



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
6/27/02
Item #7

MEMORANDUM

DATE: June 21, 2002
TO: Montgomery County Planning Board
VIA: John Carter, Chief, Community – Based Planning Division *JC*
FROM: Bill Landfair, AICP, for the Department of Park and Planning
Sue Edwards, I-270 Team Leader *Sue* *WEL*

REVIEW TYPE: Development Plan Amendment
REVIEW BASIS: Chapter 59, Zoning Ordinance
APPLICANT: Euro Motorcars Germantown LLC
CASE NUMBER: DPA 02-3

ZONE: Town Sector
MASTER PLAN: Germantown Master Plan
LOCATION: 19730 Germantown Road (MD 118), Germantown

FILING DATE: April 22, 2002
PLANNING BOARD: June 27, 2002
PUBLIC HEARING: August 20, 2002 (if necessary)

STAFF RECOMMENDATION: **APPROVAL** of Development Plan Amendment No. DPA 02-3 and accompanying Supplementary Plan.

The staff notes that the developer of an adjoining portion of land in the Germantown Town Center has raised a number of concerns with respect to the application. For that reason, staff recommends that a public hearing be held by the Hearing Examiner prior to consideration of the amendment by the District Council.

SUMMARY

The applicant, Euro Motorcars Germantown LLC, seeks to amend the approved Development Plan for 5.34 acres of land in the Town Sector Zone, associated with previously approved zoning applications F-148, F-923 and G-742. The

subject property is located on the north side of Germantown Road (MD 118), midway between the intersections of Middlebrook Road and Crystal Rock Drive. The property, bordered on the east by Pinnacle Drive is south of a future extension of Century Boulevard, within an area designated as Germantown Town Center. The Development Plan Amendment would allow the construction of an automobile sales and service use and a two-story office and retail building. The property would be subdivided into two separate lots to accommodate the respective uses. Development would be phased with the first phase consisting of 86,000 square feet. Subsequent phases in the future would add an additional 26,000 square feet.

The staff finds that the proposed development satisfies all of the requirements of the Town Sector Zone, meets the requirements for a Development Plan Amendment and bears sufficient relationship to the public interest to justify approval. As noted above, the developer of an adjoining portion of land has expressed some concerns with respect to the application. These concerns include setbacks, landscaping, signage, public address system, and access. The developer has expressed optimism that the concerns can be addressed and will meet with the applicant prior to the Planning Board meeting.

BACKGROUND

Subject Property – The subject property is rectangular in shape and comprised of 5.34 acres of land. It has approximately 403 feet of frontage along MD 118 and 623 feet along Pinnacle Drive. Once Century Boulevard is extended the property would have 392 feet of frontage along that road as well. The site is currently unimproved and covered with a mixed grass vegetation. There is no forest cover and the only trees are a stand of mixed hardwoods located in the southwestern corner of the site. The property slopes gently from MD 118 with approximately a 20-foot change in elevation from south to north. There are no floodplains, wetlands, or watercourses on site. Public utility lines, including water, sewer, natural gas, electricity, telephone, and storm drainage currently exist on the property or are in close proximity.

Surrounding Area –The surrounding area is zoned Town Sector and C-T and contains a mixture of commercial, entertainment, community, and residential land uses. Adjoining the subject property to the north is a 9.34-acre parcel of land purchased by the County for the purpose of extending Century Boulevard, constructing a public library, and developing an urban park. Confronting the subject property to the east is a development of four-story multi-family residential units and townhouses nearing completion. Further to the east, across Crystal Rock Drive, is the site of a future transit center and proposed commercial and entertainment uses. Confronting the subject property to the south, across MD 118, is a vacant parcel in the C-T Zone.

Adjoining the subject property to the west is a commercial retail center that extends to Middlebrook Road. This commercial center includes a Safeway food store and restaurants along a "Main Street" (Century Boulevard). North of this center is townhouses and multi-family residential units under construction and the Black Rock Center for the Arts and a related town commons nearing completion.

Zoning and Land Use History – The subject property and most of the surrounding area were zoned R-200 in 1958 as part of the comprehensive countywide zoning. In 1968, Local Map Amendment (LMA) F-148 was approved reclassifying approximately 1,504 acres of land surrounding the subject property to the Town Sector Zone. In accordance with the approved Development Plan the new community was to be developed as Churchill Town Sector. In 1974, LMA F-923 reclassified the subject property and 35 additional acres to the Town Sector Zone. Since then, the Development Plan has been amended several more times, the latest amendments being DPA 97-1 and LMA G-742, in 1997. DPA 97-1 amended 44 acres in the Town Center and included the dedication of 1.56 acres for the Black Rock Center for the Arts. The balance of land in the area is currently being developed with a mix of commercial and multi-family residential uses. LMA G-742 expanded the Churchill Town Sector by reclassifying 25 acres east of Crystal Rock Drive to the Town Sector Zone.

Proposed Development - The applicant proposes the construction of an automobile sales and service use and a two-story office and retail building. The property would be subdivided into two separate lots to accommodate the respective uses and development would be phased. The first phase would provide a total of 86,000 square feet of automobile sales and service space, office space, and general retail space. Subsequent phases in the future would add an additional 26,000 square feet.

Lot 1, comprised of 3.69 acres, would be developed with the automobile sales and service use oriented towards MD 118. At ultimate build out, facilities would comprise 51,000 square feet (not including cellar) located in two one-story mezzanine and showroom buildings, a two-story building containing auto parts storage and service, and a two-story vehicle service and storage building. Customer parking would be provided at grade, adjacent to the showroom. Additional parking for employees, display vehicles and storage of inventory would be provided at grade and in a structured parking facility in the northern half of the site. Service and delivery to the auto parts and service facility would be provided via a service drive parallel to Pinnacle Drive mitigated by a wall treatment. Vehicle inventory would be off-loaded in an area provided at the center of the site, allowing for through movement of delivery vehicles.

Lot 2, comprised of 1.65 acres, would be developed with the two-story office and retail building oriented towards Century Boulevard. The proposed setback from the street would accommodate a lane of parallel parking and a 12-foot wide

sidewalk. The building would comprise 25,000 square feet of street-oriented retail on the first floor and 36,000 square feet of office space on the second floor. Parking would be provided in the rear, in a structured parking facility. This parking would be on two levels, with one level of parking below grade primarily for the offices and retail parking at street level. Service and loading for the building would be provided via an existing service drive serving the adjoining commercial center to the west. Loading docks would be recessed to mitigate the view from Century Boulevard.

ANALYSIS

Master Plan - The proposed use will be compatible, and desirable within the community and will not adversely affect the intent of the Germantown Master Plan for the following reasons:

- The Germantown Master Plan recommends “a diversity of uses designated to activate this area” including multi-level offices, comparison and convenience retail uses, restaurants, entertainment facilities (including a cultural arts center), indoor recreation, multi-family residences, and public open space....”The uses in the Mixed Use Center should be those which extend the activity of the area beyond office hours on weekdays and weekends” (page 40). The Master Plan also contains objectives for various uses, including lighting and signage, mix and integration of uses, etc.
- Further refinement of the site design, landscaping, lighting, and signage and operational issues would occur at site plan review. To reinforce the importance of these issues and ensure compatibility staff recommends that notes be placed on the Supplementary Plan to address the following: lighting and signage must be oriented away from the adjoining commercial and residential uses; vehicle display and storage must be restricted from all setbacks and the public right-of-way with the minimum setback from MD 118 equal to that of the adjoining development; all truck deliveries must be made on site with no queuing in the public right-of-way; and streetscape along Century Boulevard must be coordinated with County DPW&T to ensure the qualitative standards set by adjoining development.

Previous master plans for Germantown in 1967 and 1974 recommended industrial and employment uses along I-270, commercial uses along the north side of MD 118 between the I-270 interchange and the rail lines, and medium to low density residential uses in the surrounding areas. The 1974 Master Plan identified Germantown as a “corridor city” described in the wedges and corridors concept contained in the 1969 General Plan. The 1974 plan envisioned Germantown as a community comprised of a network of villages, each with an identity and village center. The Town Center was designated as the core, serving all villages.

The Town Center was to function as a Central Business District, the area with the most intense development supplying the government, commercial, and social needs of the Germantown community. The CBD would contain a mix of uses, including office, commercial, retail, shopping, community facilities, open spaces, and a bus station with a provision for future connection to Metro.

In 1989, a comprehensive amendment to the 1974 Master Plan was adopted and approved to modify land uses and densities recommended in the 1974 plan; to alter the housing mix with greater emphasis of single-family detached and multi-family dwellings; to encourage research and development activities and job creation in the Employment Corridor; to include guidance on design issues at the townscape scale; to protect stream valleys and two critical environmental areas; and to promote special studies focusing on the creation of a vital downtown for Germantown.

The 1989 Master Plan recommended that a study to guide marketing and design within the Town Center be done. The first study, by the consulting firm of Halcyon Ltd addressed promotional, funding, and operational issues and presented Town Center development strategies.

In 1992, the *Germantown Town Center Design Study: Guidance for the Implementation of Future Development of the Town Center* describes the recommended Town Center-wide design framework, details the elements of the framework such as mix of uses, pedestrian and vehicular circulation, streetscape, building height and building envelope that are applicable to each of the Town Center analysis areas. The Germantown Town Center Design Study serves as the guideline for future design and development within this area.

The property is located within the TC-1 analysis area of the Germantown Master Plan and the Germantown Town Center Design Study. These plans recommend this area to be developed as a mixed-use center that is the downtown of Germantown. The "Main Street" (Century Boulevard) should be pedestrian in scale and offer a mix of specialty retail and entertainment, offices, and residential.

Elements that constitute the overall Town Center design character include:

- an urban character
- buildings facing on streets
- parking lots behind buildings (in courtyards, not between the building and the street)
- parallel parking on secondary streets
- a pedestrian-oriented Main Street of a consistent character (from Middlebrook Road to Crystal Rock Drive)
- sidewalks and street trees on both sides of all streets

The retail and office portion of the project along Century Boulevard reflects the key design and use elements of the Germantown Town Center vision. The buildings are set with direct relationship to "Main Street", are pedestrian in scale, provide parking behind the building face by means of parking structures and under-building spaces, and continue the strong and consistent pattern of building line, use and streetscape already established in the Town Center. On street parking has been provided in the roadway dimensions of Pinnacle Drive.

The Town Center Design Study recommends 150,000 square feet of retail development in the TC-1 analysis area. Total development in TC-1 including the subject application and development approved by DPA 97-1 will be 158,000 square feet. This amount of retail is in substantial conformance with the master plan recommendation.

The proposed auto sales and service use was not explicitly addressed in the Master Plan or Design Study. The Master Plan encourages a mix of uses, which "extend the activity of the area beyond office hours on weekdays and on weekends. Comparative shopping for luxury automobiles may take place on evenings and weekends thereby generating desirable pedestrian activity and possible retail and entertainment expenditures.

The Master Plan and Design Study place emphasis on "Main Street" as the focal point of TC-1 and as the defining element of the Town Center vision. MD 118 is given very little attention. The Master Plan contains the objective of "orienting multi-level office buildings along MD 118 and providing a sufficient building setback for landscaping (page 40)". The applicant proposes to extend the existing streetscape elements existing along MD 118 and maintain a setback of vehicle storage areas along MD 118 that is consistent with the building line established for the existing retail in TC-1 along MD 118.

The automobile sales and service use proposed by the applicant has some precedent in the existing EuroMotorcar facility in downtown Bethesda. The Bethesda facility has been developed to encompass all of the service, delivery, and auto storage functions interior to the site and, in most cases, within buildings so as to be completely screened from street visibility. Unloading of new vehicles and service deliveries will take place in the interior of the site.

Review Process - The Town Sector Zone is a performance-based planned development zone that permits considerable flexibility for the developer because many of the specific restrictions that regulate, in other zoning categories, the height, bulk an arrangement of buildings and the location of various land uses have been either relaxed or eliminated.

The Town Sector Zone is the most flexible of all the planned development zones and the degree of specificity normally required of the Development Plan does not apply. Instead, a more generalized land use plan governs the general shape and character of development. The land use plan does not require the same information about staging or development programs as the development plan requires for other planned development zones.

To ensure a compatible arrangement of land uses, density and buildings the review process for the Town Sector Zone includes a Supplementary Plan showing the general locations of access points, various types of land uses, stormwater management facilities, and phasing of development. The Supplementary Plan may be changed in the course of subdivision review or site plan review but the revisions must be consistent with the Development Plan and purposes of the zone.

Following zoning, the review process includes Planning Board review and approval of a Site Plan and Preliminary Plan of Subdivision.

Required Findings – There are five specific findings related to approval of the Development Plan Amendment (Section 59-D-1.61 of the Zoning Ordinance). These findings relate to consistency with the Master Plan and the requirements of the zone, compatibility with surrounding development, circulation and access, preservation of natural features, and perpetual maintenance of common areas. The required findings are set forth below:

(a) *That the zone applied for is in substantial compliance with the use and density indicated by the master plan or sector plan, and that it does not conflict with the general plan, the county capital improvements program or other applicable county plans and policies.*

The Development Plan Amendment would be in substantial compliance with the Master Plan. The Master Plan recommends a scale and mix of uses that achieve a focal point of activity for Germantown. The uses existing in the surrounding area have established a direction and setting for the proposed automobile sales and service use and the office and retail building.

(b) *That the proposed development would comply with the purposes, standards, and regulations of the zone as set forth in article 59-C, would provide for the maximum safety, convenience, and amenity of the residents of the development and would be compatible with adjacent development.*

The purpose clause for the Town Sector Zone is found in Section 59-C-7.21 of the Zoning Ordinance and states in part:

It is the purpose of this zone to provide a classification, which will permit development of, or additions to planned new towns or additions to existing urban developments. Such towns shall contain, insofar as possible, all of the residential, commercial, community and industrial facilities needed to make possible a town that is reasonably self-sufficient for all purposes, except major employment and central business district shopping. Adequate provision shall be made for the maintenance of open space and the location of streets and highways to assure orderly traffic circulation... Physical planning within the town shall be such as to assure that these uses...shall be placed in efficient and orderly relationship.

* * *

A new town...[should contain] as nearly as possible all of the commercial, employment, cultural and recreational facilities desirable and necessary for the satisfaction of the needs of the residents...[have a density that makes] the most efficient use of public utilities...[and have] transportation facilities adequate to serve the anticipated total population...[and] public sewer and water shall be available at the site or planned for construction

* * *

In addition, it is the purpose of this zone to preserve and take the greatest possible aesthetic advantage of trees; and in order to do so, minimize the amount of grading necessary for construction of a development.

The subject property is currently zoned Town Sector and is part of the Churchill Town Sector. The Town Sector plan provides for a wide variety of housing accommodations, commercial retail, office uses, community facilities, open space, and recreation. It provides a network of safe and convenient roadways, connecting uses within the community and access to regional transportation highways and mass transit. As currently planned, the community is self sufficient and diverse. The proposed office, retail, and automobile sales and service uses would contribute to the variety of commercial uses and services in the community and promote greater self-sufficiency and diversity.

The proposed development for the subject property takes advantage of the existing grade to minimize the amount of necessary grading. While there are no significant trees to preserve, shade trees and ornamental trees are proposed and off-site afforestation may be required.

Sections 59-C-7.242 through 59-C-7.27 of the Zoning Ordinance set the parameters for the Town Sector Zone including maximum commercial area in the zone, minimum open space, density of population, building height, and utilities.

59-C-7.242. Commercial area. Not more than 10 percent of the total area of the town sector may be devoted to commercial purposes. All required parking for commercial purposes shall be included within the 10 percent calculation.

The total area in the town sector devoted to commercial uses is currently 139.23 acres or 8.9 percent of the total town sector. The proposed Development Plan Amendment would not cause the percentage of commercial area to exceed the 10 percent requirement.

59-C-7.244. Open space. Not less than 10 percent of the total area of the town sector zone shall be devoted to open space. This may include publicly owned, community-wide or common open space and facilities but may not include streets and parking areas.

The town sector currently has 570.95 acres or 36.6 percent of the total acreage devoted to open space. The Development Plan Amendment would have a negligible effect on this percentage.

59-C-7.25. Density of population. The population of the town sector zone must be planned so as not to exceed 15 persons per acre based upon the total area within the town sector zone.

The Development Plan Amendment would have no effect on the population density.

59-C-7.26. Height. The heights of all buildings in the town sector zone shall be consistent with the limitations set in other zoning classifications for areas of similar density or similar use.

The proposed height of the development would not exceed two stories above grade which is lower than the limitations set for other zoning classifications of similar density and use (CBD Zones) and comparable to the range of building heights in the surrounding area (two to four stories).

59-C-7.27. Utilities. All utility lines in the town sector zone shall be placed underground. No use-and-occupancy permit shall be issued for any building which is not served by an approved sewer and water supply.

Utilities would be provided underground. The buildings would be served by public water and sewer prior to application for use and occupancy.

Staff concludes that the proposed Development Plan Amendment would comply with the purposes, standards, and regulations of the Town Sector Zone. With respect to compatibility, staff finds that the overall design of the development would be compatible with the adjoining development and promotes the design principles that have already been implemented in the balance of the surrounding

town center area. Further refinement of the site design, landscaping, lighting, and signage would occur at time of site plan review.

- (c) *That the proposed internal vehicular and pedestrian circulation systems and points of external access are safe, adequate, and efficient.*

Vehicular and pedestrian access to the site would be safe, adequate and efficient. There would be several points of access to avoid congestion. Pedestrian circulation would be separated from vehicular circulation and parking is proposed in close proximity to office, retail, and customer areas. The Planning Board would further address this issue at site plan review.

- (d) *That by its design, by minimizing grading and by other means, the proposed development would tend to prevent erosion of the soil and to preserve natural vegetation and other natural features of the site. Any applicable requirements for forest conservation under Chapter 22A and for water resource protection under Chapter 19 also must be satisfied. The district council may require more detailed findings on these matters by the planning board at the time of site plan approval as provided in division 59-D-3.*

The proposed development would tend to minimize grading through the layout of the buildings and parking which take advantage of the existing grade. Stormwater management would also take advantage of the grade by providing a structured facility below street level.

- (e) *That any documents showing the ownership and method of assuring perpetual maintenance of any areas intended to be used for recreational or other common or quasi-public purposes are adequate and sufficient.*

There are no recreational or other common areas requiring maintenance agreements.

Transportation – Based on a submitted traffic analysis, the Transportation Planning staff has conducted an Adequate Public Facilities (APF) review of the Development Plan Amendment and will recommend the following conditions as part of the APF test at preliminary plan review:

1. Limit total development under the Development Plan Amendment to the following uses and density:

51,000 square feet of automobile sales and service space
36,000 square feet of general office space
25,000 square feet of retail space

2. Satisfy Local Area Transportation Review:

- a. The applicant shall participate in constructing a second left-turn lane from southbound Wisteria Drive to eastbound MD 118 and restriping the separate northbound right-turn lane on Wisteria Drive as a shared through and right-turn lane at the intersection of MD 118 and Wisteria Drive.
- b. The applicant shall participate in constructing a second left-turn lane on westbound Middlebrook Road to southbound MD 118 at the MD 118 and Middlebrook Road intersection. Also, the applicant shall participate in designing and constructing the removal of the channelized (free flow) right-turn lane located in the southeast quadrant of this intersection.
- c. The applicant shall participate in constructing an acceleration lane on Father Hurley Boulevard to accommodate the movement from northbound Crystal Rock Drive to eastbound Father Hurley Boulevard.
- d. The applicant shall participate in constructing an acceleration lane on Crystal Rock Drive to accommodate the movement from westbound Father Hurley Boulevard to northbound Crystal Rock Drive including reconstruction and reconfiguration of the median and travel lanes on the northern leg of the intersection.
- e. The applicant shall participate in the future County CIP project to construct the four-lane divided highway portion of Century Boulevard from its current terminus near Father Hurley Boulevard to its intersection with Dorsey Mill Road by allocating a portion of its impact taxes when paid to this project.

Staff notes that other additional roadway improvements may be required by the Maryland State Highway Administration and the County Department of Public Works and Transportation staff at the time of preliminary plan review since their comments are not incorporated in the staff's analysis.

Local Area Transportation Review

Seven intersections were defined as critical intersections to be affected by the proposed development of the subject property and were examined in the traffic analysis to determine whether all intersections meet the applicable congestion standard of 1,500 Critical Lane Volume (CLV) for the Germantown Town Center Policy Area. The CLV impacts of the proposed development on critical intersections in the vicinity of the site were analyzed and are summarized in the table below:

| Intersection Capacity Analysis with CLV Under Various Development Schemes During the Peak Hour | | | | | | | | |
|--|----------|------|------------|------|--------|------|---------|------|
| | Existing | | Background | | Total* | | Total** | |
| | AM | PM | AM | PM | AM | PM | AM | PM |
| MD 118/Wisteria Dr. | 877 | 1221 | 1168 | 1877 | 1170 | 1886 | 1170 | 1656 |
| MD 118/Middlebrook Rd. | 1154 | 1187 | 1436 | 1703 | 1449 | 1734 | 1362 | 1557 |
| MD 118/Crystal Rock Dr. | 950 | 829 | 1147 | 1249 | 1156 | 1260 | 1156 | 1260 |
| MD 118/Aircraft Dr. | 1032 | 808 | 1316 | 1275 | 1267 | 1377 | 1267 | 1289 |
| MD 118/Middlebrook Rd. | 987 | 1128 | 1081 | 1311 | 1087 | 1341 | 1087 | 1341 |
| FHB/Crystal Rock Dr | 1025 | 947 | 2045 | 1865 | 1383 | 1588 | 1383 | 1500 |
| FHB/Middlebrook Rd. | 871 | 943 | 1123 | 1196 | 1128 | 1201 | 1128 | 1201 |

* Total development conditions without proposed roadway improvements

** Total development conditions with proposed roadway improvements

As shown in the table, all existing intersections analyzed are currently operating at acceptable CLVs (CLV standard is 1,500). Under the background development (developments approved but not built) condition, two of the MD 118 intersections and the Father Hurley Boulevard/Crystal Rock Drive intersection exceed the acceptable congestion standard. Under the total development conditions, the unacceptable conditions at the intersections identified under the background development conditions further deteriorate without the roadway improvements. However, these intersections will operate either within the acceptable congestion standard or better than the background conditions for the total development conditions with the roadway improvements described in the conditions above.

Policy Area Transportation Review

Based on the FY 02 AGP staging ceiling capacity, there is sufficient capacity available for both the housing and employment developments (1,209 housing units and 4,494 jobs as of April 30, 2002) in the Germantown Town Center Policy Area to accommodate the proposed development.

Site Access and Circulation

Access to the subject property will be provided from Pinnacle Drive and the service drive serving the adjoining commercial center. Staff finds that the roadway and sidewalk system will be adequate to provide safe access for vehicles and pedestrians.

Surrounding Roadway Network

1. Germantown Road (MD 118): Classified as a major highway with six lanes and a master plan right-of-way of 150 feet. This highway provides access from the I-270 interchange to the southern boundary of the Germantown planning area.
2. Middlebrook Road: Classified as a major highway with six lanes and a master plan right-of-way of 120 feet from Father Hurley Boulevard to MD 118. This highway provides access from the I-270 interchange to the Germantown Town Center and the subject property via Century Boulevard.
3. Crystal Rock Drive: Classified as a major highway with six lanes and a master plan right-of-way of 120 feet. This roadway is currently built as a four-lane highway from MD 118 to a point north of Father Hurley Boulevard.
4. Century Boulevard: A four-lane roadway with a master plan right-of-way of 80 feet. Sections of Century Boulevard east and west of the site were built to serve as a "Main Street" for development in the Germantown Town Center. The planned extension of the road will be constructed by CIP Project (PDF #507310).
5. Pinnacle Drive: A two-lane road with a 60' right-of-way connecting MD 118 to the south and Century Boulevard to the north. This road provides main access to the subject site from MD 118.

Environment

Forest Conservation

The Development Plan Amendment application contains a preliminary forest conservation plan. The amendment also qualifies for an exemption from forest conservation requirements under Section 22 A-5 (l), the PUD exemption, since the Germantown Town Center development is more than 75% complete, and the proposal will not result in clearing of an additional 5000 square feet of forest.

Stormwater Management

The subject property drains to the Churchill Tributary of Little Seneca Creek. The *Countywide Stream Protection Strategy* (CSPS) has no stream quality or habitat data for the Churchill tributary and labels it as a Watershed Protection Area at the regular protection level.

Headwaters springs and seeps exist right at the proposed SWM outfalls. The applicant must work closely with the County Department of Permitting Services to assure compliance with new SWM regulations, including examination of alternatives for providing infiltration to partially offset increased imperviousness.

Noise

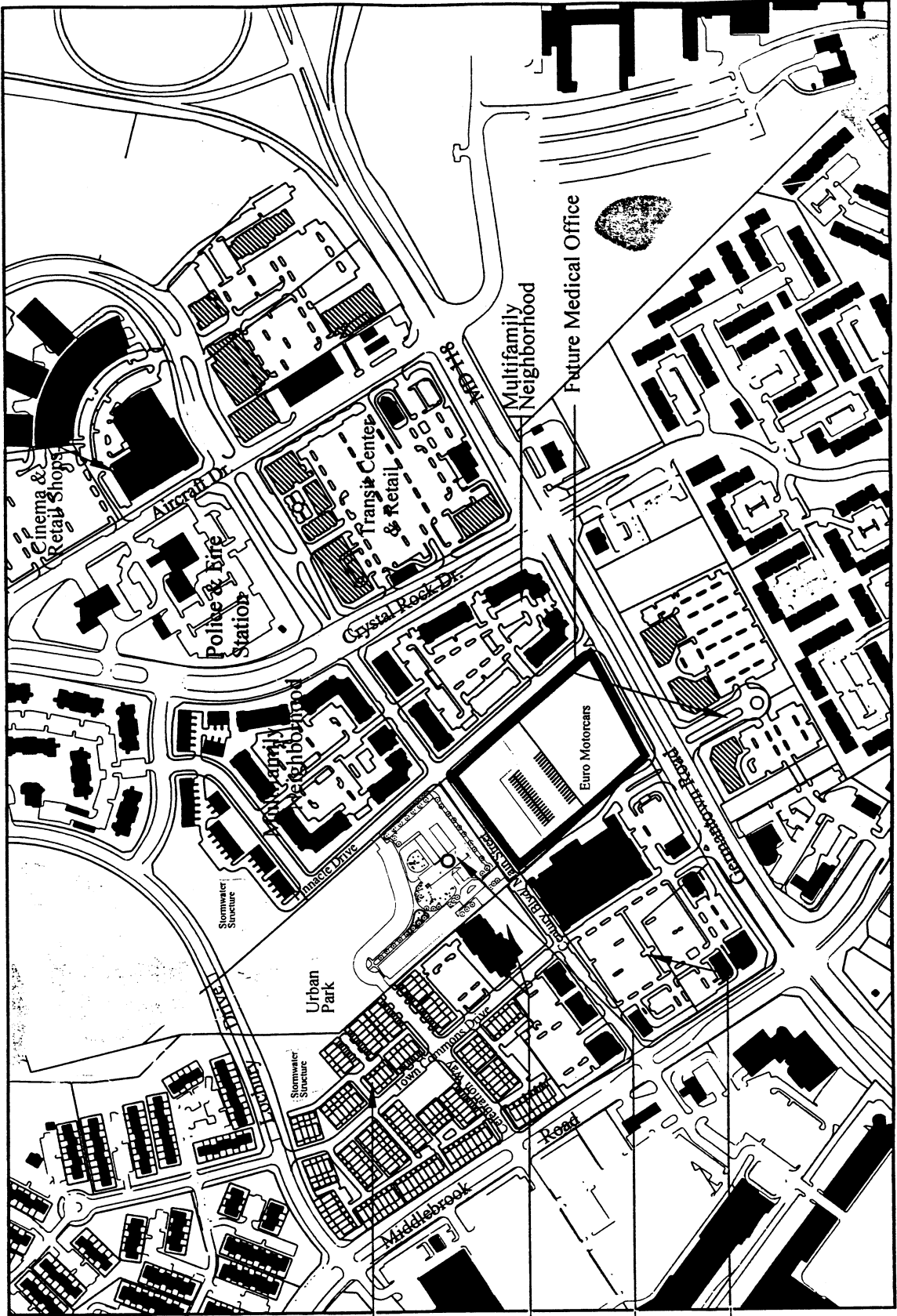
Noise impacts are a potential concern with any automobile sales and service use. The applicant has stated there would be no public address system. Trash pickup and deliveries in the early morning or late evening are another potential problem that would need to be further addressed at site plan review.

Community Concerns – The developer of an adjoining portion of land has expressed some concerns with respect to the application. These concerns include setbacks, landscaping, signage, public address system, and access. The applicant has met informally with the predominant citizens associations in Germantown. Both the Germantown Alliance and the Germantown Citizens Association are supportive of the uses proposed in the application. Each group, however, expresses concerns about signage, lighting, and future automotive sales use on the property by other than the applicant.

Conclusion – Upon review of the Development Plan Amendment the staff finds that the proposed development satisfies all of the requirements of the Town Sector Zone, meets the requirements for a Development Plan Amendment and bears sufficient relationship to the public interest to justify approval.

Attachments

Vicinity Map Germantown Town Center



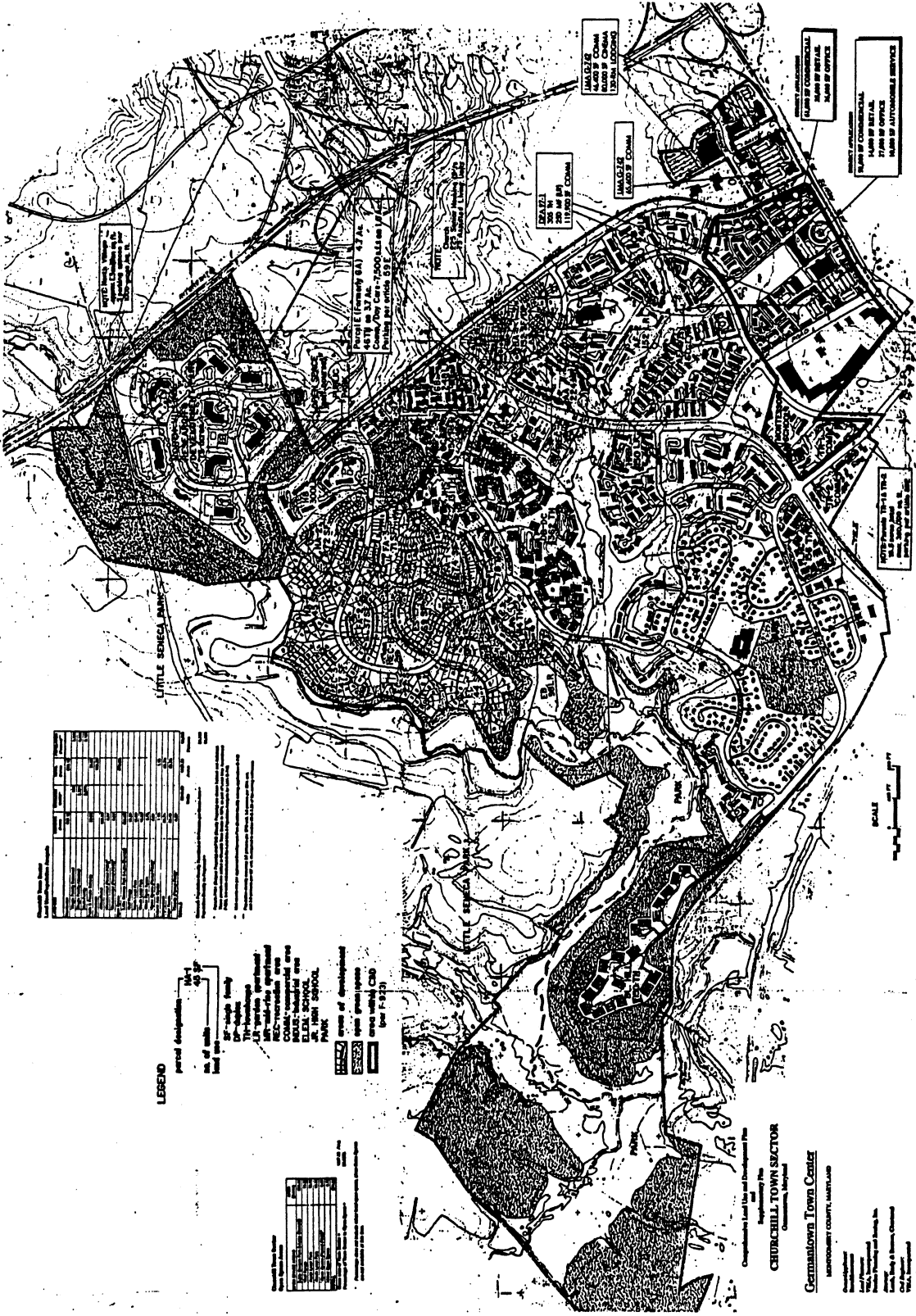
- Townhouse Neighborhood
- Black Rock Center for the Arts and Town Center Commons
- Proposed Library
- Mixed use/Commercial Center



1" = 200' 0" 0" 11"

Montgomery County Department of Park and Planning
 1400 West Valley Road, Suite 200, Germantown, MD 20874
 301-261-1300

June, 2002



| Area | Area (Acres) | Population | Employment | Notes |
|---------|--------------|------------|------------|-------|
| Area 1 | 100 | 1000 | 100 | |
| Area 2 | 200 | 2000 | 200 | |
| Area 3 | 300 | 3000 | 300 | |
| Area 4 | 400 | 4000 | 400 | |
| Area 5 | 500 | 5000 | 500 | |
| Area 6 | 600 | 6000 | 600 | |
| Area 7 | 700 | 7000 | 700 | |
| Area 8 | 800 | 8000 | 800 | |
| Area 9 | 900 | 9000 | 900 | |
| Area 10 | 1000 | 10000 | 1000 | |

LEGEND

Area of Development
 Area of Commercial
 Area of Residential
 Area of Industrial
 Area of Public Use
 Area of Open Space
 Area of Water
 Area of Wetlands
 Area of Forest
 Area of Agriculture
 Area of Pasture
 Area of Farmland
 Area of Forested Wetlands
 Area of Forested Wetlands with High Conservation Value
 Area of Forested Wetlands with Outstanding Resource Value
 Area of Forested Wetlands with Exceptional Value
 Area of Forested Wetlands with Relatively High Conservation Value
 Area of Forested Wetlands with Moderate Conservation Value
 Area of Forested Wetlands with Low Conservation Value
 Area of Forested Wetlands with Minimal Conservation Value
 Area of Forested Wetlands with No Conservation Value

| Area | Area (Acres) | Population | Employment | Notes |
|---------|--------------|------------|------------|-------|
| Area 11 | 1100 | 11000 | 1100 | |
| Area 12 | 1200 | 12000 | 1200 | |
| Area 13 | 1300 | 13000 | 1300 | |
| Area 14 | 1400 | 14000 | 1400 | |
| Area 15 | 1500 | 15000 | 1500 | |

Churchill Town Sector
 Germantown, Maryland

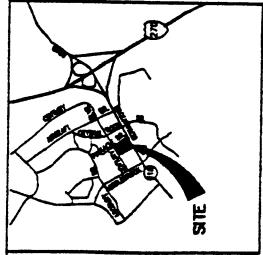
Germantown Town Center
 GERMANTOWN TOWN CENTER, MARYLAND
 PREPARED BY:
 Planning and Design, Inc.
 10000 Rockville Pike, Suite 300
 Rockville, Maryland 20850
 Phone: (301) 987-1100
 Fax: (301) 987-1101
 Website: www.planninganddesign.com

DEVELOPMENT PLAN AMENDMENT NO. 02-3

GERMANTOWN TOWN CENTER
DEVELOPMENT PLAN AMENDMENT
LAND USE PLAN

FOR THE DEVELOPER:
FultonMotcars
KENTWOOD BLVD SEWYWOOD
GREENSBORO, NC

DATE: 6/20/02
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1"=50'
PROJECT/DATE: [Name]/[Date]
SHEET NO. 1

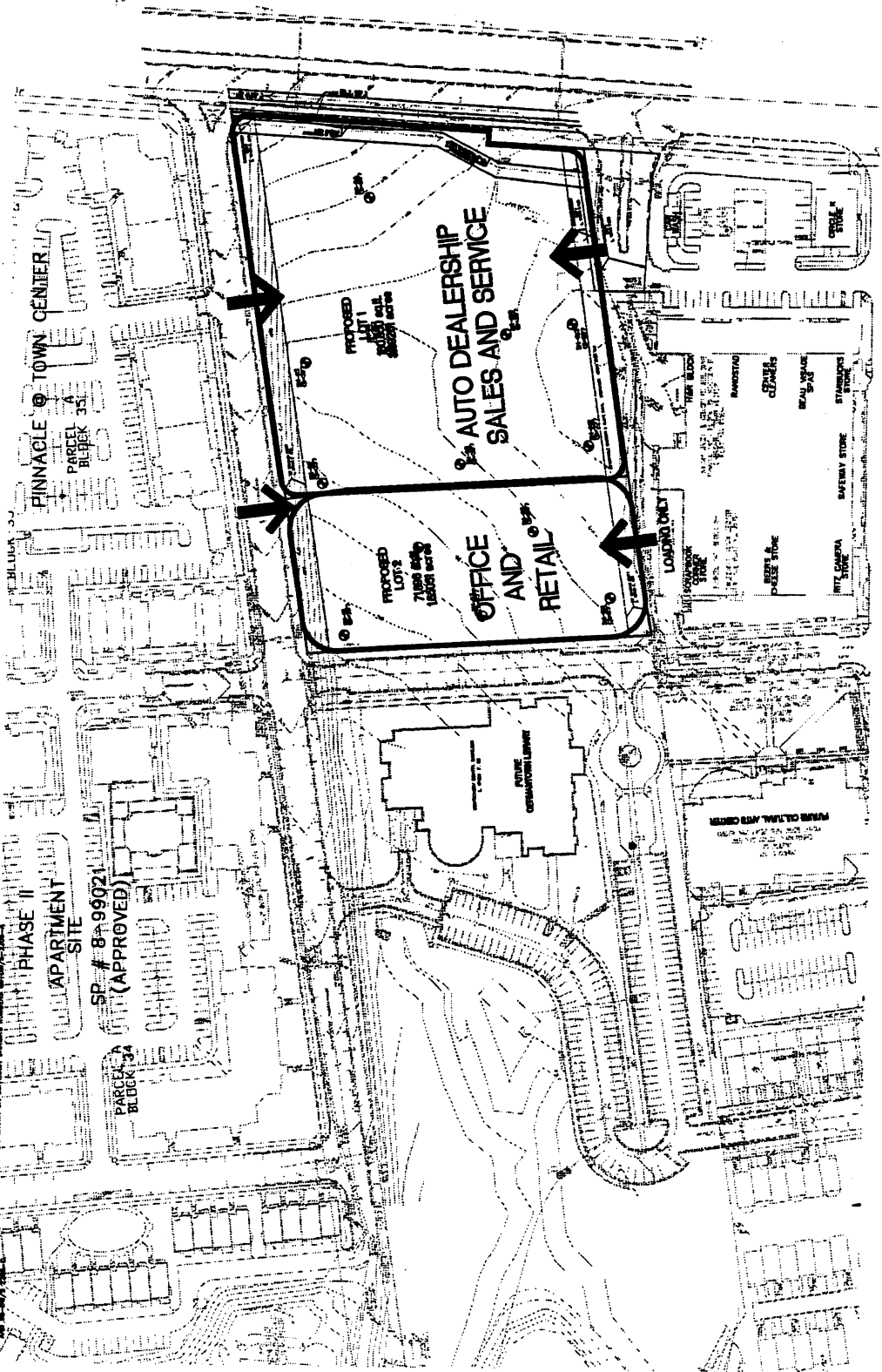


DEVELOPMENT PROGRAM

THE SITE IS ANTICIPATED TO BE DEVELOPED WITH THE PHASE ONE WITH THE REMAINING DEVELOPMENT PHASES TO BE COMPLETED IN PHASE TWO. THE ULTIMATE DEVELOPMENT PROGRAM IS AS FOLLOWS: PHASE ONE: ALL OF THE SITE DEVELOPMENT AND UTILITIES SHALL BE COMPLETED. PHASE TWO: THE REMAINING DEVELOPMENT SHALL BE COMPLETED. THE DEVELOPMENT SHALL INCLUDE THE ADDRESS TO BE AS WELL AS A MAJOR PORTION OF THE BUILDING ON THE SITE. THE DEVELOPMENT SHALL INCLUDE THE ADDRESS TO BE AS WELL AS A MAJOR PORTION OF THE BUILDING ON THE SITE. THE DEVELOPMENT SHALL INCLUDE THE ADDRESS TO BE AS WELL AS A MAJOR PORTION OF THE BUILDING ON THE SITE.

SITE TABULATION & DEVELOPMENT SEQUENCE

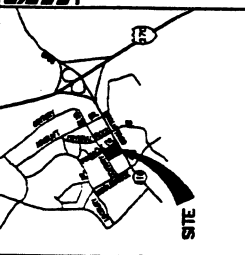
| DEVELOPMENT AREA | ACRES | TOTAL | DEVELOPMENT SEQUENCE |
|-----------------------------------|-------|-------|----------------------|
| OFFICE AND RETAIL | 1.00 | 1.00 | 1 |
| AUTO DEALERSHIP SALES AND SERVICE | 1.00 | 1.00 | 2 |
| TOTAL DEVELOPMENT | 2.00 | 2.00 | |



- NOTES:
- 1) THE SITE IS COMPRISED OF PARCELS 33A, 33B, 33C, 33D, 33E, 33F, 33G, 33H, 33I, 33J, 33K, 33L, 33M, 33N, 33O, 33P, 33Q, 33R, 33S, 33T, 33U, 33V, 33W, 33X, 33Y, 33Z, 33AA, 33AB, 33AC, 33AD, 33AE, 33AF, 33AG, 33AH, 33AI, 33AJ, 33AK, 33AL, 33AM, 33AN, 33AO, 33AP, 33AQ, 33AR, 33AS, 33AT, 33AU, 33AV, 33AW, 33AX, 33AY, 33AZ, 33BA, 33BB, 33BC, 33BD, 33BE, 33BF, 33BG, 33BH, 33BI, 33BJ, 33BK, 33BL, 33BM, 33BN, 33BO, 33BP, 33BQ, 33BR, 33BS, 33BT, 33BU, 33BV, 33BW, 33BX, 33BY, 33BZ, 33CA, 33CB, 33CC, 33CD, 33CE, 33CF, 33CG, 33CH, 33CI, 33CJ, 33CK, 33CL, 33CM, 33CN, 33CO, 33CP, 33CQ, 33CR, 33CS, 33CT, 33CU, 33CV, 33CW, 33CX, 33CY, 33CZ, 33DA, 33DB, 33DC, 33DD, 33DE, 33DF, 33DG, 33DH, 33DI, 33DJ, 33DK, 33DL, 33DM, 33DN, 33DO, 33DP, 33DQ, 33DR, 33DS, 33DT, 33DU, 33DV, 33DW, 33DX, 33DY, 33DZ, 33EA, 33EB, 33EC, 33ED, 33EE, 33EF, 33EG, 33EH, 33EI, 33EJ, 33EK, 33EL, 33EM, 33EN, 33EO, 33EP, 33EQ, 33ER, 33ES, 33ET, 33EU, 33EV, 33EW, 33EX, 33EY, 33EZ, 33FA, 33FB, 33FC, 33FD, 33FE, 33FF, 33FG, 33FH, 33FI, 33FJ, 33FK, 33FL, 33FM, 33FN, 33FO, 33FP, 33FQ, 33FR, 33FS, 33FT, 33FU, 33FV, 33FW, 33FX, 33FY, 33FZ, 33GA, 33GB, 33GC, 33GD, 33GE, 33GF, 33GG, 33GH, 33GI, 33GJ, 33GK, 33GL, 33GM, 33GN, 33GO, 33GP, 33GQ, 33GR, 33GS, 33GT, 33GU, 33GV, 33GW, 33GX, 33GY, 33GZ, 33HA, 33HB, 33HC, 33HD, 33HE, 33HF, 33HG, 33HH, 33HI, 33HJ, 33HK, 33HL, 33HM, 33HN, 33HO, 33HP, 33HQ, 33HR, 33HS, 33HT, 33HU, 33HV, 33HW, 33HX, 33HY, 33HZ, 33IA, 33IB, 33IC, 33ID, 33IE, 33IF, 33IG, 33IH, 33II, 33IJ, 33IK, 33IL, 33IM, 33IN, 33IO, 33IP, 33IQ, 33IR, 33IS, 33IT, 33IU, 33IV, 33IW, 33IX, 33IY, 33IZ, 33JA, 33JB, 33JC, 33JD, 33JE, 33JF, 33JG, 33JH, 33JI, 33JJ, 33JK, 33JL, 33JM, 33JN, 33JO, 33JP, 33JQ, 33JR, 33JS, 33JT, 33JU, 33JV, 33JW, 33JX, 33JY, 33JZ, 33KA, 33KB, 33KC, 33KD, 33KE, 33KF, 33KG, 33KH, 33KI, 33KJ, 33KL, 33KM, 33KN, 33KO, 33KP, 33KQ, 33KR, 33KS, 33KT, 33KU, 33KV, 33KW, 33KX, 33KY, 33KZ, 33LA, 33LB, 33LC, 33LD, 33LE, 33LF, 33LG, 33LH, 33LI, 33LJ, 33LK, 33LL, 33LM, 33LN, 33LO, 33LP, 33LQ, 33LR, 33LS, 33LT, 33LU, 33LV, 33LW, 33LX, 33LY, 33LZ, 33MA, 33MB, 33MC, 33MD, 33ME, 33MF, 33MG, 33MH, 33MI, 33MJ, 33MK, 33ML, 33MN, 33MO, 33MP, 33MQ, 33MR, 33MS, 33MT, 33MU, 33MV, 33MW, 33MX, 33MY, 33MZ, 33NA, 33NB, 33NC, 33ND, 33NE, 33NF, 33NG, 33NH, 33NI, 33NJ, 33NK, 33NL, 33NM, 33NN, 33NO, 33NP, 33NQ, 33NR, 33NS, 33NT, 33NU, 33NV, 33NW, 33NX, 33NY, 33NZ, 33OA, 33OB, 33OC, 33OD, 33OE, 33OF, 33OG, 33OH, 33OI, 33OJ, 33OK, 33OL, 33OM, 33ON, 33OO, 33OP, 33OQ, 33OR, 33OS, 33OT, 33OU, 33OV, 33OW, 33OX, 33OY, 33OZ, 33PA, 33PB, 33PC, 33PD, 33PE, 33PF, 33PG, 33PH, 33PI, 33PJ, 33PK, 33PL, 33PM, 33PN, 33PO, 33PP, 33PQ, 33PR, 33PS, 33PT, 33PU, 33PV, 33PW, 33PX, 33PY, 33PZ, 33QA, 33QB, 33QC, 33QD, 33QE, 33QF, 33QG, 33QH, 33QI, 33QJ, 33QK, 33QL, 33QM, 33QN, 33QO, 33QP, 33QQ, 33QR, 33QS, 33QT, 33QU, 33QV, 33QW, 33QX, 33QY, 33QZ, 33RA, 33RB, 33RC, 33RD, 33RE, 33RF, 33RG, 33RH, 33RI, 33RJ, 33RK, 33RL, 33RM, 33RN, 33RO, 33RP, 33RQ, 33RR, 33RS, 33RT, 33RU, 33RV, 33RW, 33RX, 33RY, 33RZ, 33SA, 33SB, 33SC, 33SD, 33SE, 33SF, 33SG, 33SH, 33SI, 33SJ, 33SK, 33SL, 33SM, 33SN, 33SO, 33SP, 33SQ, 33SR, 33SS, 33ST, 33SU, 33SV, 33SW, 33SX, 33SY, 33SZ, 33TA, 33TB, 33TC, 33TD, 33TE, 33TF, 33TG, 33TH, 33TI, 33TJ, 33TK, 33TL, 33TM, 33TN, 33TO, 33TP, 33TQ, 33TR, 33TS, 33TT, 33TU, 33TV, 33TW, 33TX, 33TY, 33TZ, 33UA, 33UB, 33UC, 33UD, 33UE, 33UF, 33UG, 33UH, 33UI, 33UJ, 33UK, 33UL, 33UM, 33UN, 33UO, 33UP, 33UQ, 33UR, 33US, 33UT, 33UU, 33UV, 33UW, 33UX, 33UY, 33UZ, 33VA, 33VB, 33VC, 33VD, 33VE, 33VF, 33VG, 33VH, 33VI, 33VJ, 33VK, 33VL, 33VM, 33VN, 33VO, 33VP, 33VQ, 33VR, 33VS, 33VT, 33VU, 33VV, 33VW, 33VX, 33VY, 33VZ, 33WA, 33WB, 33WC, 33WD, 33WE, 33WF, 33WG, 33WH, 33WI, 33WJ, 33WK, 33WL, 33WM, 33WN, 33WO, 33WP, 33WQ, 33WR, 33WS, 33WT, 33WU, 33WV, 33WW, 33WX, 33WY, 33WZ, 33XA, 33XB, 33XC, 33XD, 33XE, 33XF, 33XG, 33XH, 33XI, 33XJ, 33XK, 33XL, 33XM, 33XN, 33XO, 33XP, 33XQ, 33XR, 33XS, 33XT, 33XU, 33XV, 33XW, 33XZ, 33YA, 33YB, 33YC, 33YD, 33YE, 33YF, 33YG, 33YH, 33YI, 33YJ, 33YK, 33YL, 33YM, 33YN, 33YO, 33YP, 33YQ, 33YR, 33YS, 33YT, 33YU, 33YV, 33YW, 33YZ, 33ZA, 33ZB, 33ZC, 33ZD, 33ZE, 33ZF, 33ZG, 33ZH, 33ZI, 33ZJ, 33ZK, 33ZL, 33ZM, 33ZN, 33ZO, 33ZP, 33ZQ, 33ZR, 33ZS, 33ZT, 33ZU, 33ZV, 33ZW, 33ZX, 33ZY, 33ZZ
 - 2) THE SITE IS LOCATED IN THE LITTLE ROCK CREEK WATERSHED, AND IS SUBJECT TO THE REGULATIONS OF THE LITTLE ROCK CREEK WATERSHED DISTRICT.
 - 3) THE DEVELOPMENT PLAN AMENDMENT IS BEING SUBMITTED AS A PART OF THE DEVELOPMENT PLAN AMENDMENT PROCESS AND DOES NOT INCLUDE THE NECESSARY ENGINEERING DRAWINGS AND ACCOMPANYING FEES.
 - 4) THE TRAFFIC IMPACT STUDY IS LOCATED AT THE END OF THE PLAN AND IS SUBJECT TO THE REGULATIONS OF THE LITTLE ROCK CREEK WATERSHED DISTRICT.
 - 5) THE TRAFFIC IMPACT STUDY IS LOCATED AT THE END OF THE PLAN AND IS SUBJECT TO THE REGULATIONS OF THE LITTLE ROCK CREEK WATERSHED DISTRICT.
 - 6) THE TRAFFIC IMPACT STUDY IS LOCATED AT THE END OF THE PLAN AND IS SUBJECT TO THE REGULATIONS OF THE LITTLE ROCK CREEK WATERSHED DISTRICT.
 - 7) THE TRAFFIC IMPACT STUDY IS LOCATED AT THE END OF THE PLAN AND IS SUBJECT TO THE REGULATIONS OF THE LITTLE ROCK CREEK WATERSHED DISTRICT.
 - 8) THE TRAFFIC IMPACT STUDY IS LOCATED AT THE END OF THE PLAN AND IS SUBJECT TO THE REGULATIONS OF THE LITTLE ROCK CREEK WATERSHED DISTRICT.
 - 9) THE TRAFFIC IMPACT STUDY IS LOCATED AT THE END OF THE PLAN AND IS SUBJECT TO THE REGULATIONS OF THE LITTLE ROCK CREEK WATERSHED DISTRICT.
 - 10) THE TRAFFIC IMPACT STUDY IS LOCATED AT THE END OF THE PLAN AND IS SUBJECT TO THE REGULATIONS OF THE LITTLE ROCK CREEK WATERSHED DISTRICT.

GERMANTOWN TOWN CENTER
 DEVELOPMENT PLAN AMENDMENT
 SUPPLEMENTARY \ LAND USE
 PLAN ULTIMATE

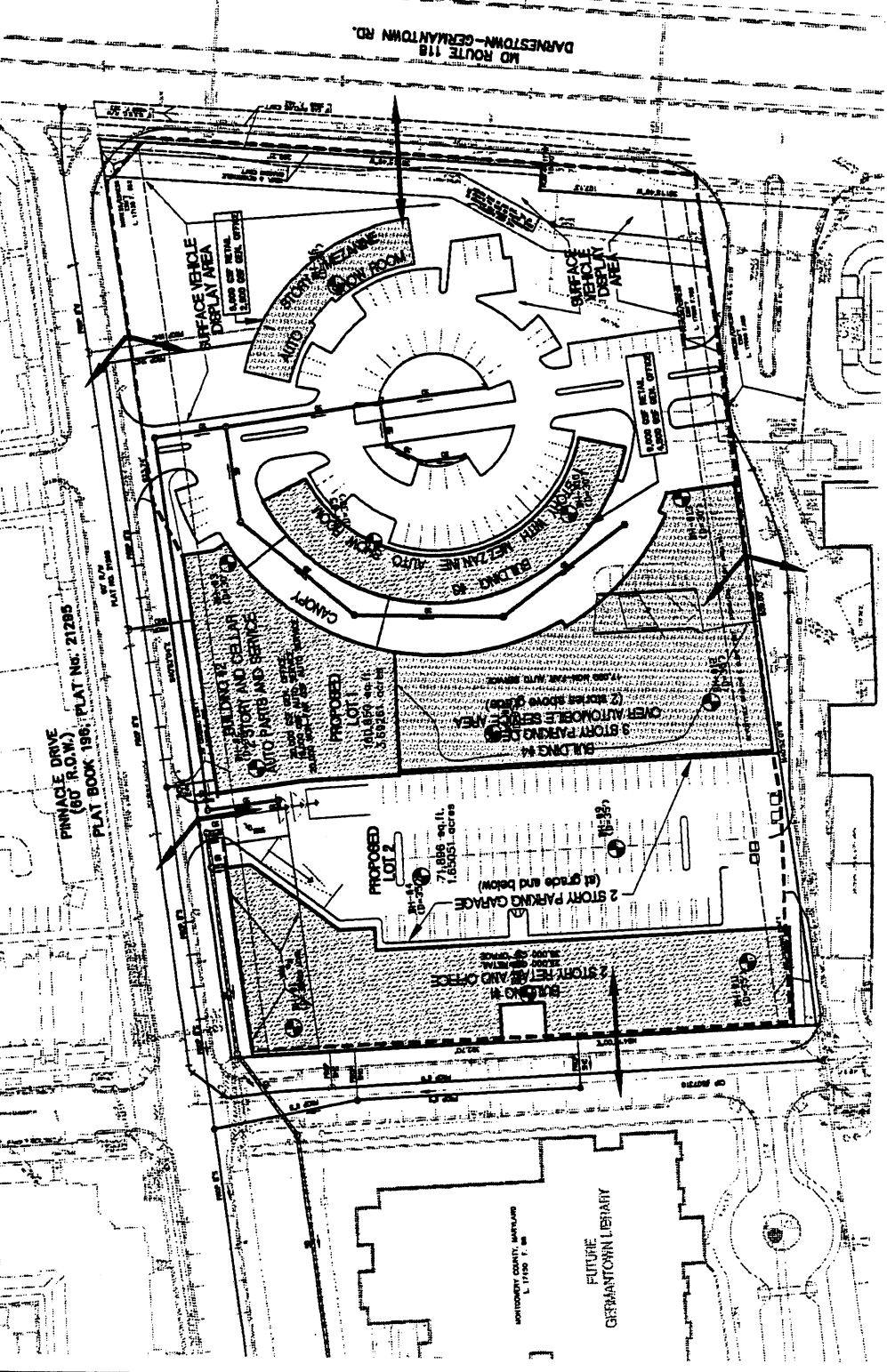
Evolution
 MORGANSON & MORGANSON ARCHITECTS
 GREENSBORO, NC



RELATIONSHIP OF DEVELOPMENT PLAN AMENDMENT TO THE MONTGOMERY COUNTY CAPITAL IMPROVEMENTS PROGRAM

THE CITY OF GAITHERSBURG HAS BEEN DESIGNATED AS A "GROWTH CENTER" BY THE MONTGOMERY COUNTY CAPITAL IMPROVEMENTS PROGRAM. THE CITY IS CURRENTLY UNDERGOING A COMPREHENSIVE REDEVELOPMENT PROGRAM TO SUPPORT THIS DESIGNATION. THE DEVELOPMENT PLAN AMENDMENT IS A KEY COMPONENT OF THIS PROGRAM. IT PROVIDES FOR THE CONSTRUCTION OF A MIXED-USE DEVELOPMENT THAT WILL ATTRACT INVESTMENT AND CREATE EMPLOYMENT OPPORTUNITIES. THE DEVELOPMENT PLAN AMENDMENT IS CONSISTENT WITH THE MONTGOMERY COUNTY CAPITAL IMPROVEMENTS PROGRAM AND WILL CONTRIBUTE TO THE CITY'S ECONOMIC GROWTH AND DEVELOPMENT.

CONSTRUCTION OF NEW STREET (CONCRETE) BETWEEN THE EXISTING STREET AND THE PROPOSED STREET. THE NEW STREET WILL BE 40 FEET WIDE AND WILL BE CONCRETE. THE STREET WILL BE 40 FEET WIDE AND WILL BE CONCRETE. THE STREET WILL BE 40 FEET WIDE AND WILL BE CONCRETE.



NOTE:
 1) THE SITE IS COMPOSED OF PARCELS 1 AND 2, WHICH ARE 100 FEET WIDE AND 200 FEET DEEP. THE SITE IS 200 FEET WIDE AND 200 FEET DEEP.
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 8) THE SITE IS 200 FEET WIDE AND 200 FEET DEEP.

PRINNACLE DRIVE
 (80' R.O.W.)
 PLAT BOOK 198; PLAT NO. 21285

DEVELOPMENT PROGRAM

THE SITE IS PROPOSED TO BE DEVELOPED AS A MIXED-USE DEVELOPMENT. THE DEVELOPMENT PROGRAM IS AS FOLLOWS:
 PHASE 1: SURFACE VEHICLE DISPLAY AREA, AUTO RETAIL SERVICE AREA, OVER-AUTOMOBILE SERVICE AREA.
 PHASE 2: BUILDING M, BUILDING N, BUILDING O, BUILDING P, BUILDING Q, BUILDING R, BUILDING S, BUILDING T, BUILDING U, BUILDING V, BUILDING W, BUILDING X, BUILDING Y, BUILDING Z.
 PHASE 3: FUTURE GERMANTOWN LIBRARY, MONTGOMERY COUNTY MARRIAGE CENTER.

| NO. | DESCRIPTION | DATE |
|-----|------------------|----------|
| 1 | PRELIMINARY PLAN | 10/12/01 |
| 2 | FINAL PLAN | 10/12/01 |
| 3 | FINAL PLAN | 10/12/01 |
| 4 | FINAL PLAN | 10/12/01 |
| 5 | FINAL PLAN | 10/12/01 |
| 6 | FINAL PLAN | 10/12/01 |
| 7 | FINAL PLAN | 10/12/01 |
| 8 | FINAL PLAN | 10/12/01 |
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| 98 | FINAL PLAN | 10/12/01 |
| 99 | FINAL PLAN | 10/12/01 |
| 100 | FINAL PLAN | 10/12/01 |

OFFICE OF ZONING & ADMINISTRATIVE HEARINGS
CERTIFICATION

THIS IS THE OFFICE OF THE DEVELOPMENT PLAN AMENDMENT OF THE CITY OF GAITHERSBURG, MONTGOMERY COUNTY, MARYLAND. I HEREBY CERTIFY THAT THE DEVELOPMENT PLAN AMENDMENT IS IN ACCORDANCE WITH THE ZONING ORDINANCES OF THE CITY OF GAITHERSBURG, MONTGOMERY COUNTY, MARYLAND.

DATE: []
 BY: []

NOTES:
 1) THE SITE IS COMPOSED OF PARCELS 1 AND 2, WHICH ARE 100 FEET WIDE AND 200 FEET DEEP. THE SITE IS 200 FEET WIDE AND 200 FEET DEEP.
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ACG
ARCHITECTS

A PROFESSIONAL CORPORATION
1410 SPRINGHILL AVE., SUITE 100
MCLEAN, VIRGINIA 22102
703.791.1011 FAX 703.791.1011

CONTRACT NO. 17-17
PROJECT NO. 17-17
DATE: 11/17/17

Owner: GERMANTOWN CENTER L.P.
EMMO MOTORCARS
10000 WOODBURN RD.
GERMANTOWN, MD 20874

Owner: GERMANTOWN CENTER L.P.
TRIUMPH
10000 WOODBURN RD.
GERMANTOWN, MD 20874

EMMO MOTORCARS
MERCEDES BENZ FACILITY
GERMANTOWN, MARYLAND

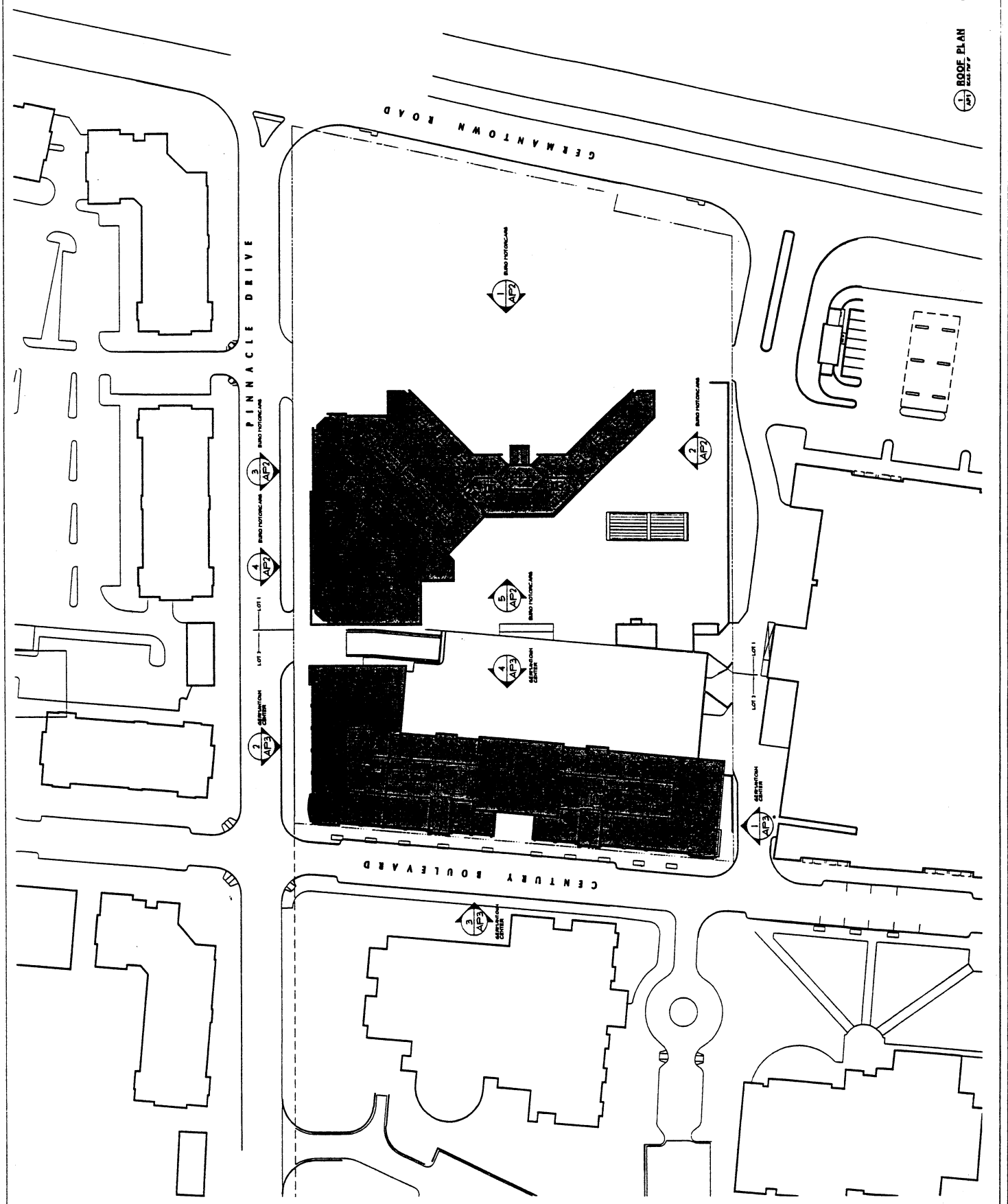
GERMANTOWN CENTER
CENTURY BOULEVARD
GERMANTOWN, MD

| NO. | DATE |
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| NO. | DATE |
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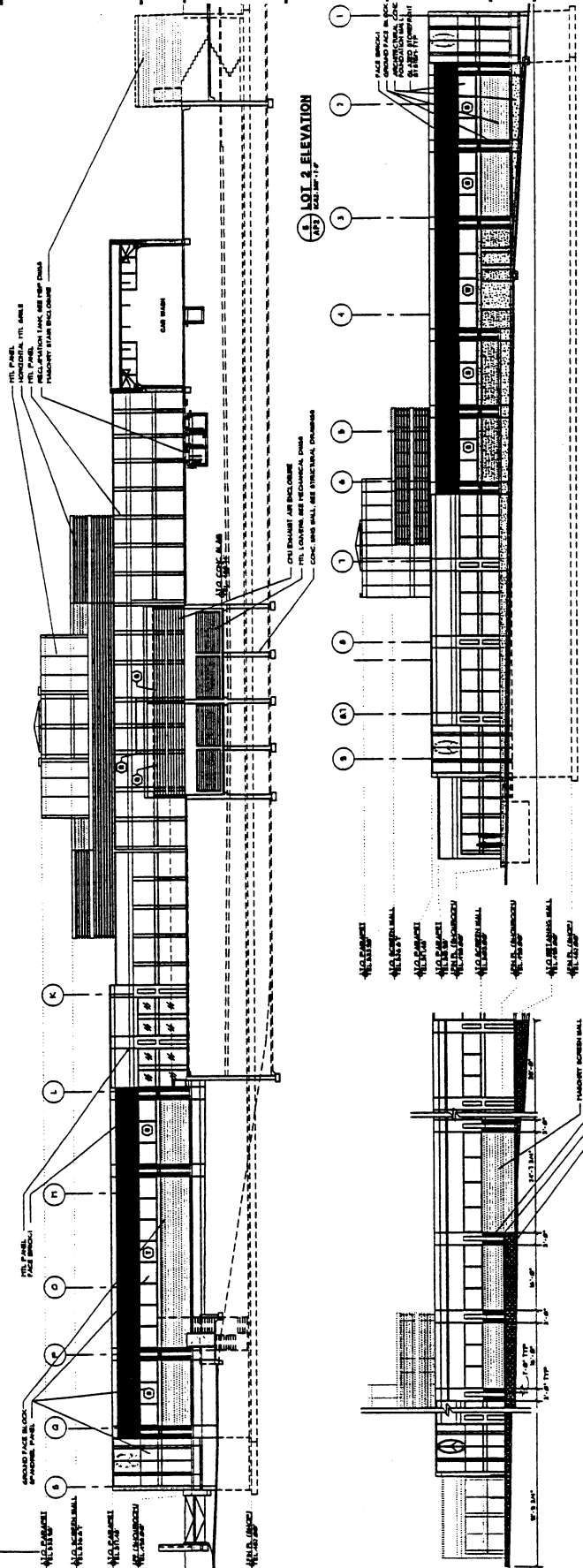
AP 1

BOOE PLAN
11/17/17



| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
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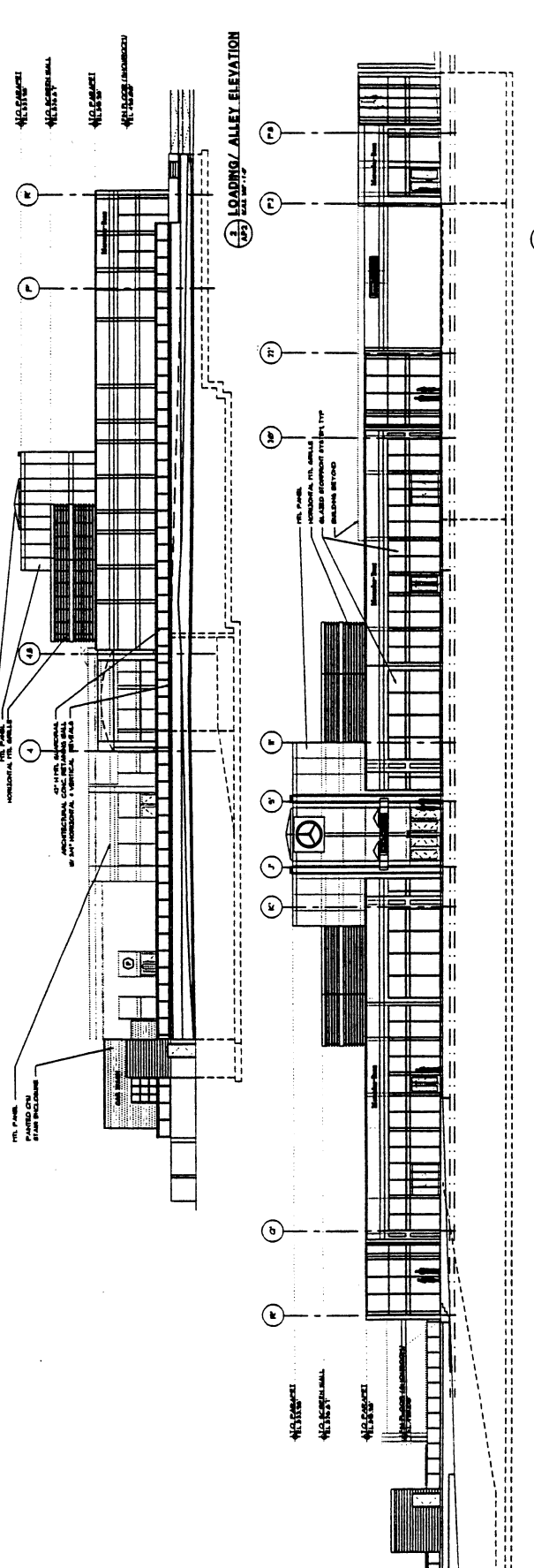
| BUILDING ELEVATIONS | | |
|---------------------|------|-------------|
| NO. | DATE | DESCRIPTION |
| | | |
| | | |
| | | |



LOT 2 ELEVATION
 DATE: 08/17/17

PINNACLE DRIVE ELEVATION
 DATE: 08/17/17

PINNACLE DRIVE LOADING DOCK SCREEN WALL ELEVATION
 DATE: 08/17/17



PINNACLE DRIVE LOADING DOCK ELEVATION
 DATE: 08/17/17

ALLEY ELEVATION
 DATE: 08/17/17

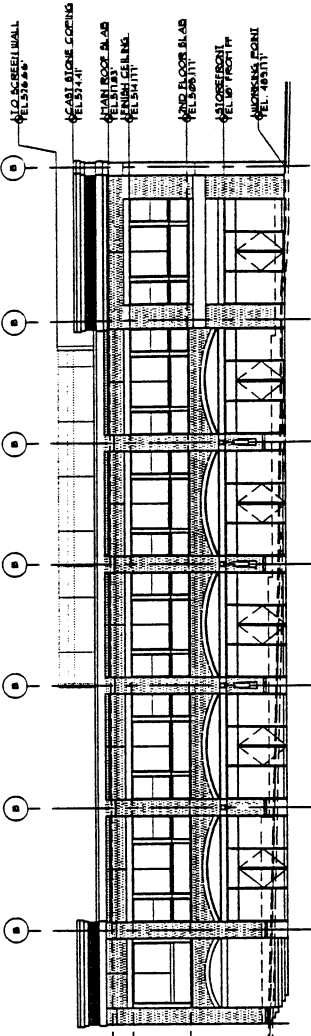
GERMANTOWN ROAD ELEVATION
 DATE: 08/17/17

NOTE: ALL MATERIALS TO BE USED AS SHOWN ON THESE DRAWINGS UNLESS OTHERWISE SPECIFIED.

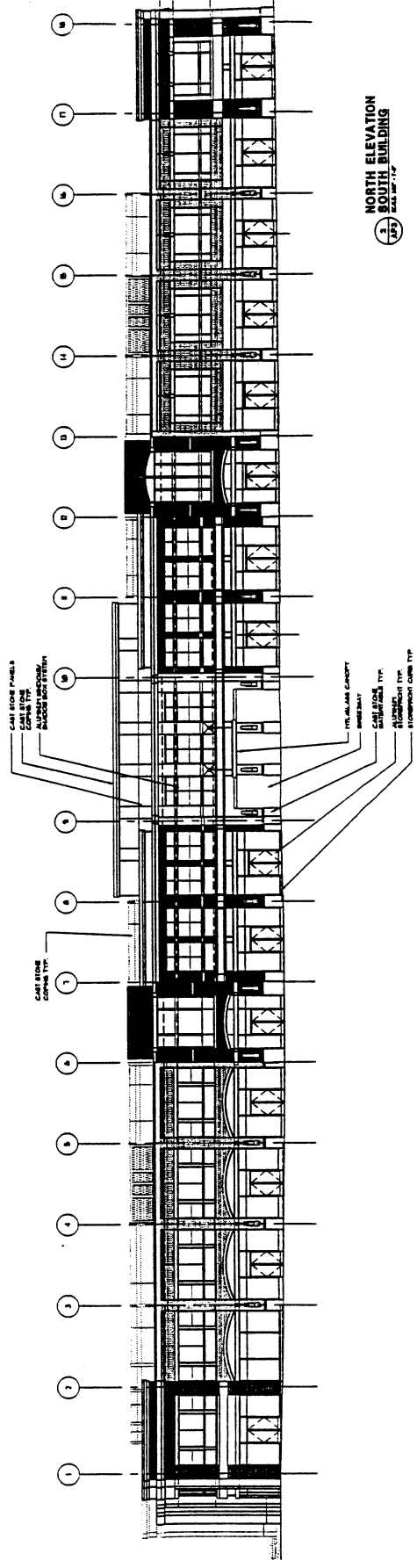
A PRIP PARTNERSHIP CORPORATION
105 SPRINGFIELD, SUITE 100
MC KEAN, VIRGINIA 22184
703 744 1541 FAX 703 789814
WWW.ACGARCHITECTS.COM
E-MAIL: INFO@ACGARCHITECTS.COM

OWNER: TRIUMPH
1000 CENTURY BLVD
GERTMANTOWN, MD
20878
ARCHITECT: ACG ARCHITECTS
105 SPRINGFIELD, SUITE 100
MC KEAN, VIRGINIA 22184
703 744 1541 FAX 703 789814
WWW.ACGARCHITECTS.COM
E-MAIL: INFO@ACGARCHITECTS.COM

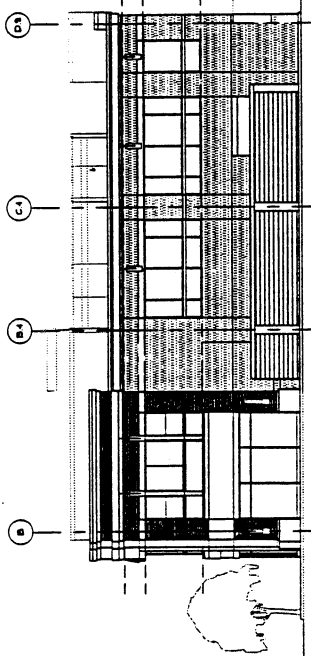
DATE: 11/17/17
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: AS SHOWN



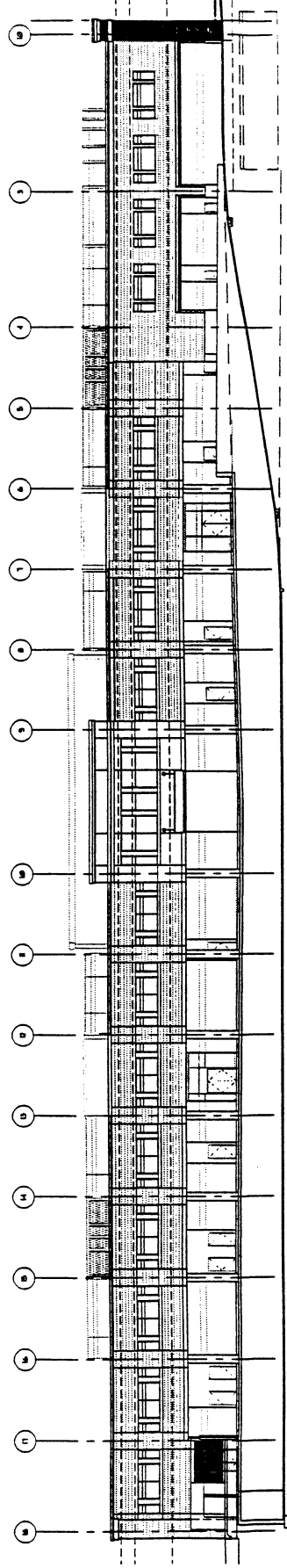
WEST ELEVATION
NORTH BUILDING
SCALE 1/8" = 1'-0"



NORTH ELEVATION
SOUTH BUILDING
SCALE 1/8" = 1'-0"



WEST ELEVATION
SOUTH BUILDING
SCALE 1/8" = 1'-0"



SOUTH ELEVATION
NORTH BUILDING
SCALE 1/8" = 1'-0"

GERMANTOWN CENTER
CENTURY BOULEVARD
GERTMANTOWN, MD.