

The trip generation estimates for the proposed use were based on Maryland-National Capital Park and Planning Commission's trip-generation rates, which estimated that the 55,862 square-foot general office building would generate approximately 87 peak-hour trips during the weekday morning peak-period, and 100 peak-hour trips during the weekday evening peak-period. A summary of the above is provided in Table 1 (see Appendix G, Transportation Division memorandum dated May 22, 2006).

Staff evaluated the reasonableness of the turning movement counts used in the study in response to citizens concern. Staff compared the traffic counts in the study with other counts for the same locations and found them to be comparable.

Staff also had previously reviewed concerns raised by the local community regarding cut-through traffic to and from the property via the Elton Road/Wooded Way connection to Riggs Road and Powder Mill Road. Staff concluded that the occurrence of cut-thru traffic directly from the property through local roads, if any, would be minimal, and will not significantly affect current operation of Elton Road or Wooded Way, especially given the proximity of the property to I-495 and MD 650. It is anticipated, based on the site's traffic distribution and assignment to surrounding roadways, a significant amount of site traffic will utilize I-495 and other major highways/arterials in the area to travel to and from the property, rather than the above local roads.

FINDINGS: For Site Plan Review

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required.*

The proposed development is consistent with the Binding Elements of the Schematic Development Plan for Local Map Amendment G-826, approved on May 3, 2005, as demonstrated in the Project Data Table.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Site Plan meets all of the requirements of the O-M Zone as demonstrated in the Project Data Table.

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

- a. Buildings

The proposed office building is oriented in a safe and efficient manner and does not adversely affect the surrounding development. The 5-story building will serve as an attractive gateway to Hillandale.

b. Open Spaces

The eastern side of building features a landscaped plaza for sitting and congregating.

The Stormwater Management Concept for the proposed development was approved with conditions by the Montgomery County Department of Permitting Services (DPS) on November 21, 2005. The stormwater management concept consists of site on-site water quality control via installation of proprietary filtration units.

c. Landscaping and Lighting

The proposed landscaping consists of shade trees located along the periphery of the property, and within the surface parking areas. Evergreen shrubs are generally located along the edges of the parking areas, with groups of ornamental trees and shrubs located within planting beds around the building.

Exterior lighting is proposed for the office building and the surrounding parking area. Lighting was reviewed for safety and conformance to parking standards for commercial properties and parking facilities. Pole heights are limited to 16 feet. Deflector shields (cutoff lighting) will be required to mitigate any negative glare or illumination on public roadways. The pediments at the top of the building will have "halo" lighting for the building's address.

d. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is safe, adequate and efficient. The two existing access points to the site will be rebuilt. The access point closest to New Hampshire Avenue will be for right-in and right-out traffic only. The other access point to the site will be controlled to restrict vehicles that are 10 feet or greater in height. For greater safety, the existing sidewalks located at the curb on New Hampshire Avenue and Elton Road will be replaced by an 8-foot wide multi-use sidewalk on New Hampshire Avenue, and a 5-foot wide sidewalk along Elton Road. The sidewalks will be separated from the curb by a grass strip that will include street trees. The Applicant has volunteered to commit a total of \$50,000. to SHA towards pedestrian count-down signals at the intersection of New Hampshire Avenue and Powder Mill Road, and at the intersection of New Hampshire Avenue and Elton Road in that order of priority.

e. Signage

In the event the Department of Permitting Services does not permit the Applicant to include the number "10001" on the pediments, staff recommends that the

Applicant be permitted to relocate the numbers elsewhere on the building without having to amend the site plan.

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

The relationship of the building is consistent with the surrounding commercial office and retail uses. The activity associated with the proposed office building will not cause any negative effect on the adjacent properties.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The development is exempt from the requirements of forest conservation from Environmental Planning Division by letter dated April 27, 2004. The property falls under the Modification of Existing Developed Property; no more than a total of 5,000 square feet of forest will be cleared, and also under a Small Property exemption; whereby activity occurring on the lot is less than 1.5 acres and no existing forest in excess of 10,000 square feet is being removed, and no specimen or champion trees will be disturbed. There are no wooded areas on the site.

APPENDIX

- A. Site Plan Checklist
- B. State Highway Administration e-mail dated 5/11/06
- C. Hillandale Citizens Association e-mail dated 4/12/06
- D. 5/8/06 Site Development Plan showing piped drainage channel
- E. 10001 pediment sign and monument sign
- F. Binding Elements – Local Map Amendment G-826
- G. Transportation Planning memo dated 5/22/06, with attachments
- H. Environmental Planning memo dated 12/6/05, with attachment
- I. Department of Permitting Services memo dated 11/21/05
- J. DPS – Water Resources Section memo dated 12/2/05
- K. DPS – Traffic memo dated 12/5/05

Appendix A



Development Review Division
Montgomery County Department of Park and Planning

CHECKLIST Site Plan / Project Plan Review

Plan # 820060210 Name: 10001 NEW HAMPSHIRE AVENUE

Zone: O-M Tract Area: 1.38 ac. Proposed Use: OFFICE

Number of Units: N/A Square Footage: 55,862 SF

Development Method: Optional Other: _____

Referral Comments:

M-NCPPC			Other Agencies	
	Staff	Date	Staff	Date
Transportation	<u>C.E.</u>	<u>5/22/06</u>	SHA	<u>P.B.</u> <u>5/11/06</u>
Environmental	<u>S.F.</u>	<u>12/6/05</u>	DPS (SWM)	<u>D.S.</u> <u>11/21/05</u>
Community Planning	<u>C.N.</u>	<u>report preparer</u> <u>5/26/06</u>	DPS (Traffic)	<u>S.N.</u> <u>12/5/05</u>
Historic Planning	<u>N/A</u>	_____	Public School	<u>N/A</u>
Park Planning	<u>N/A</u>	_____	Utility	<u>NC</u> <u>12/5/05</u>
Research/Housing	<u>N/A</u>	_____	Fire & Rescue	_____
			DPW & T	<u>NA</u>

Development Standards / Requirements

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Zoning Requirements | <input checked="" type="checkbox"/> <u>N/A</u> MPDU Calculation | <input checked="" type="checkbox"/> Building Restriction Lines |
| <input checked="" type="checkbox"/> Development Data Table | <input checked="" type="checkbox"/> <u>N/A</u> TDR Calculation | <input checked="" type="checkbox"/> Building Height |
| <input checked="" type="checkbox"/> <u>N/A</u> Recreation Calculation | <input checked="" type="checkbox"/> <u>N/A</u> Timing/Phasing Conditions | <input checked="" type="checkbox"/> Master Plan Conformance |

Prior Approvals

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> <u>Schematic</u> Development Plan | <input type="checkbox"/> Preliminary Plan | <input type="checkbox"/> Prior Site Plan Approvals |
| <input checked="" type="checkbox"/> Record Plat | | |

Community Input

- Civic Association Hillandale Civic Association
- Individuals _____

Supervisor Review

Chief Review

Ma 5/26/06
R/K 5/26/06

Appendix B

Nelson, Calvin

From: Raymond Burns [RBurns1@sha.state.md.us]
Sent: Thursday, May 11, 2006 11:17 AM
To: jeffseidleck@cpja.com
Cc: Rick Schmuff; Nelson, Calvin
Subject: FW: 10001 New Hampshire Avenue

Jeff,

Thanks for your e-mail and I understand that you are not asking for SHA's hydraulic review. However, Calvin Nelson is asking SHA for a letter by 5/15/06, with either approval of the proposed system or a listing of SHA's concerns/comments. By that 5/15/06 date is not feasible. I'm not sure whether SHA's conceptual approval, without the benefit of H/H comps, is feasible either. Please read the attached.

Neither the 8' path nor the enclosure of the channel was recommended by SHA. Both these are located in MD 650 (SHA) rights-of-way and would require a permit from SHA. I hope there's more justification than just aesthetics.

Thanks, Ray

From: Raymond Burns
Sent: Thursday, May 11, 2006 11:01 AM
To: 'ss@cpja.com'
Cc: Rick Schmuff; Mark Loeffler; 'Nelson, Calvin'
Subject: 10001 New Hampshire Avenue

Jeff,

We received your 5/2/06 submission of the sidewalk improvement plan. This plan also shows enclosure of the existing channel with about 180' of 30 rcp pipe. There were no hydrologic/hydraulic comps attached.

SHA will likely have hydraulic concerns and maintenance concerns. I therefore distributed your plan to our Hydraulics Reviewer and District #3 Utilities Office for review. We should have their comments in about 3-weeks. I'm a former hydraulic reviewer and believe that our hydraulic reviewer will request the following (but not necessarily limited to):

1. Storm sewer design computations of both the proposed system and the existing system under the ramp and MD 650. Use the Rational Method on the 10-year storm.
2. Hydraulic gradient computations for the 25-year storm for both the proposed and existing storm sewer systems.
3. All supporting hydrologic analysis and post-development drainage area maps.
4. Complete storm sewer system profiles.
5. Stormwater management report or computations.

I hope we can offer conceptual approval of this proposed storm sewer system after these two offices provide comments in a few weeks, but cannot guarantee that. Based on my review of the typical section, it seems that the channel enclosure may also be needed to facilitate the required (not by SHA) 8' path. Or some type retaining wall system would be needed if SHA opposes the proposed enclosure.

Thanks, Ray
Regional Supervisor
State Highway Administration's

5/26/2006

Nelson, Calvin

From: Eileen Finnegan [finnegan20903@yahoo.com]
Sent: Wednesday, April 12, 2006 2:14 PM
To: Nelson, Calvin
Cc: HCA BOARD
Subject: 100001 New Hampshire

Hello Calvin,

Confirming our telephone conversation of last week, the HCA Board discussed the office building site plan at our last meeting and has the following concerns:

1. The stormwater ditch along the New Hampshire Avenue side needs to be managed as to not be an unsightly, open ditch which accumulates trash. Since this ditch serves as part of the stormwater management for the parking lot of the new building, we believe that it needs to be incorporated in to this project. Piping with an appropriate trash cleanout is suggested.

This area of New Hampshire is not only a well-used pedestrian route, it is the gateway to Hillandale and needs to be treated as such.

2. Since meeting with you and understanding that the two architectural elements ("10001" mounted to the top of building facing Elton and the Beltway) are essentially signs, there are some additional concerns. These 14' structures result in the 60' building being actually 74' tall, can this be reduced?

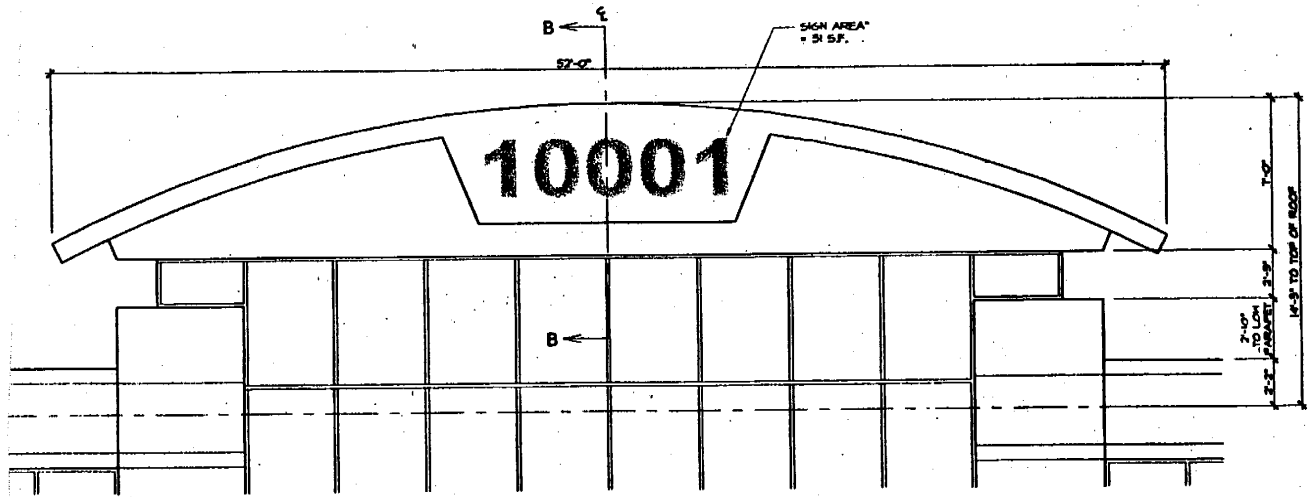
We also have questions regarding whether these signs will be lighted, and whether any other signage is planned for the structure. We would not like to see a site plan approval circumvent any county sign provisions. (You may already know our long-standing Coke sign in Hillandale--this is grandfathered, no longer lighted and barely tolerated.)

3. We continue to request pedestrian upgrades to the New Hampshire intersections at Elton and Powder Mill Roads. We would like to have count-down timers at these locations. The reason we continue to ask for upgrades at Powder Mill is that the traffic from the new building will add additional pressure on that location because of the need for u-turns to gain access to west-bound 495. We need safer crossings.

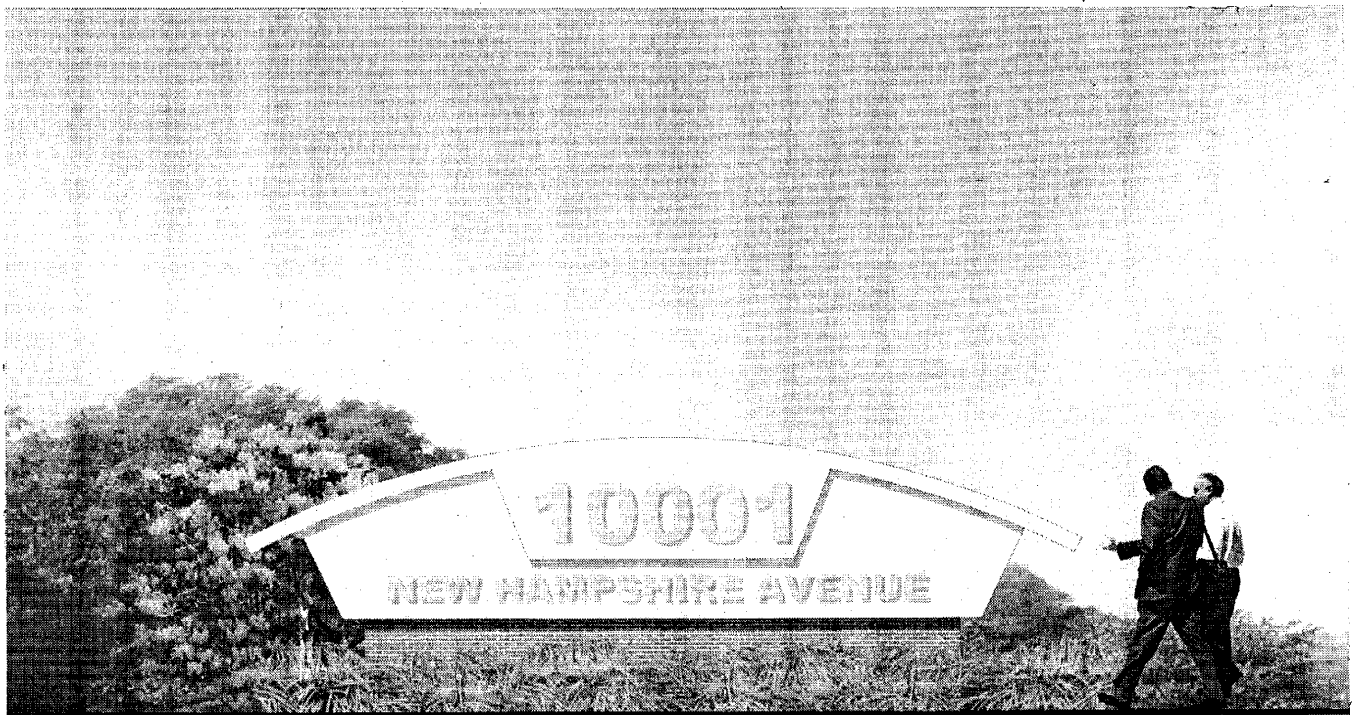
Thank you for your efforts on this site plan.
Regards,
Eileen

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

Appendix E



BUILDING SIGN ELEVATION
SCALE: 1/4" = 1'-0"



The Binding Elements set forth on the SDP are shown below:

Parcel 18
"10001 New Hampshire Avenue"

Table 1
BINDING ELEMENTS

Development Standards	Zoning Ordinance Requirements	Binding Elements	Binding Use Restrictions
Lot Coverage	60%	Not greater than 40%	The following uses are not permitted: Ambulance or rescue squads, private. Ambulance or rescue squads, public. Chancery. Educational institutions with outdoor recreational facilities. Fire stations. Funeral parlors or undertaking establishments. Helistops. Parks and playgrounds. Places of Religious Worship. Public utility buildings and structures. Transitory use.
Building Height-stories	5 stories	Not greater than 5 stories	
Building Height-feet	60 feet	Not greater than 60 feet	
Green Area	10%	Not less than 20%	
Floor Area Ratio (FAR)	1.5	Not greater than 1.4	
Gross Floor Area (GFA)	--	Not greater than 84,305 SF	
Building Setback-from New Hampshire Ave.	15 feet	Not Binding	
Building Setback from Elton Rd.	15 feet	Not Binding	
Setback - From adjacent commercial property on Parcel 23	60'÷3 = 20 feet (1 foot for each 3 feet of height)	Not Binding	
Off Street Parking	2.9 spaces/1000 SF of office space = 244 spaces	The off-street parking requirements under 59-E of the Montgomery County Zoning Ordinance will be complied with on Parcel 18	
Driveway Access	N/A	The driveway closest to New Hampshire Avenue will be restricted to right in and right out turns only, if found by the Planning Board to be necessary at Site Plan Review.	
N/A	N/A	The Elton Road approach to New Hampshire Avenue to be re-stripped from 2 lanes to 3 lanes or such other improvement as may be deemed necessary at Site Plan Review.	

Appendix G

MCPB
Item No. ___
6-8-06

May 22, 2006

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Shahriar Etemadi, Supervisor
Transportation Planning

FROM: Cherian Eapen, Planner/Coordinator
Transportation Planning
301-495-4525

SUBJECT: Site Plan No. 820060210
Determination of Adequate Public Facilities
10001 New Hampshire Avenue (at New Hampshire Avenue and Elton Road)
Fairland/White Oak Policy Area

This memorandum presents Transportation Planning staff's Adequate Public Facilities (APF) review of the subject site plan for 10001 New Hampshire Avenue located within the southeastern quadrant of the New Hampshire Avenue (MD 650) and Elton Road intersection. The site plan required an APF determination pursuant to Section 8-34(d) of the Montgomery County Code since the property is a non-residential recorded lot for which APF had expired in 2001, and therefore was referred to the Montgomery County Planning Board and the Montgomery County Department of Public Works and Transportation (DPWT) by the Montgomery County Department of Permitting Services (DPS) (see Attachment No. 1).

The application seeks approval of a 55,862 square-foot general office building on the O-M zoned property. The site, which previously accommodated a sit-down restaurant, was rezoned to the O-M Zone in 2005 (G-826).

FINDING AND RECOMMENDATIONS

Transportation Planning staff finds that the proposed site plan application for the 55,862 square-foot general office building on the subject property satisfies APF requirements, and requests that the Planning Board approve transmittal of this finding to both the Director of DPS and the Director of DPWT.

Staff also recommends that the following transportation-related conditions be part of the Planning Board's approval of this site plan:

1. Limit future development on the property to a 55,862 square-foot general office building.
2. Remove the existing sidewalk and provide a new eight-foot wide path along the entire New Hampshire Avenue property frontage, including an appropriate crosswalk across the Capital Beltway ramp at its intersection with New Hampshire Avenue. The path shall be offset a minimum of six feet from the edge-of-pavement to accommodate a tree panel along the entire New Hampshire Avenue property frontage.
3. Remove the existing sidewalk and provide a new five-foot wide sidewalk along the entire Elton Road property frontage. The sidewalk shall be offset from the edge-of-pavement to accommodate a tree panel along the entire Elton Road property frontage.
4. Improvements described under Condition Nos. 2 and 3 above shall be in place prior to the release of any building use and occupancy permit.

DISCUSSION

Site Location, Access, and Transportation Facilities

The subject property is located within the southeast quadrant of the MD 650/Elton Road intersection and within the northeast quadrant of MD 650/I-495 interchange. Elton Road is to the north, MD 650 is to the west, and Capital Beltway (I-495) is to the south of the property. The Hillandale Shopping Center is located to the north of the property. The site previously accommodated a Shoney's restaurant with access to Elton Road.

In the vicinity of the property, MD 650 is a six-lane divided major highway with sidewalks on both sides, and has median breaks at Elton Road and at Powder Mill Road. Powder Mill Road is a master planned arterial road that intersects with MD 650 to the north of the site at a signalized intersection. Elton Road is a business street that extends east from its signalized intersection with MD 650 to Prince George's County, where it connects to Riggs Road and Powder Mill Road via Wooded Way. Within Prince George's County, land use along Elton Road, Wooded Way, and Riggs Road is primarily residential. Powder Mill Road only has sidewalk to its south side. Elton Road has sidewalks along both sides within Montgomery County. Parking is permitted along this section of Elton Road. Vehicular access to the property is gained from Elton Road.

Metrobus routes K6 and C8, and Ride-On bus routes 10, 20, 22, and 24 serve MD 650 with bus stops in the vicinity of the property. The Hillandale transit hub is located approximately 1,200 feet from the property at the terminus of Powder Mill Road just to the west of MD 650.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 1997 Approved and Adopted *White Oak Master Plan* and the 2000 Approved and Adopted *East Silver Spring Master Plan* consists of the following master-planned roadways and pedestrian/bikeway facilities within the study area:

1. New Hampshire Avenue is classified as a six-lane divided Major Highway (M-12) with a 120-foot right-of-way within the White Oak master plan boundary. A Class I or Class III bikeway (PB-24) is recommended for MD 650 between Lockwood Drive to the north and its southern master plan boundary (I-495). The roadway is recommended as a six-to eight-lane divided major highway with a right-of-way of 150 feet and a dual-bikeway within the East Silver Spring master plan boundary (between I-495 to the north and Prince George's County line to the south). The *Countywide Bikeways Functional Master Plan* recommends a dual bikeway (DB-7) for MD 650 south of Lockwood Drive to Prince George's County line.
2. Oakview Drive is classified as a two-lane Primary Residential Street (P-6) with 60-feet of right-of-way and a proposed Class III bikeway (Route Number 11) between MD 650 and Northwest Branch Park.
3. Elton Road is classified as a four-lane Business Street (B-3) with an 80-foot right-of-way between MD 650 and Prince George's County line. Though the 1,600-foot section of the roadway within Montgomery County is currently built as a four-lane roadway, it operates as a two-lane roadway with parking on both sides. The roadway transitions into a two-lane residential street with no sidewalks within Prince George's County.
4. Powder Mill Road is classified as a four-lane Arterial Road (A-94) with an 80-foot right-of-way between MD 650 and Prince George's County line, and a Class III bikeway (PB-31). However, it is built with five-lanes with a center two-way left-turn lane, and has over 90 feet of right-of-way.
5. Capital Beltway is classified as a ten-lane divided Freeway (F-8) within the master plan area with 300 feet right-of-way.

Nearby Transportation Improvement Projects

The Maryland State Highway Administration (SHA) Consolidated Transportation Program and the DPWT Capital Improvement Program include the following nearby projects:

1. Re-construction of an additional northbound through lane along MD 650 between Powder Mill Road and US 29 and the intersection improvements at the following locations:

- MD 650/Powder Mill Road,
- MD 650/Mahan Road/Schindler Drive,
- MD 650/Relocated Michelson Road,
- MD 650/Lockwood Drive, and
- MD 650/US 29 Interchange.

The project will include improved vehicular, pedestrian, and bicycle access to existing and planned activity centers along MD 650, including commercial sites. The project is nearly complete.

2. Oakview Drive: A DPWT project involving construction of turn lanes along the east and west legs of Oakview Drive with sidewalk improvements along Oakview Drive. The project is anticipated to start construction in October 2006.

Adequate Public Facilities/Local Area Transportation Review

A traffic study was required for the subject site plan application according to the 2004 *Local Area Transportation Review (LATR) Guidelines* since the proposed development on the subject property was estimated to generate **30** or more total peak-hour trips during the typical weekday morning (6:30 – 9:30 a.m.) and evening (4:00 – 7:00 p.m.) peak periods, and required an APF determination pursuant to Section 8-34(d) of the Montgomery County Code.

The consultant for the applicant submitted a traffic study (dated March 10, 2006) that determined traffic-related impacts of the proposed use (55,517 square-feet of general office as submitted¹) on nearby roadway intersections during weekday morning and evening peak periods. Staff review of the above traffic study indicated that the study complied with the requirements of the *LATR Guidelines* and the traffic study scope provided by the staff.

The trip generation estimates for the proposed use were based on Maryland-National Capital Park and Planning Commission’s trip-generation rates, which estimated that the 55,862 square-feet general office building would generate approximately 87 peak-hour trips during the weekday morning peak-period, and 100 peak-hour trips during the weekday evening peak-period. A summary of the above is provided in Table 1.

1 The difference in the office density presented in the traffic study and that on the site plan (approximately 345 square feet for a total of 55,862 square-feet) results in an increment of only one morning peak hour inbound trip, and will not affect the results of the capacity analysis presented in Table 2.

**TABLE 1
SUMMARY OF SITE TRIP GENERATION
PROPOSED 55,862 SF OF GENERAL OFFICE**

Time Period	Trip Generation		
	In	Out	Total
Weekday Morning Peak-Hour	76	11	87
Weekday Evening Peak-Hour	17	83	100

A summary of the capacity/Critical Lane Volume (CLV) analysis results for the identified intersections in the study area during the weekday morning and evening peak hours is presented in Table 2. As shown in Table 2, capacity analysis presented in the traffic study indicated that under Total Traffic or Build Conditions, CLV at the study intersections would be below the applicable congestion standards. Therefore the site plan application satisfies the LATR requirements of the APF test.

**TABLE 2
SUMMARY OF CAPACITY CALCULATIONS
PROPOSED 55,862 SF OF GENERAL OFFICE**

Intersection	Traffic Conditions					
	Existing		Background		Total	
	AM	PM	AM	PM	AM	PM
<i>Within Fairland/White Oak Policy Area:</i>						
MD 650/Powder Mill Road	1,305	1,316	1,356	1,410	1,367	1,423
MD 650/Elton Road	1,318	1,111	1,356	1,258	1,361	1,308
Elton Road/West Site Driveway	--	--	--	--	339	464
Elton Road/East Site Driveway	--	--	--	--	295	453
<i>Within Silver Spring/Takoma Park Policy Area:</i>						
MD 650/Oakview Drive	1,591	1,492	1,598	1,503	1,599	1,505

Source: 10001 New Hampshire Avenue Traffic Study. The Traffic Group, Inc. March 10, 2006.
Congestion Standards: Fairland/White Oak Policy Area: 1,500; Silver Spring/Takoma Park Policy Area: 1,600

Traffic study review comments from both SHA and DPWT are also attached to this memo as Attachment No. 2 and No. 3 respectively. These concur with staff findings on the APF determination for the subject site plan.

Staff evaluated the reasonableness of the turning movement counts used in the study in response to citizens concern. Staff compared the traffic counts in the study with other counts for the same locations and found them to be comparable.

Staff also had previously reviewed concerns raised by the local community regarding cut-through traffic to and from the property via the Elton Road/Wooded Way connection to Riggs Road and Powder Mill Road. Staff concluded that the occurrence of cut-thru traffic directly from the property through local roads, if any, would be minimal, and will not significantly affect current operation of Elton Road or Wooded Way, especially given the proximity of the property to I-495 and MD 650. It is anticipated, based on site's traffic distribution and assignment to surrounding roadways, a significant amount of site traffic will utilize I-495 and other major highways/arterials in the area to travel to and from the property, rather than the above local roads.

CE:gw
Attachments

cc: Calvin Nelson
Bill Barron
Michael Ma
Ivy Leung
Reginald T. Jetter
Malcolm Spicer, Esq.
Greg Leck
Sarah Navid
Ray Burns
Stephen J. Orens, Esq.
Carl Wilson
Karl Moritz
Tariq El-Baba

mno to MCPB re 10001 New Hampshire Ave.doc



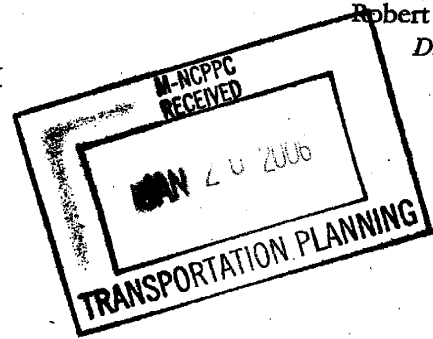
DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

MEMORANDUM

January 10, 2006



TO: Derick Berlage, Chair
Maryland County Planning Board

FROM: Robert C. Hubbard, Director
Department of Permitting Services

SUBJECT: New Adequate Public Facilities Determination (APF) Application
10001 New Hampshire Avenue, Silver Spring, Maryland 20903

Pursuant to Section 8-34 (d) of the Montgomery County Code, I am referring the application for a new Adequate Public Facilities (APF) determination, filed with the Department of Permitting Services on December 15, 2005 by Ralph J. Duffie, Inc., for the property located at 10001 New Hampshire Avenue. This non-residential property is a recorded lot for which the determination of adequacy of transportation public facilities expired in 2001.

The Department hereby requests that the Planning Board advises and provides its recommendation as to the merit of this application and that the Planning Board conduct the required public hearing in conjunction with its consideration of Site Plan Review No. 8-2006-0210.

A copy of the APF Application and supporting documentation is enclosed. The applicant's counsel has advised the Department that the County Wide Transportation Planning Division of the Department of Park and Planning has already notified the applicant's traffic consultant as to the proper study area for a Local Area Transportation Review analysis.

Thank you for your cooperation in this matter. Should you or your staff require additional information please contact Reginald T. Jetter at 240-777-6275.

Enclosure

- cc: Reginald T. Jetter
- Malcolm Spicer, Esquire, Assistant County Attorney
- Shahriar Etemadi, Transportation Planning Division
- Stephen J. Orens, Esquire
- Wes Guckeert, The Traffic Group





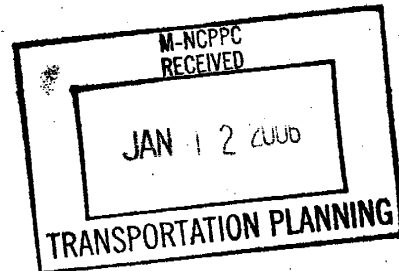
DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

MEMORANDUM

January 10, 2006



TO: Arthur Holmes, Jr., Director
Department of Public Works and Transportation

FROM: Robert C. Hubbard, Director
Department of Permitting Services

SUBJECT: New Adequate Public Facilities Determination (APF) Application
10001 New Hampshire Avenue, Silver Spring, Maryland 20903

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Enclosure

cc: Reginald T. Jetter
Malcolm Spicer, Esquire, Assistant County Attorney
Shahriar Etemadi, Transportation Planning Division ✓
Stephen J. Orens, Esquire
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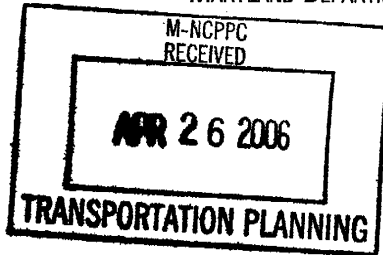




Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION



April 25, 2006

Re: Montgomery County
MD 650 General File
10001 New Hampshire Avenue

Attachment No. 2

Mr. Shahriar Etemadi
Transportation Coordinator
M-NCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Etemadi:

Thank you the opportunity to review the Traffic Impact Study Report by The Traffic Group, Inc. dated March 10, 2006 (received by the EAPD on March 21, 2006) that was prepared for the proposed 10001 New Hampshire Avenue office development in Montgomery County, Maryland. The Maryland State Highway Administration (SHA) comments and conclusions are as follows:

- Access to the 55,517 square foot Office Building is proposed from two (2) full movement site access driveways on Elton Road (a County roadway).
- The traffic consultant determined that the proposed development would not cause any studied intersection to exceed the Fairland/White Oak Policy Area congestion standard threshold (CLV less than 1,500), or the Silver Spring/Takoma Park Policy Area congestion standard threshold (CLV less than 1,600).

In conclusion, SHA concurs that the proposed development will not cause any studied intersection to exceed the Fairland/White Oak Policy Area and Silver Spring/Takoma Park Policy Area congestion standard thresholds as established by the M-NCPPC. The SHA policy regarding intersection level of service requires that all intersections function at a level of service "D" or better in the design year with full build-out of the given project. Given that the Montgomery County policy differs from that of SHA regarding the need for mitigation at off-site intersections, the SHA will defer to the local criteria. However, any proposed mitigating roadway improvements impacting a State-controlled roadway must be reviewed and approved by the SHA.

Unless specifically indicated in SHA's response on this report, the comments contained herewith do not supersede previous comments made on this development application. If there are any questions on any issue requiring a permit from SHA on this application, please contact Raymond Burns at (410) 545-5592 or RBurns1@sha.state.md.us.

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Mr. Shahriar Etemadi
Page 2 of 2

If you have any questions regarding the enclosed traffic report comments, please contact Larry Green at (410) 995-0090 x20.

Very truly yours,



Steven D. Foster, Chief
Engineering Access Permits Division

cc: ~~Mr. Ed Axler, M-NGRPC~~ Montgomery County
Mr. Raymond Burns, SHA Engineering Access Permits Division
Mr. Joseph Finkle, SHA Travel Forecasting Section
Mr. Bob French, SHA Office of Traffic & Safety
Mr. Larry Green, Daniel Consultants, Inc.
Mr. Jeff Wentz, District 3 Traffic Engineering
Mr. Carl Wilson, The Traffic Group, Inc.



Appendix G

Attachment No. 3

Douglas M. Duncan
County Executive

DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Arthur Holmes, Jr.
Director

Memorandum

April 11, 2006

To: Shahriar Etemadi, Supervisor
Transportation Planning

Via: Gregory M. Leck, Leader *GMLeck*
Traffic Engineering and Operations Section

From: David C. Adams *DA*
Traffic Engineering and Operations Section

Subject: Review of the Traffic Impact Study for the Proposed Office Building at 10001
New Hampshire Avenue
Fairland/White Oak Policy Area

The proposed development is a 55,517 square foot office building to be one the site of an abandoned Shoney's restaurant at the corner of Elton Road and MD 650. Access will be from the two existing driveways on Elton Road.

The proposed office building will generate 86 AM trips and 100 PM trips. The resulting additions to Background CLVs are minor and all Total Traffic CLVs are below the Policy Area ceiling (1,500 outside I-495 and 1,600 inside the Beltway). Widening of the west approach of Oakview Drive at MD 650 is an item of CIP No. 507017, Intersection and Spot Improvements for FY05. Construction is now scheduled for FY06 or later.

Summary:

The proposed 55,517 square foot office building at 10001 New Hampshire Avenue passes LATR.



Division of Operations

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

G

Shahriar Etemadi
LATR for 10001 New Hampshire Avenue Office Building
Page 2

10001MD650.G-826.27April2006

cc: Carl Wilson, The Traffic Group
Arthur Holmes, DPWT
Robert Hubbard, DPS
Malcolm Spicer, County Attorney Office
Stephen Orens, DuFour & Orens, Chartered
Bill Barron, MNCPPC
Raymond Burns, MSHA
Bruce Mangum

Appendix H




**THE MARYLAND-NATIONAL CAPITAL PARK AND
PLANNING COMMISSION**

Department of Park & Planning, Montgomery County, Maryland
8787 Georgia Avenue, Silver Spring, Maryland 20910

MEMORANDUM

TO: Mary Beth O'Quinn, Development Review

FROM: Stephen D. Federline, Supervisor,
Countywide Environmental Planning 

DATE: December 6, 2005

SUBJECT: Site Plan # 8-06021 at 10001 New Hampshire Avenue

The Environmental Planning staff has reviewed the site plan referenced above. Staff recommends approval of the preliminary plan of subdivision/site plan without condition.

Discussion

1. Compliance with forest conservation requirements has been satisfied by grant of a forest conservation exemption on April 27, 2004 as a "Modification to an Existing Developed Property", and also as a "Small Property".
2. Noise impacts associated with traffic noise from the Beltway, its ramps, and New Hampshire Avenue are addressed by the noise-compatible office and parking use of the subject property.

SDF:sdf:G/evelyndrc/ep806021sdf.doc

Cc: CPJ (by fax)

Appendix H

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FOREST CONSERVATION RECOMMENDATIONS

TO: Plan enforcement staff, Development Review Division

SUBJECT: Project Name 10001 New Hampshire Ave. Date Recd 4/1/04
NRI/FSD # 4-04292E

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

EXEMPTION:

Modification of Existing Developed Property – no more than a total of 5,000 square feet of forest will be cleared; no forest clearing within a stream buffer or on property subject to SPA WQP requirements; and does not require new subdivision plan.

Small Property

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

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

This property is not subject to a Tree Save Plan.

This property is not within a Special Protection Area.

Signature: Candy Bunnag ^(M)
Environmental Planning

Date: 4/27/04

Cc: Sallie Stewart, CPJ (fax: 301-434-9394)

fcpexemption.doc r01/03

Post-It® Fax Note	7671	Date	4/27	# of pages	1
To	Sallie Stewart	From	Candy Bunnag		
Co./Dept.	(PJ)	Co.	M-NCPPC		
Phone #		Phone #	301-495-4573		
Fax #	301-434-9394	Fax #			



Appendix I

DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

November 21, 2005

Ms. Dewa Salihi
Charles P. Johnson & Associates, Inc.
1751 Elton Road, Suite 300
Silver Spring, MD 20903

Re: **REVISED Stormwater Management CONCEPT**
Request for 10001 New Hampshire Avenue
Preliminary Plan #: N/A
SM File #: 220054
Tract Size/Zone: 1.8 acres / C1
Total Concept Area: 1.8 acres
Lots/Block: N/A
Parcel(s): N159
Watershed: Northwest Branch

Dear Ms. Salihi:

Based on a review by the Department of Permitting Services Review Staff, the **revised** stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of -site water quality control via installation of proprietary filtration units. Onsite recharge is not required because this is a redevelopment project. The stormwater concept also includes a request for a waiver of channel protection requirements.

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

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Based on existing storm drain limitations, and with the understanding that there will be no net increase in impervious areas as a result of this redevelopment, a waiver of the channel protection requirement is hereby granted. Safe conveyance of site runoff must be provided.
6. Pretreatment of the proposed water quality facilities must be incorporated into the design. Do not use the "pre-treatment" manhole as shown on the conceptual plan. A proprietary hydrodynamic device, of a design approved for use in Montgomery County by DPS, may be used.
7. All underground parking must drain to WSSC. It will not be allowed to drain to the storm drain system.



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8. This stormwater management concept approval supercedes the approval granted on August 23, 2005.

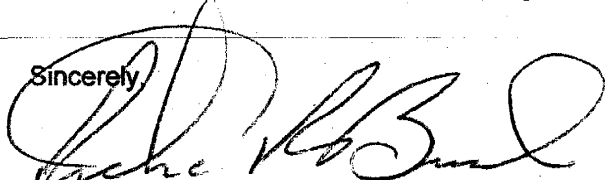
This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Mark Etheridge at 240-777-6338.

Sincerely,



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

RRB:dm mce

cc: C. Conlon
S. Federline
SM File # 220054

QN -SW; Acres: 1.8
QL - ON; Acres: 1.8
Recharge is not provided

MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES
WATER RESOURCES SECTION

255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153

Date: December 2, 2005

MEMO TO: Michael Ma, Supervisor
Development Review Committee, MNCPPC

FROM: David Kuykendall
Senior Permitting Services Specialist
Water Resources Section, MCDPS

SUBJECT: Stormwater Management Concept Plan/100-Year Floodplain Review
Site Plan # 820060210, 10001 New Hampshire Avenue
Project Plan #
Preliminary Plan # , DPS File # 220054
Subdivision Review Meeting of December 5, 2005

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 7-02AM for stormwater management and Executive Regulation 108-92 AM for a 100year floodplain. The following summarizes our findings:

SM CONCEPT PLAN PROPOSED:

- On-site: CPv WQv Both
- CPv < 2cfs, not required
- On-site/Joint Use Central (Regional): waived to
 Existing Concept Approved August 23, 2005
- Waiver: CPv WQv Both
 Approved on August 23, 2005
- Other

Type Proposed:

- Infiltration Retention Surface Detention Wetland Sand Filter
- Separator Sand Filter Non Structural Practices Other Proprietary

FLOODPLAIN STATUS: 100 Year Floodplain On-Site Yes No Possibly

- Provide source of the 100Year Floodplain Delineation for DPS approval:
- Source of the 100-Year Floodplain is acceptable.
- Submit drainage area map to determine if a floodplain study (> or equal to 30 acres) is required.
- Dam Breach Analysis: Approved Under Review:
- 100-Year Floodplain study: Approved Under Review:

SUBMISSION ADEQUACY COMMENTS:

- Provide verification of Downstream notification.

RECOMMENDATIONS:

- Approve as submitted with conditions (see approval letter)
- Incomplete; recommend not scheduling for Planning Board at this time.
- Hold for additional information. See below
- Comments/Recommendations: Show stormwater management on the site plan.

cc: Steve Federline, Environmental Planning Division, MNCPPC

bill DRC site plan.03/01

DRC December 5, 2005

DPS Right-of-Way Permitting and Plan Review Comments

10001 New Hampshire Avenue Site Plan 820060210

- **First entrance east of New Hampshire Avenue on Elton Road to be inbound only**
- **Widen second entrance to 24'**
- **Existing sidewalk on New Hampshire Ave. and Elton Road to be set back with trees and lawn panel**
- **Provide lead sidewalks into site from Elton Road**