (FFCP) amendment was prepared as part of the Site Plan Amendment application for the urgent care facility. The project requires an amendment to the previously approved FFCP to update the plans and change the method used to satisfy the planting requirement.

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. The FFCP proposes no forest clearing and no forest retention. The net tract area for the Application, for purposes of Chapter 22A is 1.10 acres, which includes 0.18 acres of offsite improvements. The proposed development on the Property generates a 0.17 acre afforestation planting requirement. The afforestation planting requirement is generated because the Property contains no existing forest and under the Commercial and Industrial Areas land use category the Property has a 15 percent afforestation threshold for the net tract area. The Applicant proposes to meet the entire planting requirement through a fee-in-lieu payment.

### **Stormwater Management**

In accordance with Chapter 19, a letter, dated January 29, 2014, from the Montgomery County Department of Permitting Services found the stormwater management concept for the development to be acceptable. The stormwater management concept proposes to meet required stormwater management goals via micro-biofilters.

### **Conclusion**

The Applications meet all requirements established by the C-3 Zone and conforms to the recommendations of the Germantown Employment Area Sector Plan. The Applications comply with Chapter 22A, the Montgomery County Forest Conservation Law. Staff recommends approval of the Preliminary Plan Amendment and Site Plan Amendment with the Final Conservation Plan, subject to the conditions contained for each Amendment application as outlined in this Staff Report.

## **APPENDICES**

- A. Prior Resolution(s)
- B. Proposed Preliminary Plan
- C. Proposed Forest Conservation Plan
- D. Agency Letters



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**OCT 16 2008**

**MCPB No. 08-88**  
**Preliminary Plan No. 11988271A**  
**Chevy Chase Bank at Fox Chapel**  
**Date of Hearing: July 17, 2008**

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION<sup>1</sup>**

WHEREAS, pursuant to Montgomery County Code Chapter 50, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review preliminary plan applications; and

WHEREAS, on January 14, 2008, Chevy Chase Bank, FSB ("Applicant"), filed an application for approval of a preliminary plan of subdivision of property that would amend a previously approved preliminary plan that created four lots for commercial uses, of which Lot 1 was approved for a gasoline filling station and a convenience retail shop of up to 600 square feet, by allowing construction of a 3,172 square-foot bank with three drive-through lanes on 40,539 square feet of land located in the southeast quadrant of the intersection of Frederick Road (MD 355) and Middlebrook Road ("Property" or "Subject Property"), in the Germantown Master plan area ("Master Plan"); and

WHEREAS, the Applicant's preliminary plan application was designated Preliminary Plan No. 11988271A, Chevy Chase Bank at Fox Chapel ("Preliminary Plan" or "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated July 3, 2008, setting forth its analysis, and recommendation for approval, of the Application subject to certain conditions ("Staff Report"); and

**APPROVED AS TO LEGAL SUFFICIENCY**

*Handwritten signature*

**M-NCPPC LEGAL DEPARTMENT**

**DATE** 7/13/08

<sup>1</sup> This Resolution constitutes the written opinion of the Board in this matter and satisfies any requirement under the Montgomery County Code for a written opinion.

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Chevy Chase Bank at Fox Chapel  
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WHEREAS, following review and analysis of the Application by Staff and the staffs of other governmental agencies, on July 17, 2008, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on July 17, 2008, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Robinson; seconded by Commissioner Alfandre; with a vote of 5-0, Commissioners Alfandre, Cryor, Hanson, Presley, and Robinson voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board APPROVES Preliminary Plan No. 11988271A to amend a previously approved Preliminary Plan that created four lots for commercial uses, of which Lot 1 was approved for a gasoline filling station and a convenience retail shop of up to 600 square feet, by allowing construction of a 3,172 square-foot bank with three drive-through lanes on 40,539 square feet of land located in the southeast quadrant of the intersection of Frederick Road (MD 355) and Middlebrook Road ("Property" or "Subject Property"), in the Germantown Master Plan area ("Master Plan"), subject to the following conditions:

1. Approval under this Preliminary Plan is limited to one lot for a 3,172 square-foot bank with a maximum of three drive-through lanes.
2. The Applicant must comply with the conditions for the preliminary forest conservation plan. The Applicant must meet all conditions prior to the recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permit(s). Conditions include but are not limited to the following:
  - a. Prior to certified site plan approval, the Applicant must submit a final forest conservation plan consistent with Section 109.B of the Forest Conservation Law.
  - b. All trees considered for landscape credit must be outside any existing or proposed utility easements and/or at least 5 feet off of the centerline of any utility line.
  - c. If a landscape credit is claimed for the afforestation requirement it must be shown and annotated on the certified site plan.
  - d. The Applicant must consider other options for meeting the afforestation requirement such as off-site planting or fee-in-lieu.
  - e. The Applicant must meet all conditions for final forest conservation plan approval prior to the time of certified site plan approval.

MCPB No. 08-88  
Preliminary Plan No. 11988271A  
Chevy Chase Bank at Fox Chapel  
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3. The Applicant must dedicate right-of-way truncation as shown on the approved Preliminary Plan.
4. The Applicant must comply with the conditions of the MCDPS stormwater management approval dated November 21, 2007.
5. The Applicant must comply with the conditions of the Montgomery County Department of Public Works and Transportation (MCDPWT) letter dated June 9, 2008, unless otherwise amended.
6. The Applicant must comply with the conditions of the Maryland State Highway Administration (MDSHA) letter dated February 15, 2008.
7. The Applicant must satisfy provisions for access and improvements as required by MCDPWT prior to recordation of plat(s).
8. The Applicant must satisfy provisions for access and improvements as required by MDSHA prior to issuance of access permits.
9. No clearing, grading or recording of plats prior to certified site plan approval.
10. Final approval of the location of buildings, on-site parking, site circulation, sidewalks, and bike paths will be determined at site plan.
11. Site Plan No. 820080170 must be approved by the Board and the certified site plan approved prior to the approval of the record plat.
12. The record plat must show necessary easements.
13. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board resolution.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference, and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The Preliminary Plan substantially conforms to the Master Plan.*

The Germantown Master Plan does not specifically address the Subject Property. However, the Master Plan recommends retention of existing zoning throughout the Master Plan area in the absence of a specific recommendation for change on a particular property. In the case of the Subject Property, the Master

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Plan calls for retention of the existing C-3 zoning. The Application complies with the recommendations adopted in the Master Plan in that it proposes commercial development consistent with surrounding development patterns and the current zoning designation.

- 2. Public facilities will be adequate to support and service the area of the proposed subdivision.*

#### Roads and Transportation Facilities

Under FY 2007-2009 Growth Policy, no policy area mobility review (PAMR) trip mitigation is required because the change from the previous land use (gas station) to the proposed land use (bank) generates fewer than four new peak-hour trips within the weekday morning and evening peak periods. Local area traffic review (LATR) is not required because the proposed land use will generate fewer trips within the weekday morning and evening peak periods than the previous use. Further, the previous use was evaluated for adequate public facilities, and any required improvements were constructed pursuant to the original approval of this subdivision.

Proposed access to the lot is via existing driveways on Frederick Road (MD 355) and Middlebrook Road. Pedestrian access will be from walkways that will connect the proposed bank to public sidewalks on Frederick Road and Middlebrook Road. Proposed vehicle and pedestrian access for the site will be safe and adequate.

#### Master Plan Highway Recommendations

The Germantown Master Plan recommends that the right-of-way for Frederick Road (MD 355) be widened to 150 feet from the current 135 feet. The Planning Board, however, finds that the right-of-way should not be widened beyond the existing width. This finding is based on a concern that additional widening, which would consist of a new right-turn lane for northbound Frederick Road, would reduce safety for pedestrians crossing Frederick Road between the southeast and southwest corners of the intersection. In addition, a new right-turn lane may become unnecessary if the yet-to-be-adopted Germantown Master Plan update recommends that Blunt Road be connected between Frederick Road and Middlebrook Road, because northbound Frederick Road traffic would use the Blunt Road connection to make the right turn onto eastbound Middlebrook Road. Therefore, the Planning Board finds that the Master Plan recommendation for additional right-of-way for Frederick Road (MD 355) is no longer appropriate. This finding is made in accordance with Section 50-35(I) of the Subdivision Regulations, which permits the Planning Board to find that events



have occurred to render the relevant master plan recommendation no longer appropriate.

#### Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The Property will be served by public water and sewer systems. The Application has been reviewed by the Montgomery County Fire and Rescue Service who have determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations and firehouses are operating according to the Growth Policy resolution currently in effect and will be adequate to serve the Property. Electrical, gas, and telecommunications services are also available to serve the Property.

- 3. The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.*

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application meets all applicable sections. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lot was reviewed for compliance with the dimensional requirements for the C-3 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. The Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

- 4. The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

There is no existing forest on-site, but a forest conservation plan has been submitted in order to meet the 0.14-acre afforestation requirement. The Applicant proposes to meet this requirement entirely on-site through the use of landscape credit. The Planning Board finds that alternative options, subject to Staff review and approval, should be pursued to fulfill the afforestation requirement. Such options may include purchasing into an approved forest land bank or submitting a fee-in-lieu payment to meet the afforestation requirement. These methods provide permanent forest protection that is not otherwise afforded through the use of landscape credit.

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Preliminary Plan No. 11988271A  
Chevy Chase Bank at Fox Chapel  
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The Board finds that a final determination on the method of meeting the afforestation requirement should be made by Staff as part its approval of the final forest conservation plan prior to the time of certified site plan. This Application meets the requirements of the Forest Conservation Law.

- 5. *The Application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.*

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on November 21, 2007. The stormwater management concept consists of flow splitting the water quality volume to a storm filter. Pretreatment of water quality will be provided via a Vortsentry device. Recharge is not required because the project is considered to be redevelopment. Channel protection is not required because the one-year post-development peak discharge is less than 2 cubic feet per second.

BE IT FURTHER RESOLVED, that this Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended) and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed; and

BE IT FURTHER RESOLVED, that the date of this Resolution is DEC 16 2008 (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 Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).



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Chevy Chase Bank at Fox Chapel  
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**CERTIFICATION**

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 Presley, seconded by Commissioner Robinson, with Commissioners Hanson, Robinson, Cryor, Alfandre, and Presley present and voting in favor of the motion, at its regular meeting held on Thursday September 25, 2008, in Silver Spring, Maryland.



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Royce Hanson, Chairman  
Montgomery County Planning Board



**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Action: Approved Staff Recommendation  
Motion of Comm. Bryant, seconded by  
Comm. Perdue with a vote of 3-0;  
Comms. Hussmann and Richardson  
temporarily absent.

**MONTGOMERY COUNTY PLANNING BOARD**

**OPINION**

Preliminary Plan 1-88271

NAME OF PLAN: MIDDLEBROOK CENTER

On 10-19-88, JOHN DISALVATORE submitted an application for the approval of a preliminary plan of subdivision of property in the C-3 zone. The application proposed to create 4 lots on 53,083 square feet of land. The application was designated Preliminary Plan 1-88271. On 05-16-91, Preliminary Plan 1-88271 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board found the plan to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approved Preliminary Plan 1-88271, subject to conditions.


On 10-14-98, KENWOOD AUTO BODY submitted an application for revision to the approved preliminary plan. The application for revision proposed to create 1 lot on 48,325 square feet of land. On 01-21-99, Preliminary Plan 1-88271 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds the revised plan to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves revised Preliminary Plan 1-88271, subject to the following conditions:

- (1) Prior to MCPB release of building permit, applicant to amend the Adequate Public Facilities (APF) agreement with the Planning Board to limit development to 9,760 square feet of automobile service facility
- (2) Conditions of revised stormwater management approval dated 11-10-98
- (3) All other previous conditions of approval related to this site (contained in the Planning Board Opinion dated 09-15-97) remain in full force and effect

Preliminary Plan 1-88271  
Page 2 of 2

- (4) This preliminary plan will remain valid until March 2, 2002 (37 months from date of mailing, which is February 2, 1999). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed.

Date of Mailing: May 25, 1993



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Action: Approved Staff Recommendation  
(Motion of Comm. Baptiste, seconded by Comm. Richardson,  
with a vote of 3-0; Comms. Baptiste, Richardson and  
Floreen, voting in favor, with Comms. Bauman and Aron  
being temporarily absent.)

## MONTGOMERY COUNTY PLANNING BOARD

## OPINION

Preliminary Plan 1-88271  
NAME OF PLAN: CRACKED CLAW

On 10-19-88, EXXON COMPANY USA, submitted an application for the approval of a preliminary plan of subdivision of property in the C3 zone. The application proposed to create 4 lots on 40539.00 SQ FEET of land. The application was designated Preliminary Plan 1-88271. On 05-13-93, Preliminary Plan 1-88271 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-88271 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-88271, subject to the following conditions:

1. Agreement with Planning Board to limit development to 11,901 square feet of retail use and an auto-mobile filling station with no more than 600 square feet of convenience retail shop pursuant to Board of Appeals Case No. S-1828. Retail uses are limited to convenience retail only. No fast food, banks, offices or other types are permitted
2. Conditions of MCDEP stormwater management approval dated 5-1-91
3. Dedication of both Frederick Road (Route 355) and Middlebrook Road for 150' right-of-way
4. Final alignment, termination and dedication of Blunt Road to be approved by MCDOT and shown at site plan
5. Access and improvements as required by MCDOT and MDSA
6. Clearing and rough grading of site to be in conformance with Site Plan 8-92012

- Continued -

7. Location of buildings and parking areas to be addressed at site plan

8. Necessary easements



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

## MONTGOMERY COUNTY PLANNING BOARD

## O P I N I O N

DATE MAILED: June 4, 1993

SITE PLAN REVIEW #8-92012

PROJECT: EXXON, MIDDLEBROOK ROAD

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*Action: Approval subject to conditions. Motion was made by Commissioner Baptiste, seconded by Commissioner Richardson, with a vote of 3-0, Commissioners Baptiste, Richardson and Floreen voting for. Commissioners Bauman and Aron absent.*

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The date of this written opinion is June 4, 1993, (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before July 3, 1993, (which is thirty days from the date of this written opinion). If no administrative appeal is filed, then this site plan unless otherwise provided for in the adopted Guidelines and Policies for Site Plan Extensions, shall remain valid until June 28, 1994 (which is the date that the validity period associated with the preliminary plan is set to expire as of the date of this opinion).

On May 29, 1992, Frederick Ward Associates, Inc. submitted an application for the approval of a site plan for property in the C-3 zone. The application was designated Site Plan Review #8-92012.

On May 13, 1993, Site Plan Review #8-92012 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, and which is made a part hereof, the Montgomery County Planning Board Finds:

1. The Site Plan meets all of the requirements of the zone in which it is located.
2. The locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient.



3. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.

The Montgomery County Planning Board approves Site Plan Review #8-92012 as follows:

1,904 square feet - automobile filling station and car wash

subject to the following conditions:

1. Submit a Site Plan Enforcement Agreement, and Development Program for review prior to approval of the initial building permit including clearing and grading schedule.
2. Submit a plan for clearing and grading for all four lots of the preliminary plan area that will correspond to the construction schedule and reduce soil erosion prior to approval of signature set.
3. The following information must be clearly shown on the signature set of site and landscape plans and must be incorporated into the sediment and erosion control plan for staff review prior to approval by MCDEP:
  - a. Limit of disturbance line;
  - b. The development program inspection schedule.

OCT 06 2008



**MONTGOMERY COUNTY PLANNING BOARD**  
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MCPB No. 08-98**  
**Site Plan No. 820080170**  
**Project Name: Chevy Chase Bank at Fox Chapel**  
**Date of Hearing: July 17, 2008**

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION**

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is vested with the authority to review site plan applications; and

WHEREAS, on January 14, 2008, Chevy Chase Bank, FSB ("Applicant"), filed an application for approval of a site plan for the construction of a 3,172 sq. ft. bank with three drive-thru lanes ("Site Plan" or "Plan") on 0.93 acres of C-3 zoned land, located at the intersection of Frederick Road (MD 355) and Middlebrook Road ("Property" or "Subject Property"); and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820080170, Chevy Chase Bank at Fox Chapel (the "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated July 3, 2008, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Staff and the staffs of other governmental agencies, on July 17, 2008, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

APPROVED AS TO LEGAL SUFFICIENCY

*Caroline J. Baker*

M-NCPPC LEGAL DEPARTMENT

DATE 7/17/08

MCPB No. 08-98  
Site Plan No. 820080170  
Project Name: Chevy Chase Bank at Fox Chapel  
Page 2

WHEREAS, on July 17, 2008, the Planning Board voted to approve the Application subject to conditions on the motion of Commissioner Robinson; seconded by Commissioner Cryor; with a vote of 5-0, Commissioners Alfandre, Cryor, Hanson Presley and Robinson voting in favor.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 820080170 for the construction of a 3,172 sq. ft. bank with a maximum of three drive-thru lanes on 0.93 acres in the C-3 zone, subject to the following conditions:

1. Preliminary Plan Conformance

The proposed development must comply with the conditions of the approved Resolution for Preliminary Plan No. 11988271A.

2. Lighting

The Applicant must ensure that each of the following conditions is met and is reflected on the Site Plan:

- a. Lighting distribution must conform to IESNA standards for commercial development.
- b. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent commercial properties.
- c. Illumination levels, excluding streetscape light fixtures, shall not exceed 0.5 footcandles (fc) at any property line abutting county roads or adjacent residential properties.
- d. The height of any on-site light poles shall not exceed 20 feet including the mounting base.

3. Environment

The Applicant must comply with the conditions of approval from M-NCPPC Environmental Planning in the memorandum dated June 18, 2008.

4. Transportation

The Applicant must comply with the conditions of approval from Maryland State Highway Administration ("SHA") in the memorandum dated February 15, 2008.

MCPB No. 08-98  
 Site Plan No. 820080170  
 Project Name: Chevy Chase Bank at Fox Chapel  
 Page 3

5. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions, as outlined in the memorandum dated November 21, 2007, unless amended and approved by the Montgomery County Department of Permitting Services ("DPS").

6. Development Program

The Applicant must construct the proposed development in accordance with the Development Program. A Development Program shall be reviewed and approved by Staff prior to approval of Certified Site Plan. The Development Program shall include a phasing schedule as follows:

- a. Street tree planting must be completed within six months of the issuance of any use and occupancy permits.
- b. All on-site landscaping, lighting, parking, and special paving must be completed within six months of the issuance of the first use and occupancy permit.
- c. Phasing of pre-construction meetings, dedications, stormwater management, sediment/erosion control, trip mitigation or other features.

7. Clearing and Grading

Applicant must ensure that there is no clearing or grading of the subject site prior to M-NCPPC approval of the Certified Site Plan.

8. Certified Site Plan

Prior to the Certified Site Plan approval the following revisions shall be included and/or information provided, subject to Staff review and approval:

- a. Detail of the proposed bike rack will be provided on the Certified Site Plan.
- b. Development Program, Inspection Schedule, and Site Plan Resolution.

BE IT FURTHER RESOLVED that all site development elements as shown on Chevy Chase Bank at Fox Chapel drawings stamped by M-NCPPC on May 6, 2008 shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that, having given full consideration to the recommendations and findings of its Staff, which the Planning Board hereby adopts and incorporates by reference, and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

MCPB No. 08-98  
 Site Plan No. 820080170  
 Project Name: Chevy Chase Bank at Fox Chapel  
 Page 4

1. *The site plan conforms to all non-illustrative elements of the development plan certified by the Hearing Examiner under Section 59-D-1.64 and all binding elements of the approved Zoning Application.*

Neither a development plan, diagrammatic plan, schematic development plan, nor a project plan was required for the subject site.

2. *The Site Plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan meets all of the requirements of the C-3 Zone as demonstrated in the Project Data Table below. In particular, the proposed development has more than the minimum required percentage of Green Area; less than the maximum height restriction for the proposed building; and more than the required amount of parking spaces.

**Project Data Table for the C-3 Zone**

Development Standards	Permitted/ Required	Development Standards Approved by the Board and Binding on the Applicant
<b>Min. Gross Tract Area (square feet) - prior to dedication</b>	n/a	44,692
<b>Max. Building Height (feet)</b>	42	32
<b>Building Setbacks</b>		
From Street Right-of-Way (min) <sup>1</sup>	10	10
From other Lot Lines (min) <sup>2</sup>	0	40
<b>Parking Setbacks</b>		
From MD-355 Right-of-Way (min)	10	14
From Middlebrook Road Right-of-Way (min)	10	45
From South Property Line (min)	4	4
From East Property Line (min)	4	50
<b>Parking Facility Internal Landscaping (% min)</b>	5	15
<b>Parking Space Requirements (3,172 sf GFA @ 3 spaces per 1,000 sf)</b>	10 Spaces	33 Spaces
<b>Min. Green Area (%)</b>	10	46

<sup>1</sup> 59-C-4.362(a)(1) - Middlebrook Road: From any street right-of-way - if the right-of-way line is established on a Master Plan - 10 feet

<sup>2</sup> 59-C-4.362(b)(2) - In all other cases, no setback is required.

MCPB No. 08-98  
Site Plan No. 820080170  
Project Name: Chevy Chase Bank at Fox Chapel  
Page 5

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

a. Locations of buildings and structures

The proposed building provides a commercial bank use on an optimal site for accessibility for local user and traveler, as the bank is being sited at the intersection of Middlebrook Road and Frederick Road (MD 355), with the entry façade of the building facing Frederick Road. The design and layout of the building is compatible with the surrounding buildings in terms of massing, detailing, and height. The existing street entrances are being retained and will not be altered and the drive-thru lanes are sited towards the rear of the building. The Applicant is utilizing the existing sign structure to mount the new business “identifier” sign along MD 355. The additional signage to be installed will be way-finding signage for drive-thru/ATM directional purposes. No additional signs are shown on the Site Plan. Both the use and the architecture’s design elements provide an adequate, safe, and efficient building on the subject site.

b. Open Spaces

The Plan proposes 46 percent green area, which is primarily located along the frontages of Middlebrook Road and Frederick Road (MD 355). This area provides visual interest with plantings and lighting integrated into retaining walls and landscape beds and is adequate, safe and efficient.

c. Landscaping and Lighting

The proposed landscaping on the site consists of a mix of evergreen and flowering shrubs and deciduous and evergreen trees along the streetscape and in planting beds in the interior of the site. The street trees along Frederick Road (MD 355) and Middlebrook Roads will be installed per the details specified for trees by the State and County transportation agencies for trees within lawn panels. The shade of these trees in addition to the landscape and lighting design features provide an adequate, safe, and efficient environment for patrons and passers-by.

The lighting plan consists of a collection of 20’ high, 400 Watt, Gardco Luminaires distributed throughout the site. This lighting design will provide an adequate, safe and efficient pedestrian environment.

d. Pedestrian and Vehicular Circulation Systems

The existing sidewalks along Frederick Road (MD 355) and Middlebrook Road were evaluated and are adequate, safe, and efficient.

MCPB No. 08-98  
Site Plan No. 820080170  
Project Name: Chevy Chase Bank at Fox Chapel  
Page 6

Pedestrian access to the site is enhanced by sidewalks and staircases leading up from the existing sidewalks along Frederick Road (MD 355) and Middlebrook Roads. These new sidewalks and staircases are to be located at the three corners of the site. This design will provide more access to the site for pedestrians. Given the constraints of vehicular access to and from Frederick Road (MD 355) and Middlebrook Road, as the site is accessed by a secondary driveway, the design efficiently directs traffic through the site with minimal impacts to pedestrian circulation. The proposed design will help to transform this segment of Frederick and Middlebrook Roads into a more inviting and pedestrian friendly environment.

Handicap access to the site is being provided through the use of two handicap parking spaces and accessible ramps within the site.

The vehicular circulation of the site is remaining mostly unaltered. Access to the site is being retained from both Frederick Road (MD 355) and Middlebrook Road, both which serve the Fox Chapel Shopping center. The existing driveway entrances on Frederick Road (MD 355) and Middlebrook Road will also be retained.

The proposed design provides an adequate, efficient and safe atmosphere for pedestrians and vehicles.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The proposed bank is compatible in scale and massing with the adjacent retail buildings. Additionally, the proposed Site Plan will help re-activate this segment of Middlebrook Village. As proposed, this Plan will provide a service to meet local residents' day-to-day needs.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

There is no existing forest on the Property; however, a Forest Conservation Plan was submitted for the subject site that identifies an afforestation requirement of 0.14-acres. The Applicant proposes to meet this requirement entirely on-site through the use of landscape credit. The Planning Board finds that alternative options should be pursued to fulfill the afforestation requirement. Such options may include purchasing into an approved forest land bank or submitting a fee-in-lieu payment to meet the afforestation requirement. These methods provide permanent forest protection that is not otherwise afforded through the use of landscape credit. The Board finds that a final determination on the method of meeting the afforestation requirement should be made by Staff as part of its approval of the

MCPB No. 08-98  
Site Plan No. 820080170  
Project Name: Chevy Chase Bank at Fox Chapel  
Page 7

Final Forest Conservation Plan prior to the time of Certified Site Plan. This Application meets the requirements of the Forest Conservation Law.

The proposed Stormwater Management Concept consists of flow splitting the water quality to a storm filter. Pre-treatment of the water quality will be provided via a Vortsentry device. Recharge is not required because the project is considered redevelopment. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

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

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

BE IT FURTHER RESOLVED, that the date of this Resolution is OCT 06 2008 (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 Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

\* \* \* \* \*

**CERTIFICATION**

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 Presley, seconded by Commissioner Robinson, with Commissioners Hanson, Robinson, Cryor, Alfandre, and Presley present and voting in favor of the motion, at its regular meeting held on Thursday September 25, 2008, in Silver Spring, Maryland.

  
\_\_\_\_\_  
Royce Hanson, Chairman  
Montgomery County Planning Board



8-08017

8-08017 Chevy Chase at Fox Chapel  
M.O.

Greenhorne & O'Mara  
Ms. Kim Currano  
20410 Century Boulevard, Suite 200  
Germantown, MD 20874

Greenhorne & O'Mara  
Ms. Surina Sigh  
20410 Century Boulevard, Suite 200  
Germantown, MD 20874

Chevy Chase Bank, FSB  
Mr. Joseph Pearson, Jr.  
7501 Wisconsin Avenue, 9<sup>th</sup> Floor  
Bethesda, Md 20814

Leo A. Daly  
Ms. Cindy Linkins  
1201 Connecticut Avenue, N. W.  
Washington, DC 20036

Lerch, Early & Brewer, Chtd.  
Mr. Stuart Barr  
3 Bethesda Metro Center  
Bethesda, MD 20814

## ATTACHMENT A

Greenhorne & O'Mara  
Ms Afsi Nikoo  
20410 Century Boulevard, Suite 200  
Germantown, MD 20874

Greenhorne & O'Mara  
Mr. John Sekerqk  
20410 Century Boulevard, Suite 200  
Germantown, MD 20874

Call list w/o phone numbers  
8-08017  
Chevy Chase Bank at Fox Chapel

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Eric Gilliland, Executive Director  
1803 Connecticut Ave, N. W. - 3<sup>rd</sup> Floor  
Washington, DC 20009

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Germantown, MD 20876

Jim Wilson  
19815 Frederick Road  
Germantown, MD 20847

Fox Chapel, LLC  
 c/o Robert B. Gould  
 11116 Arroyo Drive  
 Rockville, MD 20852

Middlebrook Road, LLC  
 14813 Sapling Way  
 Glenelg, MD 21737-9417

Kenwood Associates, LLC  
 11440 Middlebrook Road  
 Germantown, MD 20876

Prop Admin Store 5460-1  
 CVS 5460 MD LLC, c/o CVS Corp  
 One CVS Drive  
 Woonsocket, RI 02895

M-NCP&PC  
 9500 Brunett Avenue  
 Silver Spring, MD 20901

Middlebrook Shopping Center, L  
 c/o Alvin Aubinoe, Inc.  
 7507 Arlington Road  
 Bethesda, MD 20814-6101

EXXON Corporation  
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 Houston, TX 77001-0053

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 Lerch, Early & Brewer, Chtd.  
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 Bethesda, MD 20814-5367

Harry W. Lerch, Esquire  
 Lerch, Early & Brewer, Chtd.  
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Mr. Joseph B. Pearson, Jr.  
 Chevy Chase Bank Corporate Facility  
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 Germantown, MD 20874-1187

John Sekerak, Jr.  
 Greenhorne & O'Mara, Inc.  
 20410 Century Boulevard, Suite 200  
 Germantown, MD 20874-1187

M-NCP&PC – Intake Section  
 Development Review Division  
 8787 Georgia Avenue  
 Silver Spring, MD 20910-3760

## ATTACHMENT A

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Ouail Ridge Townhouse Association  
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Germantown, MD 20876

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James Dailey  
The Glen Homeowners Assn.  
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Seneca Park Homeowners Assn.  
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Trophy Court Homeowners Assn.  
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Bethesda, MD 20814

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Fox Chapel North Homes Assn. Inc.  
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11725 Trophy Court  
Germantown, MD 20876

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Germantown, MD 20876

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 Montgomery Village Citizens Coalition  
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 Montgomery Village, MD 20886

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 TROT  
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 Silver Spring, MD 20904

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 Spanish Speaking People of Montgomery  
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 Bethesda, MD 20814

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 Germantown, MD 20876

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 Montgomery County Taxpayers League  
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 Rockville, MD 20848-0826

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 Montgomery Preservation, Inc.  
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 Kensington, MD 20895

Pat Olson  
 Germantown Citizens Assn.  
 18413 Kingshill Rd  
 Germantown, MD 20874

Jim Fary  
 Sierra Club - Montgomery County Group  
 2836 Blue Spruce Lane  
 Silver Spring, MD 20906-3166

Congressman Albert Wynn  
 U.S. House of Representatives  
 434 Cannon House Office Building  
 Washington, D.C. 20515-2004

Dolores Milmo  
 Audubon Naturalist Society  
 8940 Jones Mill Road  
 Chevy Chase, MD 20815

George Sauer  
 Citizens for a Better Montgomery  
 8307 Post Oak Road  
 Potomac, MD 20854-3479

Contact  
 Washington Metro Area Transit Authority  
 600 Fifth Street, NW  
 Washington, DC 20001

Wayne Goldstein  
 Montgomery County Civic Federation  
 3009 Jennings Road  
 Kensington, MD 20895

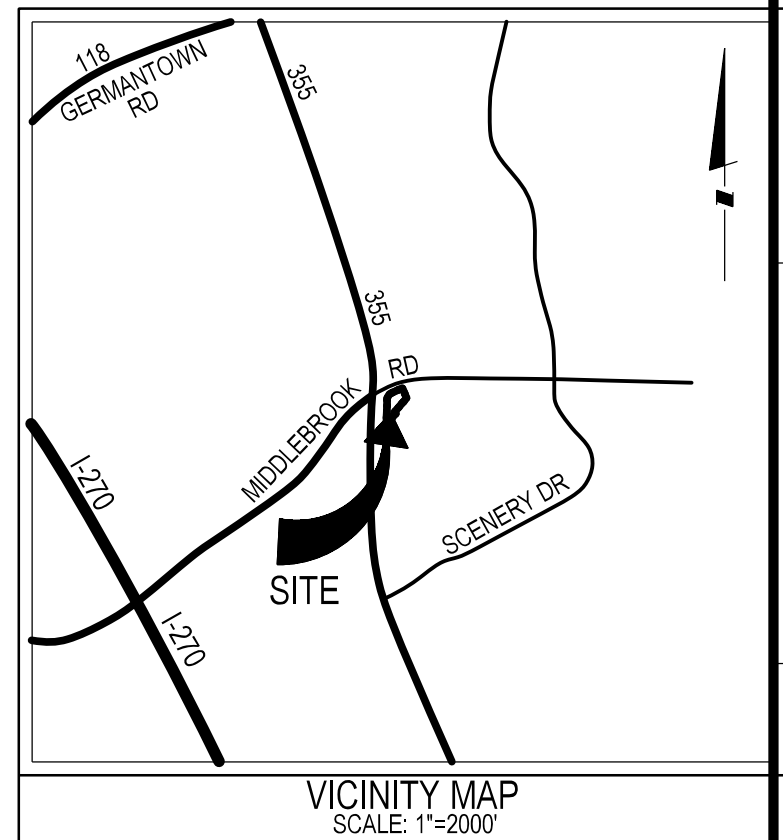
John Luke  
 Montgomery County Air Park  
 7940 Air Park Road  
 Gaithersburg, MD 20879

Julius Cinque  
 Northern Montgomery County Alliance  
 223 Slidell Road  
 Boyds, MD 20841

Jim Humphrey  
 Montgomery County Civic Federation  
 5104 Elm Street  
 Bethesda, MD 20814

# CENTRA CARE MIDDLEBROOK PRELIMINARY PLAN AMENDMENT 11988271B

MNCPPC PRELIMINARY PLAN APPLICATION #11988271B  
GERMANTOWN (9TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND



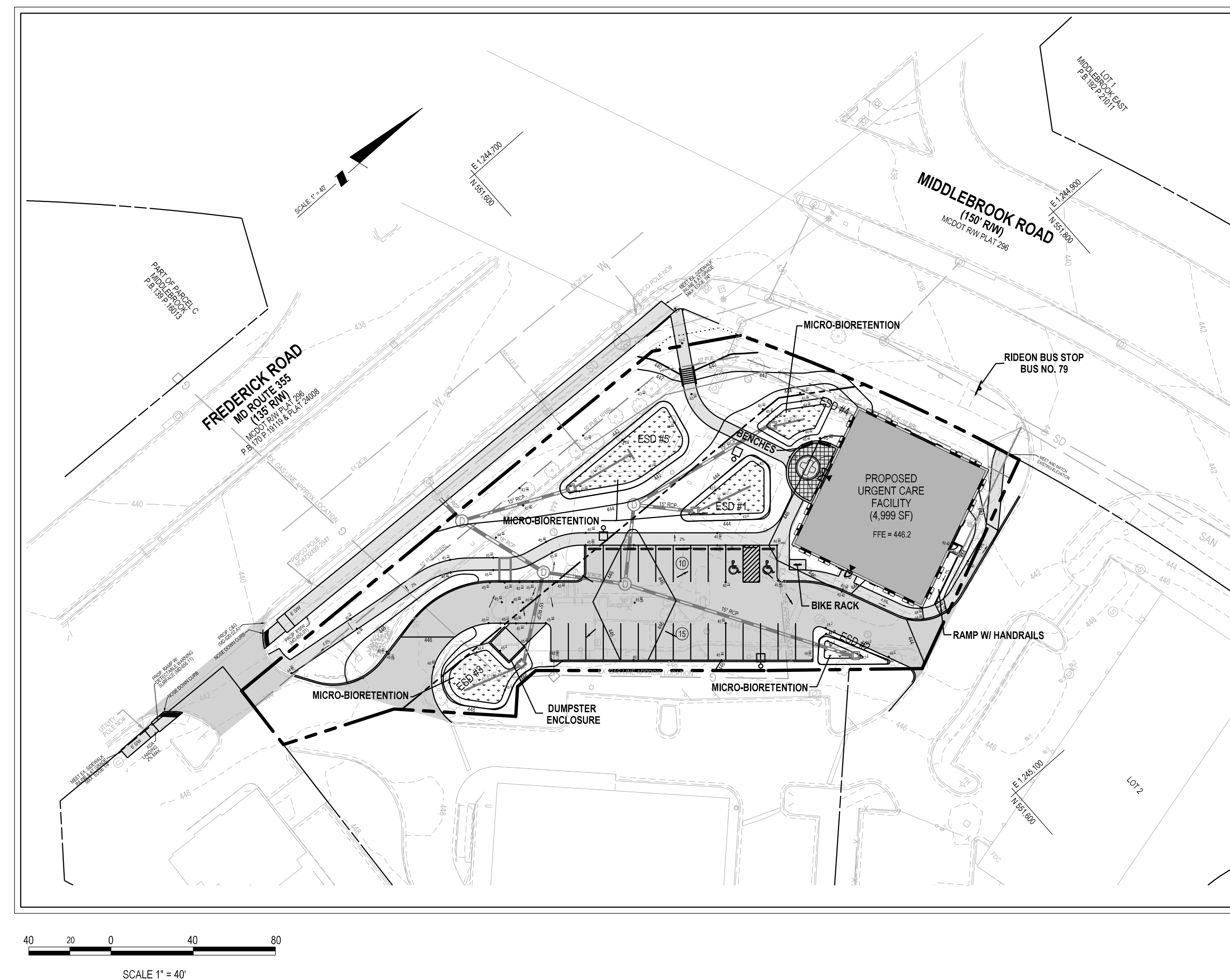
PLANNING DEPARTMENT USE ONLY (E-PLANS)

**GENERAL NOTES**

- THE TOTAL GROSS TRACT AREA OF THE PROPERTY IS 0.926 ACRES (40,354 SQUARE FEET)
- PROPERTY IS LOCATED WITHIN THE ZONE: C-3
- THE SUBJECT PROPERTY IS LOCATED WITHIN TAX MAP FU122
- BOUNDARY INFORMATION PROVIDED BY SOLTESZ
- GRID COORDINATES ARE PER MARYLAND STATE PLAN DATUM (NAD 83/91)
- TWO FOOT CONTOUR TOPOGRAPHY AND EXISTING SITE INFORMATION WAS FIELD COLLECTED BY SOLTESZ
- THE PROJECT LIES WITHIN THE FOX CHAPEL DISTRICT OF THE GERMANTOWN SECTOR PLAN
- NRI / FSD PROVIDED BY VIKI (MNCPPC FILE NO. 419930330) APPROVED APRIL 5, 1993
- THE SITE IS LOCATED WITHIN THE MIDDLE GREAT SENECA CREEK WATERSHED
- SOILS INFORMATION FROM USDA-NRCS, GIS SOIL SURVEY DATABASE
- 100 YEAR FLOODPLAIN FROM FEMA FLOOD MAP COMMUNITY PANEL #2400490125C
- THE PROJECT IS PROPOSED TO BE SERVED BY PUBLIC WATER AND SEWER SYSTEMS AND IS CURRENTLY IN WATER / SEWER CATEGORIES W-1 AND S-1 RESPECTIVELY
- A STORMWATER MANAGEMENT CONCEPT WAS SUBMITTED TO MCDPS FOR APPROVAL ON SEPTEMBER 13, 2013
- WSSC 200' SHEET - 219NW10
- NO HISTORICAL FEATURES EXIST ON OR ADJACENT TO THE SUBJECT PROPERTY
- THE FINAL LOCATION OF THE PROPOSED SWM/ESD EASEMENTS WILL BE DETERMINED AT FINAL ENGINEERING, AND PRIOR TO RECORD PLAT
- ALL INTERIOR ROADS ARE PRIVATE.
- PRE-CONSTRUCTION MEETING TO BE HELD WITH DPS SITE PLAN ENFORCEMENT INSPECTOR. CALL 240-777-6321 TO SCHEDULE.

**LEGEND**

- EXISTING SITE BOUNDARY
- EXISTING RIGHT OF WAY
- EXISTING STREET CENTER LINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING WATER PIPE
- EXISTING SEWER PIPE
- PROPOSED STORM DRAIN PIPE
- PROPOSED LIMIT OF DISTURBANCE



	REQUIRED /PERMITTED	PROPOSED
<b>GROSS TRACT AREA (FOR DENSITY PURPOSES)</b>		
P476	40,354 SF (0.926 AC)	
SUB-TOTAL (TRACT AREA)	40,354 SF (0.926 AC)	
<b>TOTAL GROSS TRACT AREA (FOR DENSITY CALCULATIONS)</b>	40,354 SF (0.926 AC)	40,354 SF (0.926 AC)
<b>MAXIMUM DENSITY (SEC. 59-C-4.36)</b>		
COMMERCIAL	Not Specified	4,999 SF
<b>GREEN AREA (SEC 59-C-4.363) (% OF NET LOT AREA):</b>		
GREEN AREA (10% OF LOT - 40,354 SF)	4,035 SF	19,008 SF
<b>MAXIMUM BUILDING HEIGHT (IN FT) (SEC. 59-C-4.361):</b>	42'	30'
<b>MINIMUM BUILDING SETBACK (SEC. 59-C-4.362):</b>		
FROM STREET R.O.W.	10'	10'
FROM ANY OTHER LOT LINE	NONE	45'
<b>REQUIRED PARKING (SEC. 59-E-3.7)</b>		
MEDICAL CLINIC (5 SP / 1,000 SQ. FT)	25	25
<b>SUB-TOTAL SPACES (INCLUSIVE OF 2 ACCESSIBLE SPACES)</b>	25	25
MOTORCYCLE PARKING	0	0
BICYCLE PARKING	2	2
<b>TOTAL PARKING SPACES PROVIDED</b>		25

**SITE PLAN INDEX**

- SHEET 1 COVER SHEET
- SHEET 2 APPROVAL SHEET
- SHEET 3 PRELIMINARY PLAN

**DEVELOPER'S CERTIFICATE**

THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES AND REQUIREMENTS OF THE SITE PLAN APPROVAL 11988271B, INCLUDING APPROVAL CONDITIONS, THE DEVELOPMENT PROGRAM, AND THIS SIGNATURE SET OF THE SITE PLAN.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

COMPANY: \_\_\_\_\_

Rockville  
Lanham  
Waldorf  
Leonardtown

ROCKVILLE OFFICE  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.948.2750 F. 301.948.9067  
www.solteszco.com

NO.	REVISIONS	BY	DATE
2	REVISIONS IN RESPONSE TO DRC COMMENTS (JUNE 24, 2014)	LFG	7/17/2014
1	REVISIONS IN RESPONSE TO DRC COMMENTS (JANUARY 21, 2014)	WJM	5/15/2014

DATE: MAY 2014 CAD STANDARDS VERSION: V8 - 2000  
DESIGNED: AH / PMS TECHNICIAN: AH / PMS CHECKED: WJM

**MISS UTILITY NOTE**

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHOEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**OWNER/DEVELOPER/APPLICANT**

NATIONAL URGENT CARE DEVELOPER, LLC  
387-A HERNDON AVENUE  
ORLANDO, FL 32803  
RAUL.SOCARRAS@ICONSYSYSTEMS.COM  
E.JAMISON@MILLENNIA-PARTNERS.COM  
PH: 407-963-5002  
ATTN: RAUL SOCARRAS & ELLIOT JAMISON

COPYRIGHT ©DC THE MAP PEOPLE  
PERMITTED USE NUMBER 21007000

MAP	GRID
TAX MAP FU122	ZONING CATEGORY: C-3
WSSC 200' SHEET 227 NW 11	
SITE DATUM HORIZONTAL: NAD 83/91 VERTICAL: N/A	

**PROFESSIONAL CERTIFICATION**

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.  
LICENSE NO. 29443 EXPIRATION DATE: 09/15/15

**COVER SHEET**

PRELIMINARY PLAN AMENDMENT 11988271B  
**CENTRA CARE MIDDLEBROOK**  
19825 FREDERICK ROAD, GERMANTOWN, MD  
GERMANTOWN (9th) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

1" = 40'

SHEET 1 OF 3

PROJECT NO. 1997-00-01

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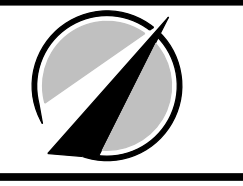
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 SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PRINTED NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_  
 COMPANY: \_\_\_\_\_

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 LICENSE NO. 29443 EXPIRATION DATE: 09/15/15

**PRELIMINARY PLAN APPROVALS**

**PRELIMINARY PLAN AMENDMENT 11988271B**  
**CENTRA CARE MIDDLEBROOK**  
 19825 FREDERICK ROAD, GERMANTOWN, MD  
 GERMANTOWN (9th) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND



1" = NTS

SHEET **2**  
OF **3**

PROJECT NO.  
1997-00-01

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 PERMITTED USE NUMBER 21007200

MAP	GRID
TAX MAP FU122	ZONING CATEGORY: C-3
WSSC 200' SHEET 227 NW 11	
SITE DATUM HORIZONTAL: NAD 83/91 VERTICAL: N/A	



**OWNER/DEVELOPER/APPLICANT**  
 NATIONAL URGENT CARE DEVELOPER, LLC  
 387-A HERNDON AVENUE  
 ORLANDO, FL 32803  
 RAUL.SOCARRAS@ICONSYSYSTEMS.COM  
 E.JAMISON@MILLENNIA-PARTNERS.COM  
 PH: 407-963-5002  
 ATTN: RAUL SOCARRAS & ELLIOT JAMISON

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DATE: MAY 2014	CAD STANDARDS VERSION: V8 - 2000
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	CHECKED: WJM



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Rockville  
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 Environmental Sciences

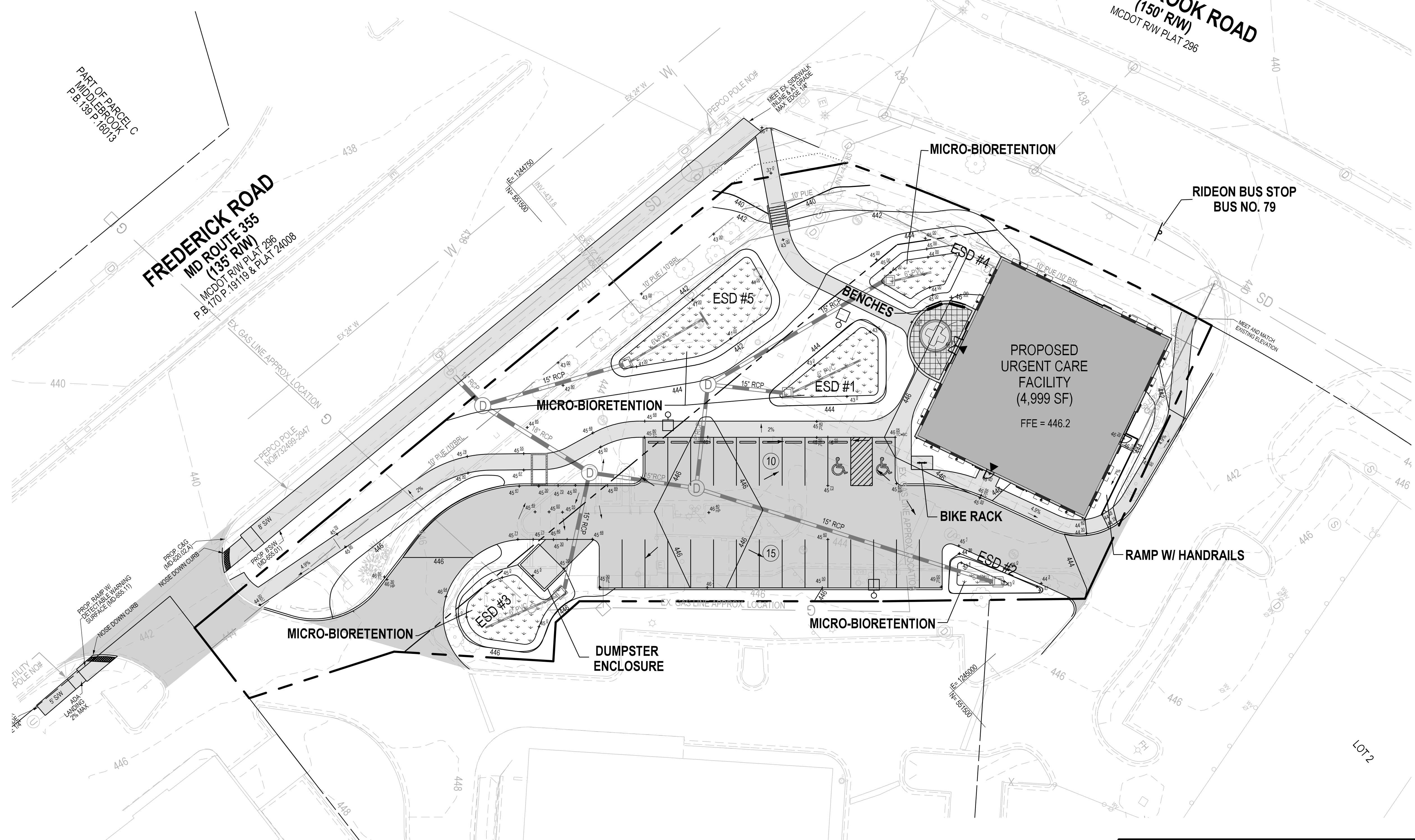
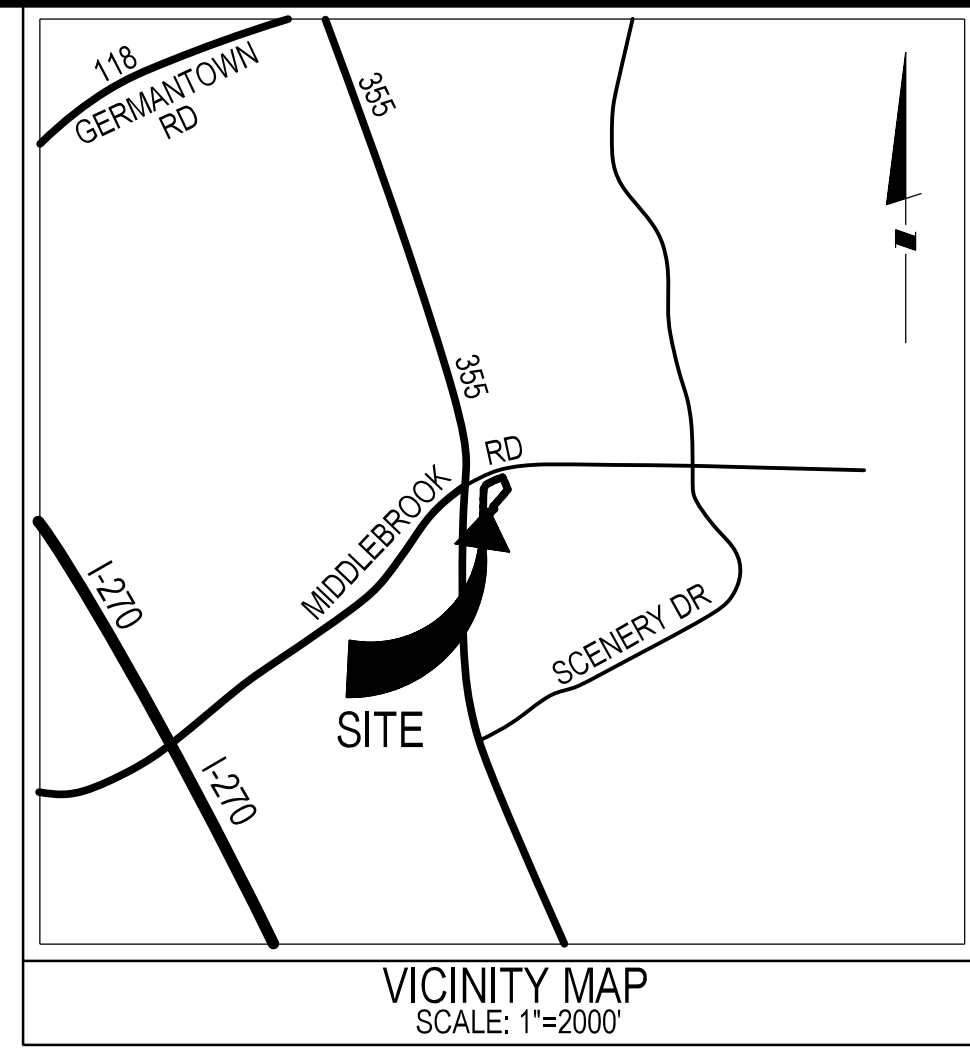
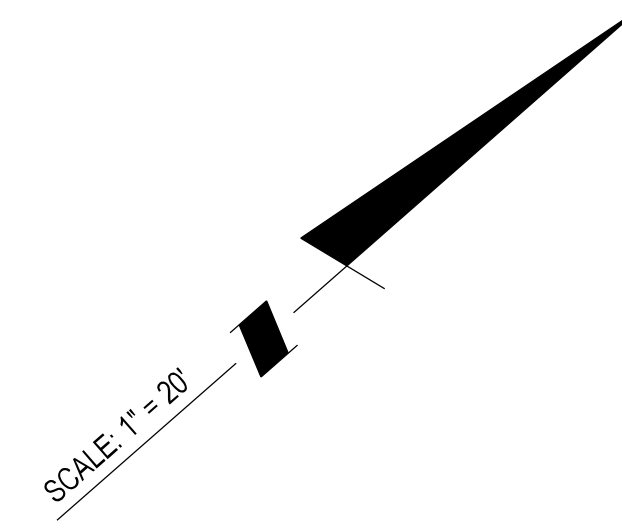
REFERENCE GRID  
A B C D E F G H I J K L M N O

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**LEGEND**

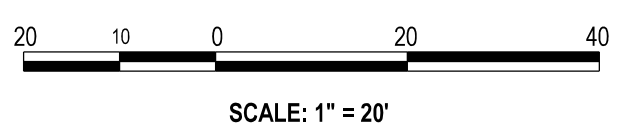
- — — — — EXISTING SITE BOUNDARY
- — — — — EXISTING RIGHT OF WAY
- — — — — EXISTING STREET CENTER LINE
- - - - - EXISTING CONTOUR
- — — — — PROPOSED CONTOUR
- W — EXISTING WATER PIPE
- SAN — EXISTING SEWER PIPE
- — — — — PROPOSED STORM DRAIN PIPE
- LOD — PROPOSED LIMIT OF DISTURBANCE

PLANNING DEPARTMENT USE ONLY (E-PLANS)



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SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
PRINTED NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_  
COMPANY: \_\_\_\_\_



**PROFESSIONAL CERTIFICATION**  
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.  
LICENSE NO. 29443 EXPIRATION DATE: 08/15/15

**PRELIMINARY PLAN**

**PRELIMINARY PLAN AMENDMENT 11988271B**  
**CENTRA CARE MIDDLEBROOK**  
19825 FREDERICK ROAD, GERMANTOWN, MD

GERMANTOWN (9th) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND



**ROCKVILLE OFFICE**  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.948.2750 F. 301.948.9067

Rockville  
Lanham  
Waldorf  
Leonardtown

NO.	REVISIONS	BY	DATE
2	REVISIONS IN RESPONSE TO DRC COMMENTS (JUNE 24, 2014)	LFG	7/17/2014
1	REVISIONS IN RESPONSE TO DRC COMMENTS (JANUARY 21, 2014)	WJM	5/15/2014

DATE: MAY 2014 CAD STANDARDS VERSION: V8 - 2000  
DESIGNED: AH / PMS TECHNICIAN: AH / PMS CHECKED: WJM

**MISS UTILITY NOTE**

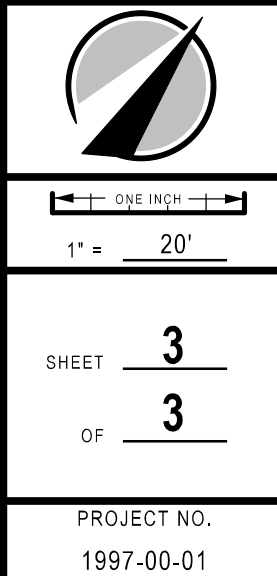
INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY OBTAINING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-251-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**OWNER/DEVELOPER/APPLICANT**

NATIONAL URGENT CARE DEVELOPER, LLC  
387-A HERNDON AVENUE  
ORLANDO, FL 32803  
RAUL.SOCARRAS@ICONSYSYSTEMS.COM  
E.JAMISON@MILLENNIA-PARTNERS.COM  
PH: 407-963-5002  
ATTN: RAUL SOCARRAS & ELLIOT JAMISON

**MAP GRID**

TAX MAP: FU122 ZONING CATEGORY: C-3  
WSSC 200' SHEET: 227 NW 11  
SITE DATUM: HORIZONTAL: NAD 83/91 VERTICAL: N/A



SHEET **3**  
OF **3**  
PROJECT NO.  
1997-00-01



SCALE: 1" = 20'

PLANNING DEPARTMENT USE ONLY (E-PLANS)

**Forest Conservation Data Table**

Number of Acres	
Tract	1.1 (0.92 + 0.18)
Remaining in Agricultural Use	NONE
Road & Utility ROWs <sup>1</sup>	NONE
Total Existing Forest	NONE
Forest Retention	NONE
Forest Cleared	NONE

Land Use & Thresholds <sup>2</sup>	
Land Use Category	ARA, MDR, IDA, HDR, MDP, or CIA
Conservation Threshold	15% percent
Afforestation Threshold	15% percent

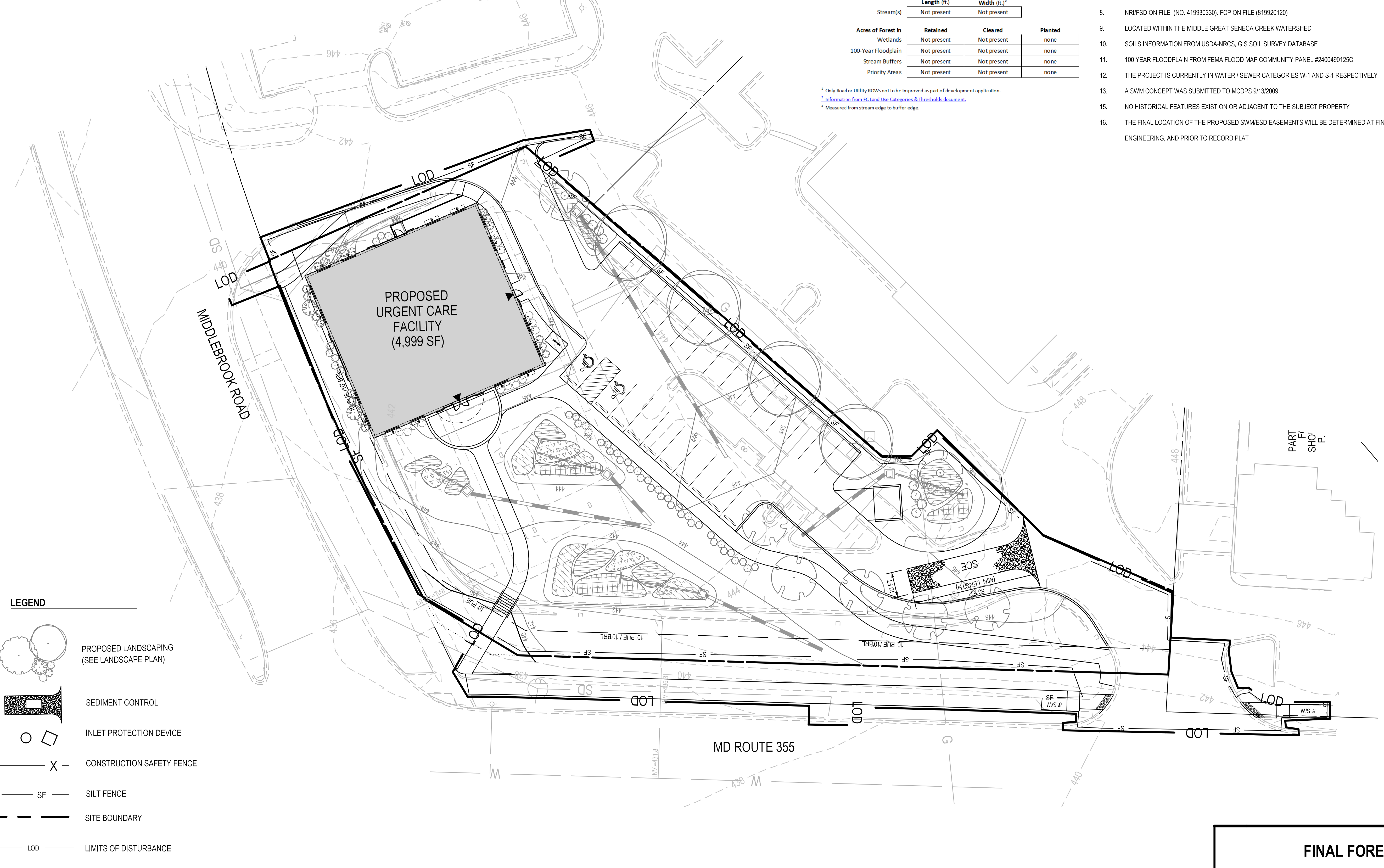
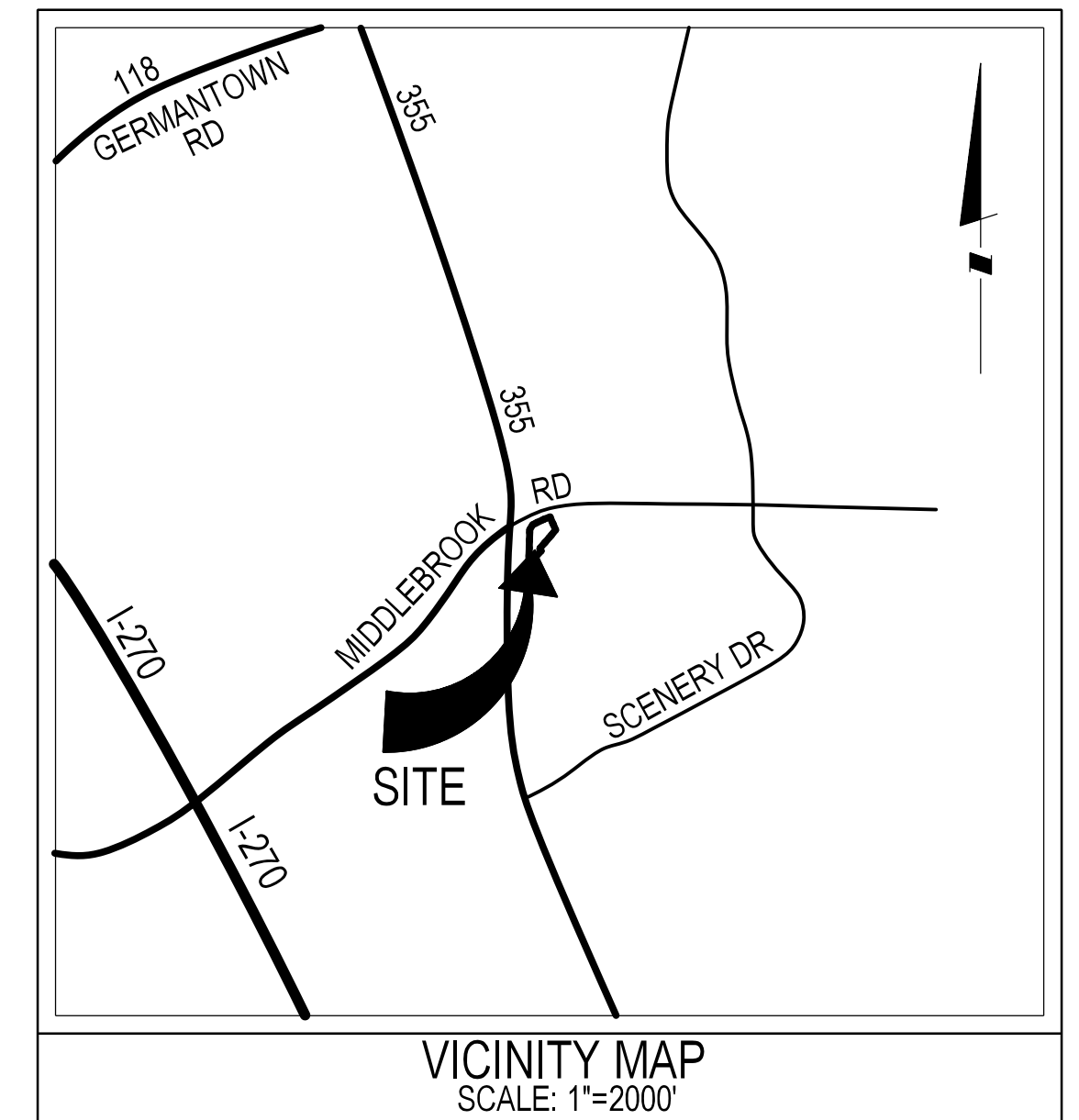
  

Stream(s)	Average Buffer	
	Length (ft.)	Width (ft.) <sup>3</sup>
Not present	Not present	Not present

Acres of Forest in	Average Buffer		
	Retained	Cleared	Planted
Wetlands	Not present	Not present	none
100-Year Floodplain	Not present	Not present	none
Stream Buffers	Not present	Not present	none
Priority Areas	Not present	Not present	none

1. THE PROPERTY IS 0.92 ACRES (40,354 SQUARE FEET), NET TRACT AREA ALSO INCLUDES 0.18 ACRES OFFSITE DISTURBANCE.
2. PROPERTY IS LOCATED WITHIN THE ZONE: C-3
3. LOCATED WITHIN TAX MAP FU122 / WSSC 200' SHEET - 219NW10
4. BOUNDARY INFORMATION PROVIDED BY SOLTESZ.
5. GRID COORDINATES ARE PER MD STATE PLAN DATUM (NAD 83/91)
6. 2 FT CONTOUR TOPO AND EXISTING SITE INFO. WAS FIELD COLLECTED BY SOLTESZ
7. LOCATED WITHIN THE FOX CHAPEL DISTRICT OF THE GERMANTOWN SECTOR PLAN
8. NRUFSD ON FILE (NO. 419930330), FCP ON FILE (819920120)
9. LOCATED WITHIN THE MIDDLE GREAT SENECA CREEK WATERSHED
10. SOILS INFORMATION FROM USDA-NRCS, GIS SOIL SURVEY DATABASE
11. 100 YEAR FLOODPLAIN FROM FEMA FLOOD MAP COMMUNITY PANEL #2400490125C
12. THE PROJECT IS CURRENTLY IN WATER / SEWER CATEGORIES W-1 AND S-1 RESPECTIVELY
13. A SWM CONCEPT WAS SUBMITTED TO MCDPS 9/13/2009
15. NO HISTORICAL FEATURES EXIST ON OR ADJACENT TO THE SUBJECT PROPERTY
16. THE FINAL LOCATION OF THE PROPOSED SWMSED EASEMENTS WILL BE DETERMINED AT FINAL ENGINEERING, AND PRIOR TO RECORD PLAT



**FOREST CONSERVATION WORKSHEET**  
Centra Care - Middlebrook Road

NET TRACT AREA:

A. Total tract area ...	0.92
B. Land dedication acres (parks, county facility, etc.) ...	0.00
C. Land dedication for roads or utilities (not being constructed by this plan) ...	0.00
D. Area to remain in commercial agricultural production/use ...	0.00
E. Other (specify) ... Area of Offsite LOD added to Net Tract / 76435F	0.18
F. Net Tract Area	1.10

LAND USE CATEGORY: (from *Trees Technical Manual*)  
Input the number "1" under the appropriate land use, limit to only one entry.

ARA	MDR	IDA	HDR	MPD	CIA
0	0	0	0	0	1

G. Afforestation Threshold ... 15% x F = 0.17  
H. Conservation Threshold ... 15% x F = 0.17

EXISTING FOREST COVER:

I. Existing forest cover ...	0.00
J. Area of forest above afforestation threshold ...	0.00
K. Area of forest above conservation threshold ...	0.00

BREAK EVEN POINT:

L. Forest retention above threshold with no mitigation ...	0.00
M. Clearing permitted without mitigation ...	0.00

PROPOSED FOREST CLEARING:

N. Total area of forest to be cleared ...	0.00
O. Total area of forest to be retained ...	0.00

PLANTING REQUIREMENTS:

P. Reforestation for clearing above conservation threshold ...	0.00
Q. Reforestation for clearing below conservation threshold ...	0.00
R. Credit for retention above conservation threshold ...	0.00
S. Total reforestation required ...	0.00
T. Total afforestation required ...	0.17
U. Credit for landscaping (may not exceed 20% of "S") ...	0.00
V. Total reforestation and afforestation required ...	0.17

worksheet updated 8/5/2002

THE PREVIOUSLY APPROVED FCP (819920120) SHOWS 0.14 ACRES OF AFFORESTATION SATISFIED ONSITE WITH LANDSCAPE CREDIT. AT THIS TIME, PER DIRECTION OF MNCPPC STAFF, THE REQUIRED 0.17 ACRES OF AFFORESTATION WILL BE PAID AS FEE IN LIEU. NO ONSITE CREDIT WILL REMAIN.

**DEVELOPER'S CERTIFICATE**

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. \_\_\_\_\_ including financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: \_\_\_\_\_  
Contact Person or Owner: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone and Email: \_\_\_\_\_  
Signature: \_\_\_\_\_

**SOLTESZ**

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NO.	REVISIONS	DATE
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1	REVISIONS IN RESPONSE TO DRC COMMENTS (JANUARY 21, 2014)	KDL 5/15/2014

DATE: MAY 2014 CAD STANDARDS VERSION: V8 - 2000  
DESIGNER: AH / PMS TECHNICIAN: AH / PMS CHECKED: KDL

**MISS UTILITY NOTE**

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E.JAMISON@MILLENNIA-PARTNERS.COM  
PH: 407-963-5002  
ATTN: RAUL SOCARRAS & ELLIOT JAMISON

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PERMITTED USE NUMBER 21007000

TAX MAP	FU122	ZONING CATEGORY:	C-3
WSSC 200' SHEET	227 NW 11		
SITE DATUM	HORIZONTAL: NAD 83/91		
	VERTICAL: N/A		



**FINAL FOREST CONSERVATION PLAN**

**FOREST CONSERVATION PLAN AMENDMENT**  
**SITE PLAN AMENDMENT 82008017A**  
**CENTRA CARE - MIDDLEBROOK**  
**19825 FREDERICK ROAD, GERMANTOWN, MD**

GERMANTOWN (9th) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

1" = 20'

SHEET 1 OF 1

PROJECT NO. 1997-00-01

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## FIRE MARSHAL COMMENTS

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**DATE:** 15-Sep-14  
**TO:** Bill Musico  
Soltez  
**FROM:** Marie LaBaw  
**RE:** Centra Care Middlebrook  
82008017A 11988271B SW#256754

---

### PLAN APPROVED

1. Review based only upon information contained on the plan submitted **15-Sep-14** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

**\*\*\* Performance based review approval \*\*\***



**FIRE CODE ENFORCEMENT**

STRATEGIES FOR TODAY. INSIGHT FOR TOMORROW.  
Fire Department Access Review

August 12, 2014

Marie LaBaw  
Montgomery County Fire and Rescue Services  
100 Edison Park Drive, 2<sup>nd</sup> Floor  
Gaithersburg, Maryland 20878

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors, or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.

RE: Centra Care Middlebrook - Site Plan Amendment 82008017A

GMC 43 9/15/14

Dear Ms. LaBaw,

I am writing on behalf of the applicant, National Urgent Care Developer, LLC., to request a performance based design modification to Montgomery County Executive Regulation 29-08AM Section 9C for the above referenced Site Plan Amendment 82008017A. This amendment to the Site Plan on record will include the construction of a new 4,999 SF, single level, Urgent Care Facility.

Montgomery County Executive Regulation 29-08AM Section 9C states that:

*A non-residential occupied structure must provide access to the occupied interior through a main, side-hinged door, via a clear and unobstructed walkable grade, within 50 feet of fire department access.*

Due to the nature of the building design, the main side-hinged door (main entrance for facility) is located more than 50 feet from the fire department access lane causing the facility to not be in compliance with the prescriptive based code.

In place of Montgomery County Executive Regulation 29-08AM Section 9C, we request that the site be subject to the following performance based code modification:

*All occupied interior space within a non-residential occupied structure, shall be no further than 200 feet from the fire department access lane.*

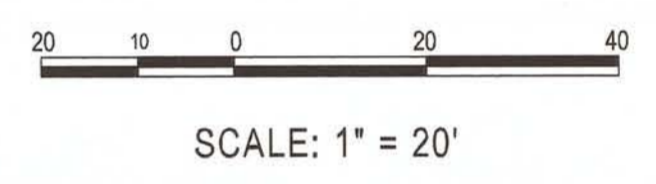
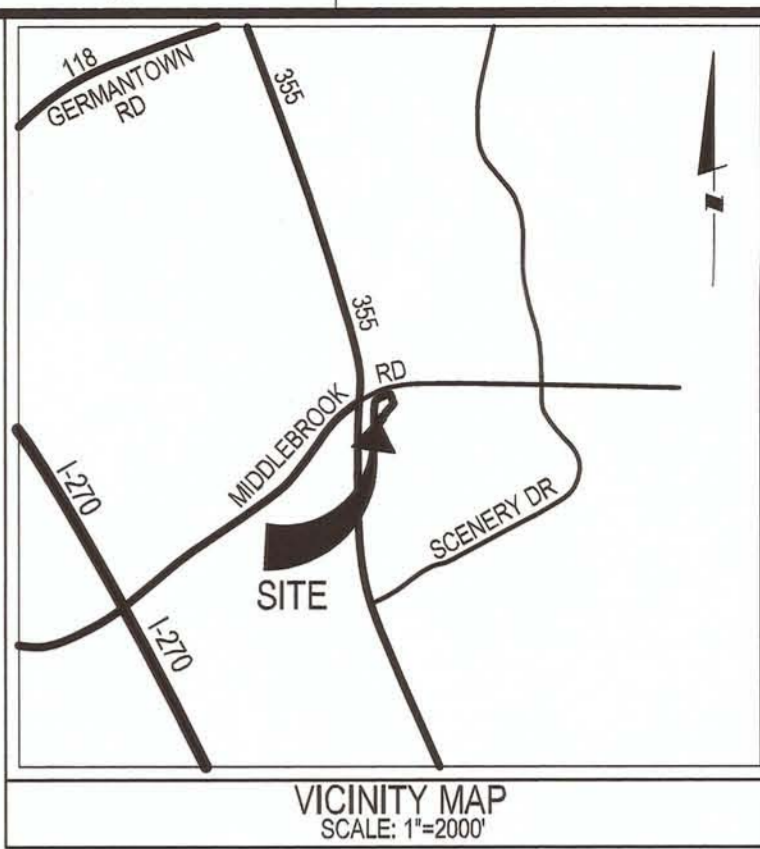
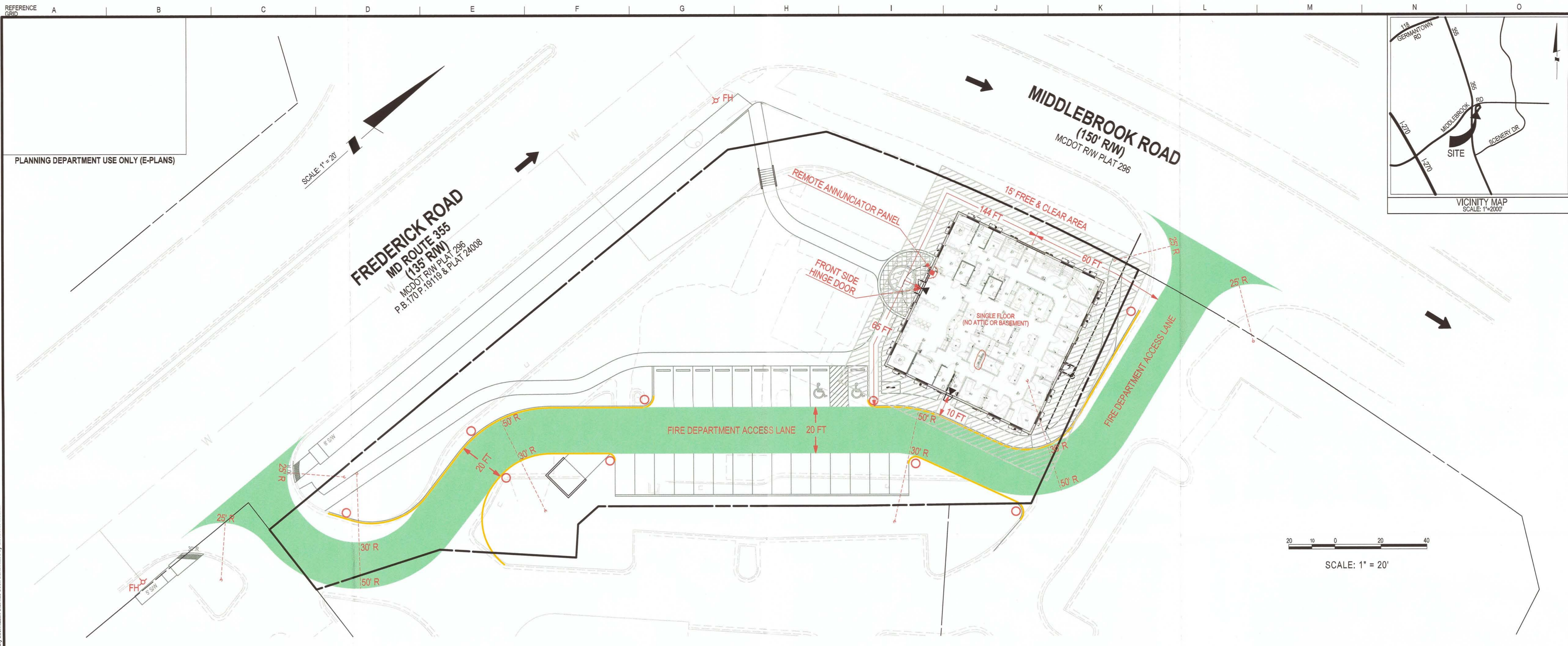
To demonstrate adherence to this code modification, a 'hose-drag' plan was developed to show approximate distances from the proposed fire lane to each corner of the building interior (Sheet 2 of 2 of the Fire Department Access Plan Submittal). All MCFRS Fire Engine Companies are equipped with 200 foot pre-connected hand lines.

At your earliest convenience, please review the Fire Department Access Plan submission package and let us know if you have any questions, comments, or concerns.

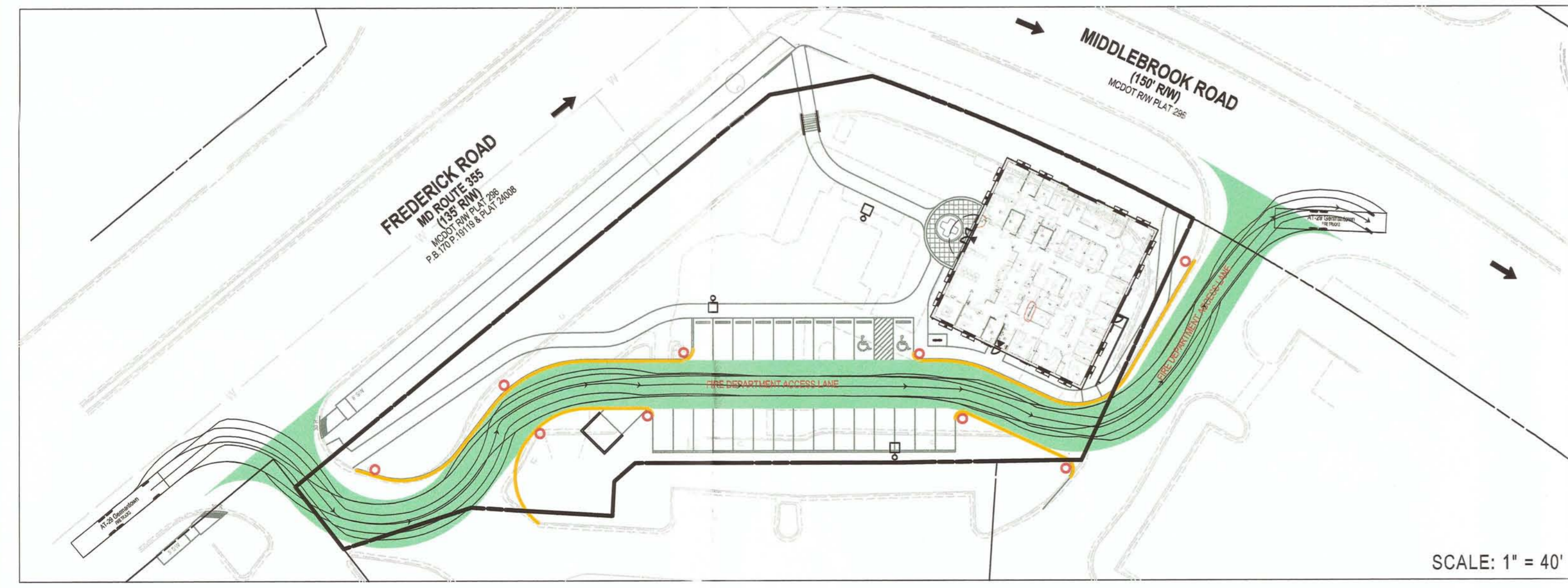
Sincerely,

Bill Musico, PE  
Project Manager / Owner's Representative  
SOLTESZ  
[bmusico@solteszco.com](mailto:bmusico@solteszco.com)

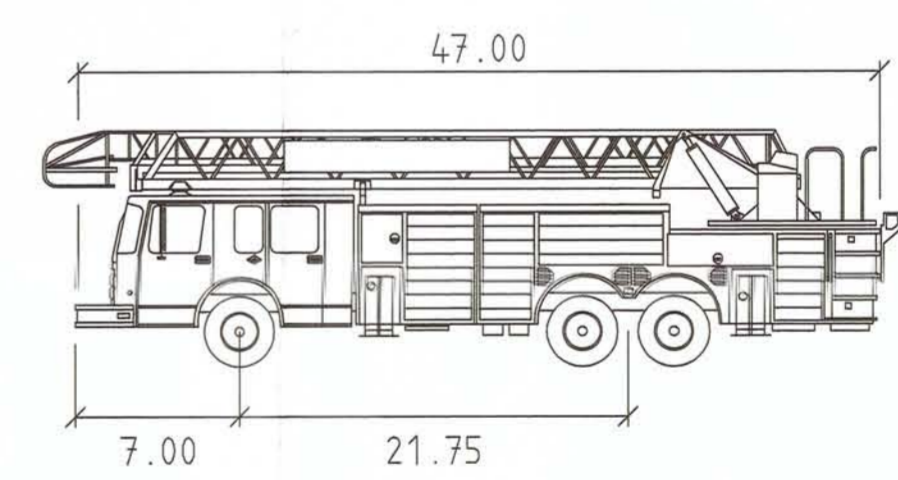




**TRUCK CIRCULATION**



- LEGEND**
- FIRE ACCESS LANE
  - 15' FREE & CLEAR ZONE
  - FH** EXISTING / PROPOSED FIRE HYDRANT
  - ANNUNCIATOR PANEL / FIRE ALARM CONTROL PANEL
  - ENTRANCE / EXIT
  - FIRE LANE SIGNAGE
  - FIRE LANE CURB PAINTING



AT-29 GERMANTOWN feet  
 Width : 8.25  
 Track : 8.25  
 Lock to Lock Time : 6.00  
 Steering Angle : 33.20

**FIRE CODE ENFORCEMENT**  
 Fire Department Access Review  
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 SMC 43 9/15/14

**LEGEND**

FIRE ACCESS PLAN	1
HOSE DRAG PLAN	2

**PROFESSIONAL CERTIFICATION**  
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.  
 LICENSE NO. 29443 EXPIRATION DATE: 09/15/15



**FIRE ACCESS PLAN**

**SITE PLAN AMENDMENT 82008017A  
 PRELIMINARY PLAN AMENDMENT 11988271B  
 CENTRA CARE - MIDDLEBROOK  
 19825 FREDERICK ROAD, GERMANTOWN, MD  
 GERMANTOWN (9th) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND**

SHEET	1
OF	2
PROJECT NO.	1997-00-01

**SOLTESZ**  
 Engineering Planning Environmental Sciences  
 Rockville Office  
 2 Research Place, Suite 100  
 Rockville, MD 20850  
 P. 301.948.2750 F. 301.948.9067  
 www.solteszco.com

NO.	REVISIONS	BY	DATE
3	ADDED FIRE HYDRANT PER FIRE MARSHALL COMMENTS	LFG	8/6/2014
2	REVISIONS TO PLAN PER FIRE MARSHALL COMMENTS	PMS	7/1/2014
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 E.JAMISON@MILLENNIA-PARTNERS.COM  
 PH: 407-963-5002  
 ATTN: RAUL.SOCARRAS & ELLIOT JAMISON

COPYRIGHT ADO THE MAP PEOPLE PERMITTED USE NUMBER 21001200
TAX MAP: FU122 ZONING CATEGORY: C-3
WSSC 200' SHEET: 227 NW 11
SITE DATUM: NAD 83/91
HORIZONTAL: NA VERTICAL: NA

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REFERENCE GRID  
A B C D E F G H I J K L M N O

PLANNING DEPARTMENT USE ONLY (E-PLANS)

MIDDLEBROOK ROAD  
(150' R/W)  
MCDOT R/W PLAT 296

**FIRE SAFETY CODE - FIRE DEPARTMENT APPARATUS ACCESS AND WATER SUPPLY**  
MONTGOMERY COUNTY EXECUTIVE REGULATION 29-08AM

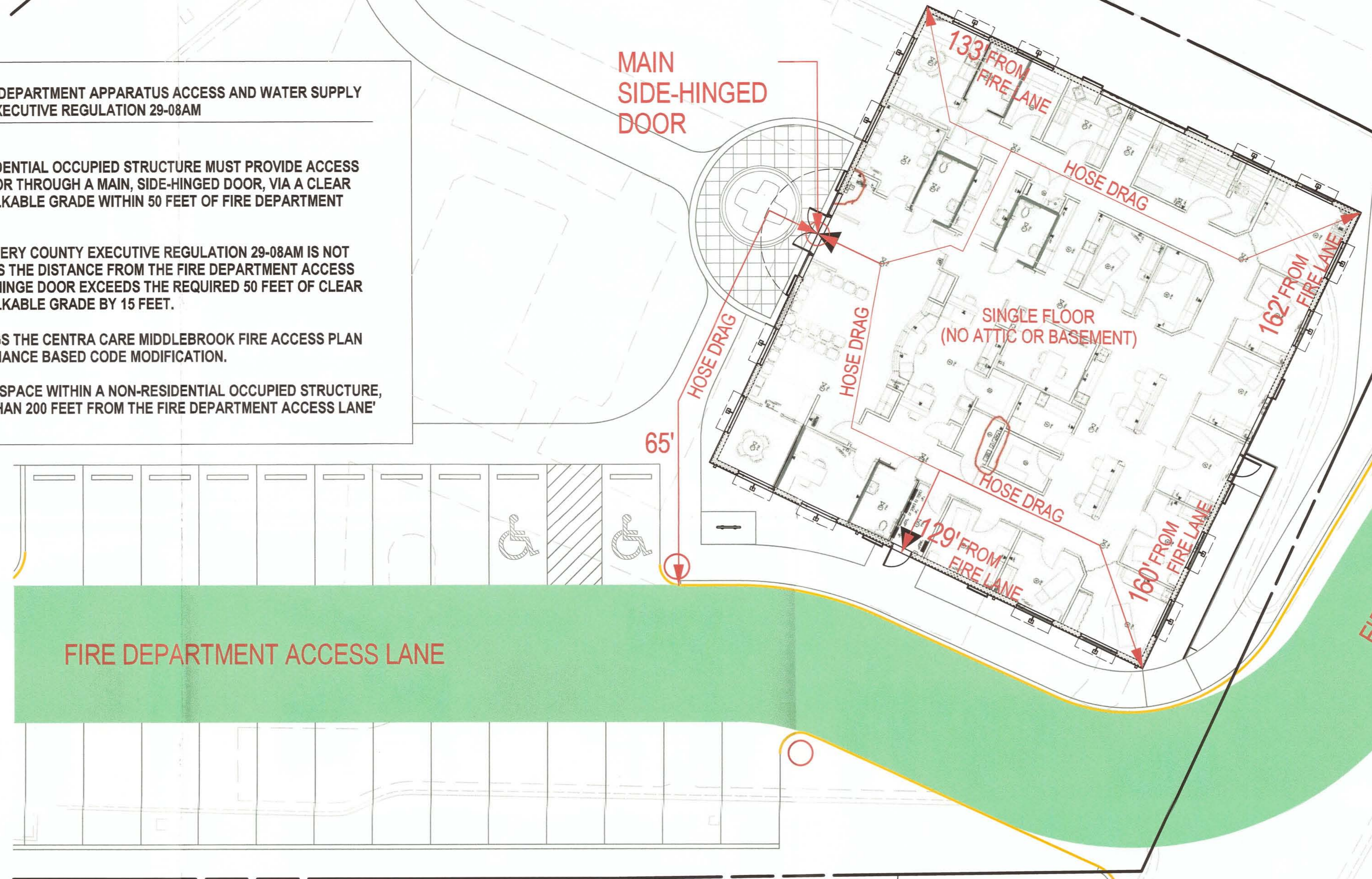
**ORIGINAL CODE:**  
SECTION 9C - A NON-RESIDENTIAL OCCUPIED STRUCTURE MUST PROVIDE ACCESS TO THE OCCUPIED INTERIOR THROUGH A MAIN, SIDE-HINGED DOOR, VIA A CLEAR AND UNOBSTRUCTED WALKABLE GRADE WITHIN 50 FEET OF FIRE DEPARTMENT ACCESS.

SECTION 9C OF MONTGOMERY COUNTY EXECUTIVE REGULATION 29-08AM IS NOT CURRENTLY BEING MET AS THE DISTANCE FROM THE FIRE DEPARTMENT ACCESS LANE TO THE MAIN, SIDE-HINGE DOOR EXCEEDS THE REQUIRED 50 FEET OF CLEAR AND UNOBSTRUCTED WALKABLE GRADE BY 15 FEET.

BASED ON THESE FINDINGS THE CENTRA CARE MIDDLEBROOK FIRE ACCESS PLAN WILL FOLLOW A PERFORMANCE BASED CODE MODIFICATION.

'ALL OCCUPIED INTERIOR SPACE WITHIN A NON-RESIDENTIAL OCCUPIED STRUCTURE, SHALL BE NO FURTHER THAN 200 FEET FROM THE FIRE DEPARTMENT ACCESS LANE'

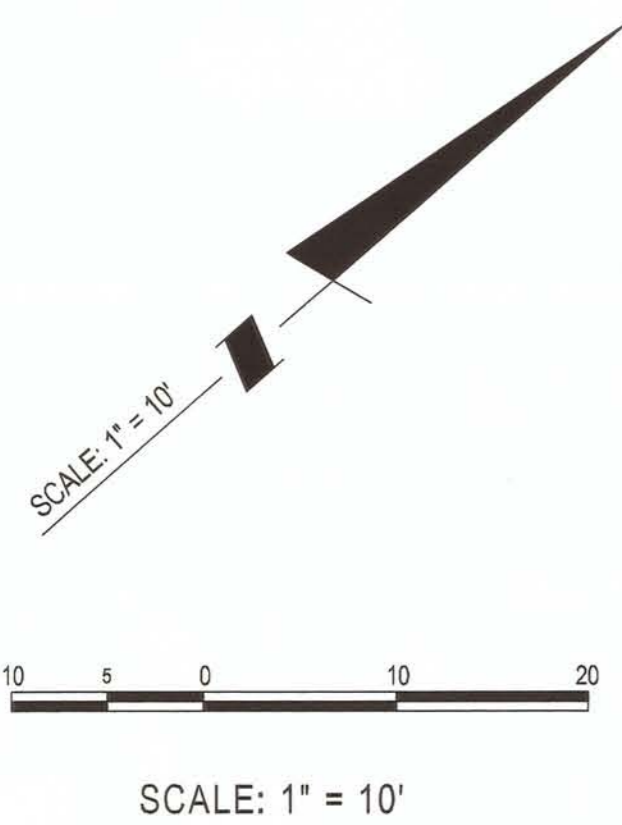
MAIN  
SIDE-HINGED  
DOOR



FIRE DEPARTMENT ACCESS LANE

FIRE DEPARTMENT ACCESS LANE

**FIRE CODE ENFORCEMENT**  
Fire Department Access Review  
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476 473 9/15/14



- LEGEND**
- FIRE ACCESS LANE
  - EXISTING / PROPOSED FIRE HYDRANT
  - FIRE LANE SIGNAGE
  - FIRE LANE CURB PAINTING
  - BUILDING INTERIOR ROUTE

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**HOSE DRAG PLAN**

**SITE PLAN AMENDMENT 82008017A**  
**PRELIMINARY PLAN AMENDMENT 11988271B**  
**CENTRA CARE - MIDDLEBROOK**  
19825 FREDERICK ROAD, GERMANTOWN, MD  
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DESIGNED: PMS	TECHNICIAN: PMS	CHECKED: WJM
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Engineering  
Planning  
Environmental Sciences

**HOSE DRAG PLAN**

1" = 10'

SHEET **2**  
OF **2**

PROJECT NO.  
1997-00-01

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DEPARTMENT OF TRANSPORTATION

Isiah Leggett  
County Executive

June 24, 2014

Arthur Holmes, Jr.  
Director

Mr. Joshua Penn, Senior Planner  
Area 3 Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 11988271B  
Centra Care Middlebrook

*Josh:*  
Dear Mr. Penn:

We have completed our review of the amended preliminary plan dated May 15, 2014. This plan was reviewed by the Development Review Committee at its meeting on January 21, 2014. 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 the Department of Permitting Services 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. Necessary dedication for Middlebrook Road and Frederick Road (MD 355) in accordance with the master plan.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.
4. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, drainage characteristics, and maintenance of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan.
5. 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

**Division of Traffic Engineering and Operations**

---

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878  
Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080  
trafficops@montgomerycountymd.gov

may wish to contact Mr. Sam Farhadi of that Department at (240) 777-6333 to discuss the parking lot design.

6. 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 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.
7. On the site plan, delineate the location and dimensions of the proposed dumpster spaces.
8. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.
9. Where perpendicular parking spaces border a sidewalk, a two (2) foot vehicle overhang is assumed. The applicant should either provide a seven (7) foot wide sidewalk or wheelstops within those parking spaces.
10. Access and improvements along Frederick Road (MD 355) as required by the Maryland State Highway Administration.
11. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
12. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
13. 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 Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
14. At or before the permit stage, please coordinate with Ms. Stacy Coletta of our Division of Transit Services to coordinate improvements to the RideOn bus facilities in the vicinity of this project and consideration should be made for constructing a Ride-On bus stop along the property frontage. Ms. Coletta may be contacted at 240 777-5800.

Mr. Joshua Penn  
Preliminary Plan No. 11988271B  
June 24, 2014  
Page 3

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Monet L. Lea, our Development Review Area Engineer for this project at [monet.lea@montgomerycountymd.gov](mailto:monet.lea@montgomerycountymd.gov) or (240) 777-2197.

Sincerely,



Gregory M. Leck, Manager  
Development Review Team

m:/subd/MonetL/11988271B, Centra Care Middlebrook MCDOT Plan Review Ltr

cc: Raul Socarras; MD Urgent Care Developers  
Elliot Jamison; Germantown Urgent  
Pamela Scott; Soltesz  
Chanda Beaufort; Soltesz  
Bill Musico; Soltesz  
Soo Lee-Cho; Miller, Miller & Canby  
Preliminary Plan folder  
Preliminary Plan letters notebook

cc-e: Catherine Conlon; M-NCPPC DARC  
Katherine Holt; M-NCPPC Area 3  
Atiq Panjshiri; MCDPS RWPR  
Sam Farhadi; MCDPS RWPR  
Stacy Coletta; MCDOT  
Dan Sanayi; MCDOT DTEO  
Bruce Mangum; MCDOT DTEO





DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Diane R. Schwartz Jones  
Director

January 29, 2014

Mr. Timothy Hoffman  
Soltesz  
2 Research Pl., Suite 100  
Rockville, MD 20850

Re: Stormwater Management **CONCEPT** Request  
for Centra Care Middlebrook  
Preliminary Plan #: NA  
SM File #: 256754  
Tract Size/Zone: .926 acres/CZ  
Total Concept Area: .926 acres  
Lots/Block: 4  
Parcel(s): N476  
Watershed: Great Seneca

Dear Mr. Hoffman:

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 proposes to meet required stormwater management goals via micro-biofilters.

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

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Landscaping shown on the approved Landscape Plan as part of the approved Site Plan are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.
5. All inflow points into the biofilters must be kept as far away as possible from the outflow points.

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

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

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located

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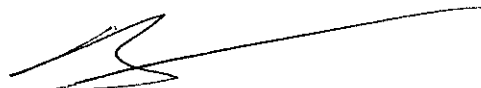
255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTY  
[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

Mr. Timothy Hoffman  
Page 2  
January 29, 2014

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 William Campbell at 240-777-6345.

Sincerely,



Mark C. Etheridge, Manager  
Water Resources Section  
Division of Land Development Services

MCE: me wrc

cc: C. Conlon  
SM File # 256754

ESD Acres:	.926
STRUCTURAL Acres:	0
WAIVED Acres:	0

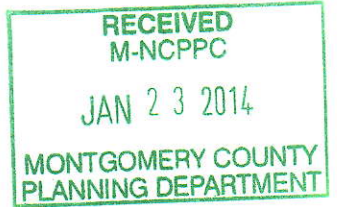


Martin O'Malley, Governor  
Anthony G. Brown, Lt. Governor

Maryland Department of Transportation

January 15, 2014

James T. Smith, Jr., Secretary  
Melinda B. Peters, Administrator



Ms. Cathy Conlon  
M-NCPPC  
Development Applications and Regulatory  
Coordination Division  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

RE: Montgomery County  
MD 355 (Frederick Road)  
Centra Care Middlebrook  
SHA Tracking No.: 14APMO003XX  
M-NCPPC Preliminary Plan No.  
11988271B and Site Plan No. 82008017A  
Mile Post: 18.02

Dear Ms. Conlon:

Thank you for the opportunity to review the plan submittal, received December 23, 2013, for the proposed Centra Care Middlebrook development in Montgomery County. The State Highway Administration (SHA) offers the following comments:

**Access Management Division Comments:**

1. The MD 355 entrance shall be upgraded to be ADA compliant, which includes reconstructing the existing entrance, to provide a maximum 2 percent cross-slope at a 60 inch width and reconstructing both sidewalk ramps. The SHA Accessibility Policy and Guidelines for Pedestrian Facilities along State Highways can be accessed at [www.roads.maryland.gov](http://www.roads.maryland.gov) by selecting the Business Center drop down menu and Business Standards and Specifications, SHA Accessibility Guidelines for Pedestrian Facilities along State Highways. The policy can also be accessed directly at <http://www.roads.maryland.gov/Index.aspx?PageId=26>.
2. The applicant shall provide a hydraulic analysis for the existing and proposed conditions, including drainage area maps and supporting computations, and local agency's plans, approvals and/or waivers for stormwater management and erosion/sediment control. Further comments from the SHA hydraulic reviewer will be provided on the subsequent submission. Include all the materials on the CD required in the subsequent submission.
3. The applicant shall reference the SHA Access Manual for additional information. The manual can be accessed at [www.roads.maryland.gov](http://www.roads.maryland.gov) by selecting the Business Center drop down menu and Permits and Miss Utility Information, Access Permits, Commercial/Industrial/Residential Subdivision Access Permit, State Highway Access Manual. The policy can also be accessed directly at <http://www.roads.maryland.gov/Index.aspx?PageId=393>.

The SHA has no objection to the proposed development. Improvements within SHA right-of-way, however, require a SHA Access Permit. The acquisition of the permit is subject to the SHA Access Management Division pre-permit plan review and issuance processes. Further comments will be provided upon receipt of a formal SHA improvement plan submission to our office. The Access Management Division Plan Review Checklist shall be utilized in drafting the SHA improvement plans. The checklist can be accessed at [www.roads.maryland.gov](http://www.roads.maryland.gov) by selecting the Business Center drop down menu and Permits and Miss Utility Information, Access Permits, Commercial/Industrial/Residential Subdivision Access Permit, Plan Submittal Checklist. The checklist can also be accessed directly at <http://www.roads.marylandroads.gov/ohd2/Plan-check-list.pdf>.

My telephone number/toll-free number is [410-545-5600](tel:410-545-5600)  
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • [www.roads.maryland.gov](http://www.roads.maryland.gov)

Ms. Cathy Conlon  
SHA Tracking No.: 14APMO003XX  
Page 2  
January 15, 2014

Further plan submittals should reflect the above comments. The applicant shall submit 6 sets of SHA improvement plans and a CD containing the plans and supporting documentation in PDF format, as well as a point by point response, to reflect the comments noted above directly to Mr. Steven Foster attention of Mr. Jonathan Makhoulouf. Please reference the SHA tracking number on future submissions. Please keep in mind that you can view the reviewer and project status via SHA Access Management Division web page at <http://www.roads.maryland.gov/pages/amd.aspx>. If you have any questions, or require additional information, please contact Mr. Jonathan Makhoulouf at 410-545-5586, by using our toll free number in Maryland only at 1-800-876-4742 (x5586) or via email at [jmakhoulouf2@sha.state.md.us](mailto:jmakhoulouf2@sha.state.md.us).

Sincerely,

  
for Steven D. Foster, Chief/Development Manager  
Access Management Division

SDF/JWR/JMM

cc: Mr. Greg Edwards, SHA - District 3 Resident Maintenance Engineer (Gaithersburg Shop)  
Mr. Victor Grafton, SHA - District 3 Utility Engineer  
Mr. Elliot Jamison ([e.jamison@millenia-partners.com](mailto:e.jamison@millenia-partners.com)), Maryland Urgent Care Developer, LLC  
Mr. Mark McKenzie, SHA - Access Management Division  
Ms. Anyesha Mookherjee, SHA - District 3 Traffic Engineer (Montgomery County)  
Mr. William Musico ([bmusico@solteszco.com](mailto:bmusico@solteszco.com)), Soltesz  
Ms. Claudine Myers, SHA - Engineering Systems Team  
Mr. Scott Newill, SHA - Access Management Division  
Mr. Raul Socarras ([raul.socarras@iconsystems.com](mailto:raul.socarras@iconsystems.com)), Maryland Urgent Care Developer, LLC  
Mr. Brian Young, SHA - District 3, District Engineer