



Cabin John Auto Park (N. Bethesda Home Depot), Site Plan Amendment No. 81980017A

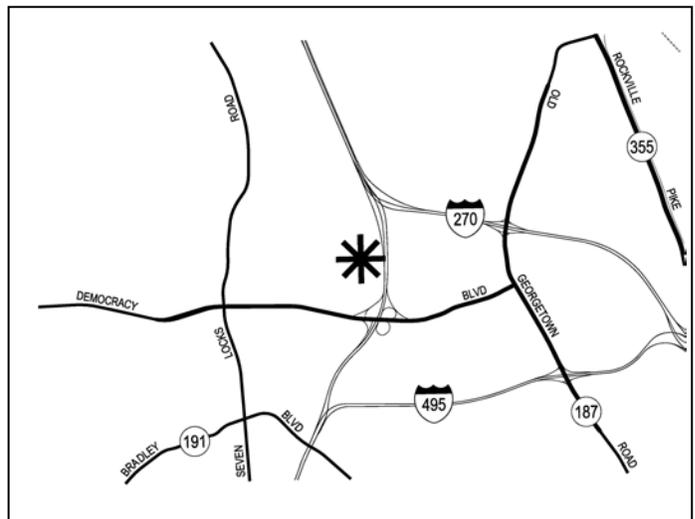
- LS Lori Shirley, Planner Coordinator, Area 2 Division, Lori.Shirley@montgomeryplanning.org, 301-495-4557
- PB Patrick Butler, Regulatory Supervisor, Area 2 Division, Patrick.Butler@montgomeryplanning.org, 301-495-4561
- CS Carrie Sanders, Chief, Area 2 Division, Carrie.Sanders@montgomeryplanning.org, 301-495-4653

Staff Report Date: 4-16-18

Description

Request to amend an approved Site Plan to remove up to 15,870 square feet of vacant retail space to regrade and reconfigure an existing parking lot for 65 new spaces and ADA upgrades, associated landscape, outdoor lighting, stormwater management, parking lot circulation improvements and a parking waiver request.

Location: 7111 Westlake Terrace, between Auto Park Avenue and Motor City Drive, Bethesda;
Master Plan: 2017 *Rock Spring Master Plan*;
Size: 7.51 acres;
Zone: CRT 2.25, C-1.5, R-0.75, H-75;
Applicant: Home Depot USA, Inc.;
Accepted: December 20, 2017.



Summary

- Staff recommends approval of Site Plan Amendment No. 81980017A, with conditions.
- Per the grandfathering provisions of Section 59.7.7.1.B.3., of the current Zoning Ordinance, the application’s review basis is under the Zoning Ordinance in effect on October 29, 2014, C-2 Zone, standard method development including off-street parking and loading standards in Section 59-E. The Applicant requests a full waiver of the off-street parking standards for required bike spaces (20) and motorcycle stalls (10). Staff supports a modified waiver based on the proposed number of new net parking spaces (65) to provide three bike spaces or lockers and one motorcycle stall.
- The area inside the Amendment’s scope of work is exempt from Chapter 22A, Forest Conservation per exemption No. 42016023E issued on September 1, 2015.
- A concept stormwater management plan was reconfirmed by the Montgomery County Department of Permitting Services (MCDPS) on September 13, 2017.
- No correspondence has been received from noticed parties as of the date of this Staff Report.

RECOMMENDATION AND CONDITIONS

Staff recommends approval of Site Plan Amendment No. 81980017A to: remove up to 15,870 square feet of vacant retail space; regrade to reconfigure an existing parking lot to increase parking spaces, and associated landscape, outdoor lighting, stormwater management; and provide ADA upgrades and parking lot circulation improvements. After the removal of 15,870 square feet of retail space, the Subject Property will have a new combined total of 128,130 square feet of retail space. All site development elements shown on the latest version of Site Plan drawings submitted via ePlans to the M-NCPPC as of the date of this Staff Report are required, except as modified by the following conditions:

1. Preliminary Plan Conformance
The Applicant must comply with the conditions of approval for Preliminary Plan No. 119780470.
2. Site Plan Conformance
The Applicant must comply with the conditions of approval of Site Plan No. 819800170.
3. Transportation
The Applicant must satisfy the Local Area Transportation Review (LATR) test if the square footage increases beyond the new total of 128,130 square feet of retail space in this Amendment.
4. Environment
The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept reconfirmation letter dated September 13, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve and inspect all landscaping within the stormwater management easements and facilities.
5. Landscape Plan
Prior to the end of the first planting season after issuance of the Final Use and Occupancy Certificate, all landscape plant materials must be installed.
6. Lighting Plan
 - a) Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the new exterior lighting in this Site Plan conforms to the latest illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All on-site exterior area lighting installation must be in accordance with these recommendations.
 - b) All on-site down-lights must have full cut-off fixtures.
 - c) Deflectors will be installed on all proposed fixtures to prevent excess illumination and glare.
 - d) Illumination levels generated from new outdoor lighting must not exceed 0.5 footcandles at any property line abutting residentially developed properties.
 - e) Pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

- f) For all rooftop light fixtures on the building, any light pole height must not exceed the height illustrated on the Certified Site Plan.
7. Fire and Rescue
The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its comments dated March 26, 2018, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the comments, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.
8. Site Plan Surety and Maintenance Agreement
Prior to issuance of a grading permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:
- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
 - b) The cost estimate must include applicable Site Plan elements, including, but not limited to, bike racks or lockers, cart corrals, plant material, on-site lighting, sidewalks, site furniture, trash enclosures, paths and associated improvements of development, including storm drainage facilities.
 - c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon the inspector recommendation and that the remaining surety is sufficient to cover completion of the remaining work.
 - d) The bond or surety shall be clearly described with the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.
9. Development Program
The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.
10. Certified Site Plan
The Certified Site Plan must include the following revisions subject to Staff review and approval:
- a) Stormwater management concept approval letter, development program, and Site Plan Resolution (and other applicable resolutions) on the approval or cover sheet(s).
 - b) A note stating that "M-NCPPC Staff must inspect protection devices before clearing and grading."
 - c) A note stating that "minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
 - d) Modify the data table to reflect development standards approved by the Planning Board.

- e) Consistency of all details and layout between the approved limits-of-disturbance (LOD) on the Site and Landscape plans.
- f) Provide the standard details and locations for three short-term or long-term bicycle spaces and one motorcycle stall.
- g) Provide wheel stops at the end of each parking space in the Home Depot parking lot where a pedestrian crosswalk is proposed in this parking bay.
- h) Add the wheel stop detail to the Site Plan details sheet.
- i) Add a new Parking Phasing Plan sheet (with Phases A, B, C and Completion) to the plan set.

SITE DESCRIPTION, BACKGROUND AND PROPOSAL

Site Vicinity and Context

The subject site (Subject Property or Property – outlined in red in Figure 1 below) is located on the north side of Westlake Terrace and is in between Motor City Drive to the east and Auto Park Avenue to the west (Figure 2). The Property is surrounded by a mix of existing commercial, institutional, multi-family residential, office and retail uses. To the north is the PEPCO Bells Mill Substation and to the northeast is the United States Post Office. To the east and southeast, respectively, are an existing multi-story office building (Pinnacle Business Center) with a surface parking lot, and the former (and vacant) Ourisman Ford Automobile dealership. To the east of Ourisman Ford is the I-270 Spur and further to the east is the Rock Spring Office Park. Across Westlake Terrace to the south and southeast, respectively, is the Westfield Montgomery Mall site and Transit Center. To the southwest on the west side of Westlake Drive are existing multi-family residential uses (condominiums and townhouses) and further to the northwest is Cabin John Regional Park. Immediately to the west is the Jim Coleman Toyota Automobile dealership.



Figure 1: Vicinity Map

Site Description

The Property is developed with an approximately 35,000 square foot strip commercial shopping center and a one-story (approximately) 109,000 square foot Home Depot retail store with outdoor seasonal sales. Primary outdoor seasonal sales items are located on the sidewalk at the entrances to the store. These two buildings have a combined total of approximately 144,000 square feet of existing retail space. The Applicant owns the Home Depot store and parking lot and the shopping center and its parking lot. The United States Postal Service (USPS) building and parking lot is not owned by the Applicant. The three uses have integrated off-street parking lots that were built approximately 38 years ago with a combined total of 702 spaces.



Figure 2: Subject Property

Previous Approvals

A Local Map Amendment (LMA) (G-40) was approved in 1977, at which time the Property was rezoned from R-H to C-2. In 1980, the Planning Board approved a Preliminary Plan of Subdivision No. 119780470 and the Property was subject to Site Plan review in No. 819800170. When the Property originally developed, a Hechinger's retail store was located where the Home Depot is now located. In the 2014 comprehensive Zoning Ordinance rewrite and District Map Amendment, the Property was zoned CRT 2.25, C-1.5, R-0.75, H-75.

Proposal

The Applicant recognizes there are parking challenges and constraints based on the existing conditions at the Home Depot, the shopping center and the adjoining USPS parking lots. The Applicant proposes to remove a portion of an existing building constructed under the development standards from the Property's former C-2 zoning, and to modify these parking lots to provide ADA-compliant upgrades and improve pedestrian and vehicular circulation. No new building construction is proposed. The Applicant intends to add more parking spaces and bring the Home Depot and the shopping center parking lot into ADA-compliance. These improvements include: regrading and reconfiguring the parking lot to eliminate existing steps at the south side at the parking lot's edge; adding 65 new parking spaces; improving vehicular and pedestrian circulation; and demolishing approximately 15,870 square feet of retail space at the north side of the shopping center (the demolition occurred in March 2018). Reconfiguration of the Property's parking lots improves pedestrian mobility by adding pedestrian crosswalks and ADA-compliant handicap ramps at existing sidewalks; providing a pedestrian crosswalk through the center of the Home Depot parking lot to connect to the store's entrance; and other minor adjustments to improve outdoor lighting, pedestrian and vehicular circulation as shown in Figure 3.

The Applicant will phase the parking lot improvements to maintain continuous operation of the Home Depot and the shopping center's retailers to provide parking for their patrons as shown in Attachment 2. The phased improvements include temporary removal of the outdoor sales/mulch pick-up area to make these 53 parking spaces available for their patrons. The Applicant anticipates construction activity for these improvements will take two to three months in duration beginning in July 2018 with completion in October 2018. The Applicant has coordinated with the shopping center retailers and USPS representatives to phase the proposed improvements to maintain current hours of operation and safe movement of patrons and employees. While the USPS is not a party to the application, the Applicant and USPS have executed a temporary construction and access easement to make the parking lot improvements on part of the USPS property where shared parking is allowed. A Letter of Support from the USPS's Real Estate staff is included in Attachment 3, and it demonstrates the USPS's understanding of the proposed parking lot improvements in the application. The Letter of Support from USPS also includes attached phasing plans to identify the timing of the improvements to ensure adequate parking spaces for patrons to the three structures are available during each phase.

The Applicant has submitted a full parking waiver request to both the required bicycle and motorcycle standards (Attachment 4). The Applicant believes the required number of bicycle parking spaces (20) and motorcycle stalls (10), calculated on (702) parking spaces in the original Site Plan No. 819800170, is excessive.

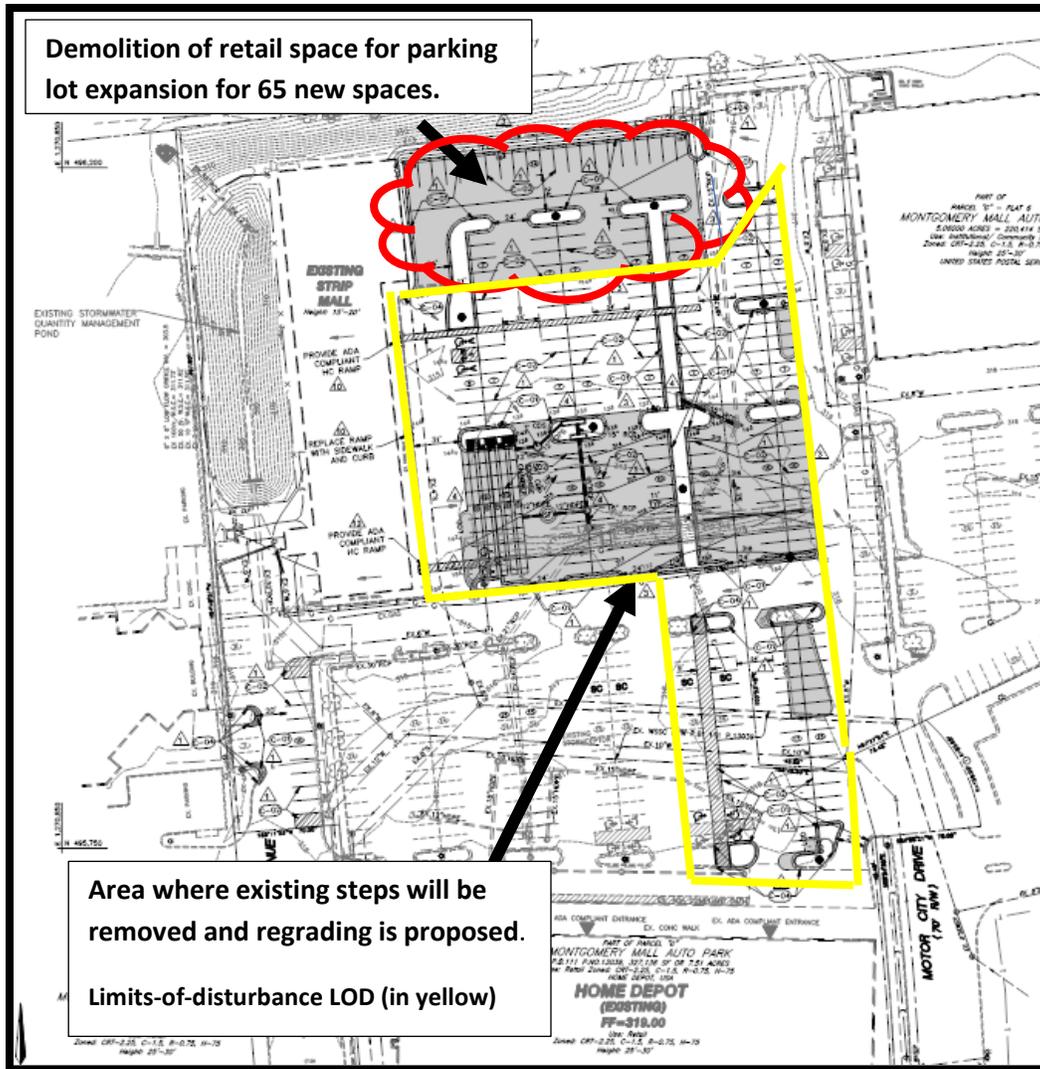


Figure 3: Site Plan

Fourteen existing trees inside the LOD will be removed and 11 new trees will be planted. Some existing light fixtures will be relocated and new light poles in the reconfigured parking lot are proposed.

In Figure 4, the outdoor sales and mulch pick-up area is shown in the northwest part of the Home Depot parking lot. A field visit to the site last month found that one double-loaded parking bay and a second single-loaded bay and 11 additional parking spaces at the Property's west edge are used for the outdoor sales area. The outdoor sales area displaces 53 parking spaces.

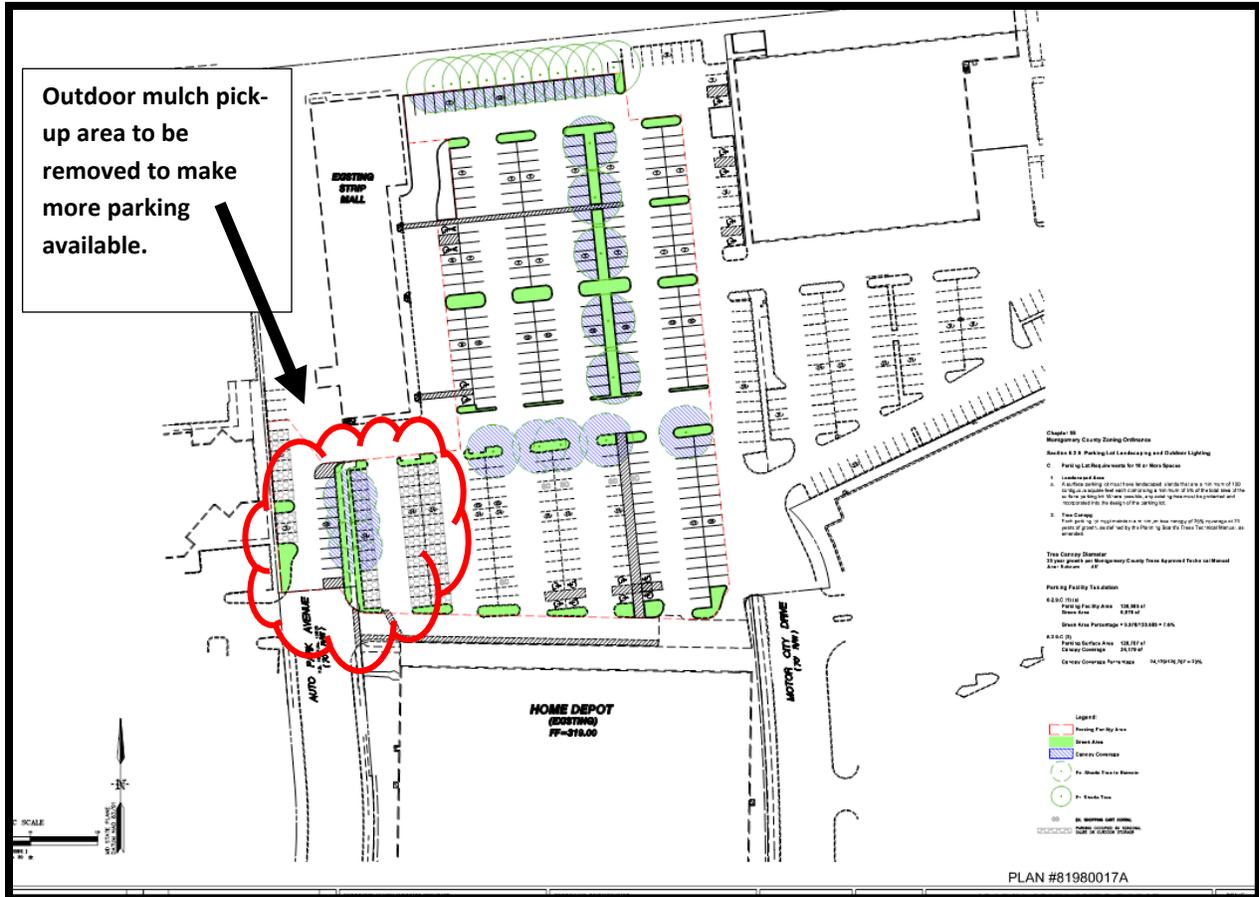


Figure 4: Landscape Plan

Community Outreach

The Applicant has complied with all submittal and noticing requirements. Staff has not received any correspondence from noticed parties as of the date of the Staff Report.

SECTION 2: SITE PLAN REVIEW AND ANALYSIS

Master Plan Conformance

The Property is located in the Rock Spring West/Mixed Use Regional Marketplace cluster, within the boundary of the 2017 *Rock Spring Master Plan* (Master Plan), which is currently an area dominated by auto-oriented uses. Applicable Master Plan recommendations include:

- Infill development to establish a mix of uses;
- Completion of “the loop created by Motor City Drive and Auto Park Avenue,” by creating an east-west public street connecting the northern ends of these two existing streets;
- Creating spaces for public use; and
- Prioritizing improvements along the central spine (Westlake Terrace).

Given the limited scope of work proposed on the Property at this time, this Application will not be required to implement the Master Plan recommendations mentioned above; however, it is in general conformance with the Master Plan regarding the reorganization of the surface parking lots that support the pattern of blocks and connections envisioned in the Master Plan by better organizing and defining vehicular, pedestrian, and landscape zones, and using the layout of parking drive aisles to delineate the future east-west connection between Motor City Drive and Auto Park Avenue. Thus, while future applications should build on the elements introduced at this time to incrementally achieve the Master Plan goals identified above, Staff finds the proposed Site Plan Amendment is in substantial conformance with the Master Plan.

Public Facilities

Local Area Transportation Review

The Applicant proposes to reduce the existing retail space square footage on-site that will result in fewer peak-hour trips and as a result a traffic study is not required to satisfy the Local Area Transportation Review test.

Transportation Demand Management

The Subject Property is located within the western limits of the North Bethesda Transportation Management District (TMD). The Applicant is not required to enter into a Traffic Mitigation Agreement since this is a standard method project.

Master-Planned Roadways and Bikeways

Master-planned transportation facilities are designated in accordance with the following:

- 2002 *Potomac Subregion Master Plan*;
- 2005 *Countywide Bikeways Functional Master Plan*;
- 2013 *Countywide Transit Corridors Master Plan*;
- 2017 *Rock Spring Master Plan*; and the
- current *Draft Bikeways Master Plan*.

Westlake Terrace is a designated business district street, B-3, in the Master Plan and as an arterial, A-85, in the *Potomac Subregion Master Plan*, both with a 90-foot right-of-way. Auto Park Avenue is designated as a business district street, B-6, in the *Rock Spring Master Plan* with a recommended 70-foot right-of-way. Motor City Drive is designated a business district street, B-7, in the *Rock Spring Master Plan* with a recommended 70-foot right-of-way. The 1980 Record Plat No. 13039 indicated 70-foot wide rights-of-way dedication for Auto Park Avenue and Motor City Drive that extended 410 and 450 feet, respectively, north of Westlake Terrace. Record Plat No. 8390 indicates a 70-foot-wide right-of-way for Westlake Terrace. No dedication is required in this Application based on the limited scope of work associated with this request. At such time the Property undergoes redevelopment as envisioned in the Master Plan, additional right-of-way dedication along Westlake Terrace will likely be required.

Pedestrian, Bicycle and Motorcycle Facilities

Auto Park Avenue and Motor City Drive have five-foot-wide sidewalks with five-foot-wide green panels on both sides. Sidewalks along Auto Park Avenue and Motor City Drive extend into the Property and function as lead-in sidewalks. Westlake Terrace has a six-foot-wide sidewalk with no green panel. At both Westlake Terrace intersections with Auto Park Avenue and Motor City Drive handicap ramps are existing at all corners and marked pedestrian crosswalks are at all intersection legs, except at the western leg of Westlake Terrace at Auto Park Avenue.

Transit Service and Other Public Facilities

Bus transit service is available and both Metrobus (routes J2 and J3) and Ride On (routes 6, 26, 42, 47 and 96) are operational along the Property's frontage on Westlake Terrace with service to the Montgomery Mall Transit Center, located on the opposite side of Westlake Terrace, next to the I-270 West Spur.

The existing development will continue to be served by public water and sewer systems. The Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section has reviewed the application and determined that the Property has appropriate access for fire and rescue vehicles (Attachment 6). Other public facilities and services including police stations, firehouses and health care are currently operating in accordance with the Subdivision Staging Policy and will continue to be sufficient following the modifications at the Property. Electric, gas and telecommunications services will also be available and adequate.

Environment

Environmental Guidelines

The Property contains no streams or stream buffers, wetlands or wetland buffers, erodible soils, hydraulically adjacent steep slopes, 100-year floodplains, forest areas, or known habitats of rare, threatened, or endangered (RTE) species. The Application, as submitted, is in conformance with the Montgomery County Planning Department's *Environmental Guidelines*.

Forest Conservation

The Property contains no specimen trees, champion trees or forest. An exemption from Article II of Chapter 22A, the Forest Conservation Law was confirmed on September 1, 2015 (in Exemption No. 42016023E for modifications to existing non-residential developed property) (Attachment 5) for compliance with Chapter 22A Forest Conservation Law.

Stormwater Management

A stormwater management concept plan was reconfirmed for the Property on September 13, 2017 by the Montgomery County Department of Permitting Services Fire Department Access and Water Supply Section (Attachment 6).

SECTION 3: SITE PLAN REQUIRED FINDINGS

Site Plan Findings

Section 59-D-3.4.(c) contains the required findings to be made by the Planning Board. Previous findings are valid for the remaining part of the Property and these below only apply to the review of the area inside the Amendment's limits of disturbance. In reaching its decision the Planning Board must find that:

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

The Property does not have a development plan, or a schematic development plan associated with it, but is subject to the approvals in Preliminary Plan No. 119780470 and Site Plan No. 819800170 with their respective conditions of approval. The Applicant is required to comply with the conditions of approval in this Site Plan Amendment, in addition to all previous conditions of approval.

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

Development Standards

The Property was developed prior to October 30, 2014 under the C-2 Zone standards. Therefore, pursuant to Section 7.7.1.B.3.b., provisions in the current Zoning Ordinance, the Application was reviewed under the development standards and procedures of the Property’s zoning in effect on October 29, 2014, (C-2) in the former Zoning Ordinance.

Section 59-C-4.350, the purpose of the C-2 Zone is: to provide locations for general commercial uses representing various types of retail trades, businesses and services for a regional or local area. The proposed improvements are in conformance with the purpose of the C-2 Zone. The proposed Site Plan Amendment will meet the development standards in the C-2 Zone as shown in the table below. Off-Street parking standards in Section 59-E-1 are applicable including provision for an off-street loading space, bicycle spaces or lockers and motorcycle parking stalls. An urban renewal plan is not applicable to the Subject Property.

Development Standards Data Table - C-2 Zone

Development Standard	C-2 Zone Required/Allowed	C-2 Zone Proposed for Approval
Building height Sec. 59-C-4.351.	Maximum of 3 stories or 42 feet from finished grade	N/A
Floor area Sec. 59-C-4.352.	GFA not to exceed FAR of 1.5	0.41
Setbacks Sec. 49-C4.353.		
(a) Front: (no less than from front lot line)	10 feet	N/A
(b) Side & rear	3 and 3	N/A
Minimum Green Area Sec. 59-C-4.354. (at least 10% of area of the lot)	10%	16%
Off-Street Parking – loading space Sec. 59.E.1.4.	1	1
Bicycle & motorcycle parking Sec.59-E-2.3. (a) & (b) Bicycle metric and (d) Motorcycle metric	20 bike spaces 10 stalls	10 bike spaces 1 stall
Off-Street Parking -Retail, general Sec. 59-E-3.7. (metric:) 5 spaces per 1,000 SF of GFA	641 spaces	698 spaces
Internal Landscaping of surface parking facility Sec. 59-E-2.73.	5%	7.6%

The proposal will provide approximately 16 percent green area on the Site. Sidewalks and walkways shall be protected from vehicular encroachment by wheel stops, curbs or other methods in between a parking bay for pedestrian safety.

3. *The location of buildings and structures, open spaces, landscaping, recreational facilities, and pedestrian and vehicular circulation systems area adequate, safe and efficient;*

a. Location of Buildings and Structures

This is not applicable because the Application's scope of work is limited to removal of approximately 15,870 square feet of existing retail space at the west side of the strip commercial shopping center behind Home Depot to expand and regrade to reconfigure the existing parking lot for 65 new parking spaces. No new buildings are proposed in this application; the 15,870 square feet of vacant retail space has been demolished.

b. Open Spaces

The Landscape Plan shows the minimum 10 percent green area will be provided at 16 percent in a separate exhibit in landscape islands throughout the two parking lots and on a portion of the USPS property.

c. Landscape and Lighting Plan

The Landscape Plan includes removal of 14 existing trees around the parking lot and 11 new trees to be planted at the north end/new parking lot edge. The minimum five percent internal landscaping is met as demonstrated in the Landscape Plan in an exhibit with 7.6 percent.

New light poles, building-mounted fixtures and several relocated light poles are proposed in the parking lot expansion area. A photometric plan is Attachment 7.

d. Recreation Facilities

Because no residential use is proposed at the Site, recreational facilities are not required.

e. Pedestrian and Vehicular Circulation Systems

When the Property was originally developed, pedestrian, bicycle and motorcycle facilities were not required. A Pedestrian and Vehicular Circulation Plan shows new pedestrian connections with sidewalks, painted crosswalks, and ADA-compliant features in both parking lots. The Applicant has requested a parking waiver per Sec. 59-E-4.5., to provide no bike spaces or lockers and motorcycle stalls. Staff does not support the Applicant's waiver request to not provide any bicycle or motorcycle parking; however, Staff agrees a strict application of these standards based on 702 parking spaces is excessive. Therefore, Staff finds that bicycle and motorcycle parking should be calculated based on the number of new parking spaces (65) versus a complete waiver of bicycle and motorcycle parking. This results in a requirement of three bicycle spaces or lockers and one motorcycle stall. Staff believes a small number of these facilities will be sufficient to provide the opportunity for any patrons and employees of Home Depot, the retail uses and the USPS property that desire riding a bike or a motorcycle to these traditionally auto-

centric uses. With the proposed parking lot improvements, recommended conditions of approval, and Staff's support of a modified parking waiver request to reduce the number of bicycle and motorcycle parking spaces or lockers/stalls to three and one respectively, Staff finds these circulation systems will be adequate, safe and efficient.

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

Removal of 15,870 square feet of the north part of the shopping center, regrading for reconfiguration of the parking lot to improve vehicular and pedestrian circulation and safety is compatible with similar existing commercial uses with off-street parking lots surrounding the Property. The proposed improvements will be compatible with the nearby Ourisman Ford Auto Park site that has a recently approved Sketch Plan for a mid-rise, multi-unit residential building with parking garage. The parking garage's location will be closest to the existing edge of the Home Depot parking lot, thereby making the existing and proposed uses compatible.

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

- a. Forest Conservation

On September 1, 2015, Staff issued an exemption of Chapter 22A, Forest Conservation, for the proposed application (No. 42016023E for modifications to existing non-residential developed property). Therefore, the Applicant is not required to submit a Forest Conservation Plan.

- b. Environmental Guidelines

Because there are no environmental features associated with the Site as discussed in the Environmental review section on page 12, the Applicant's proposal complies with the Guidelines for Environmental Management of Development in Montgomery County (*Environmental Guidelines*).

CONCLUSION

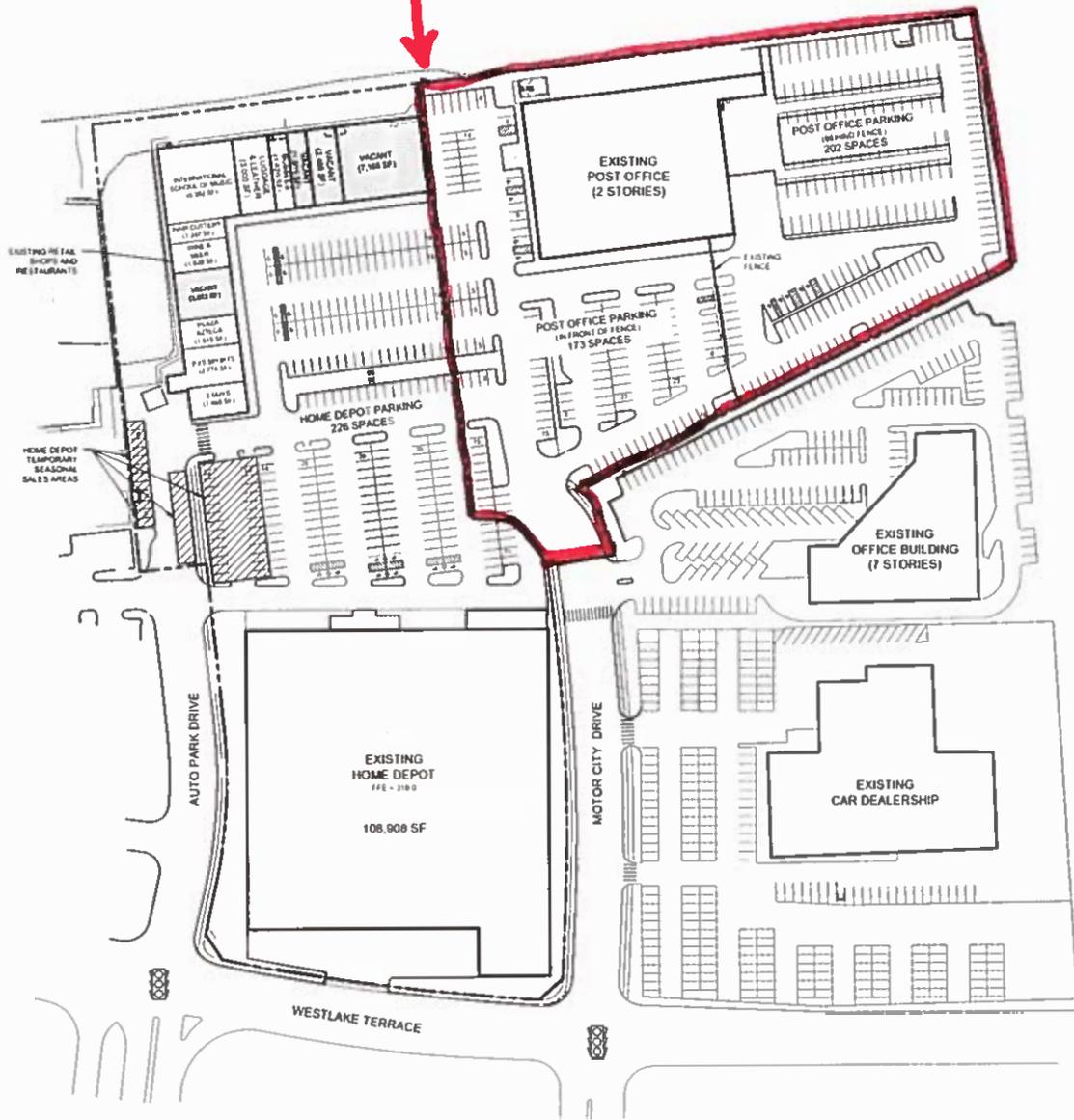
Based on the review by Staff and the other relevant agencies (Attachment 5), and the analysis contained in this report, Staff finds that Limited Site Plan Amendment No. 81980017A meets all required findings and is consistent with the applicable Zoning Ordinance standards and general requirements. Staff recommends approval subject to the conditions at the beginning of this report.

Attachments

1. Existing conditions
2. Phasing plans for the incremental improvements
3. USPS letter of support
4. Waiver request to parking standards
5. Forest Conservation Exemption letter
6. Stormwater Management Concept Acceptance letter and other agency comments (MCDPS Fire Department Access and Water Supply Section)
7. Photometric plan

ATTACHMENT 1

New property line for the USPS property.

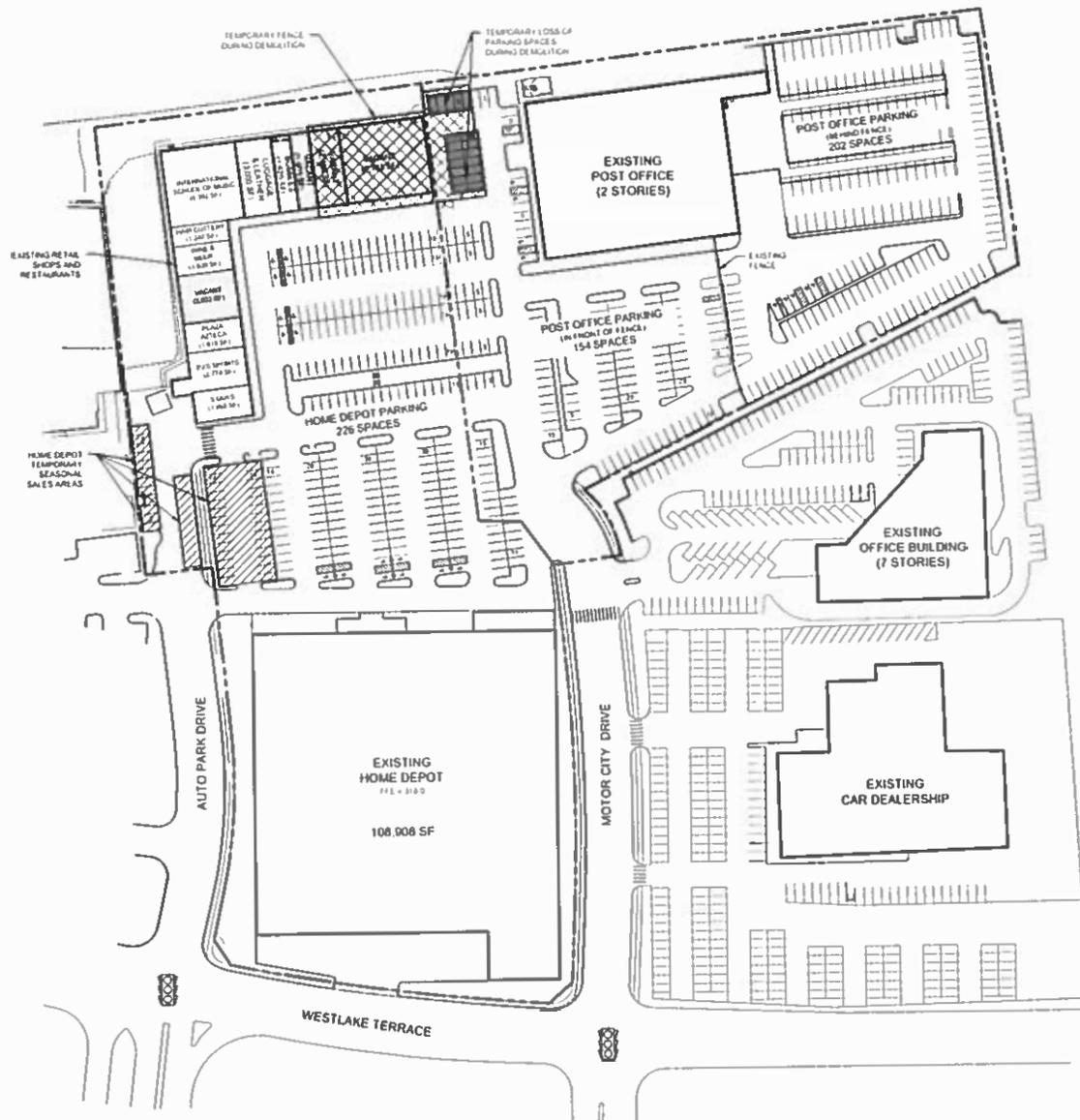


EXISTING CONDITIONS

TOTAL PARKING PROVIDED 601



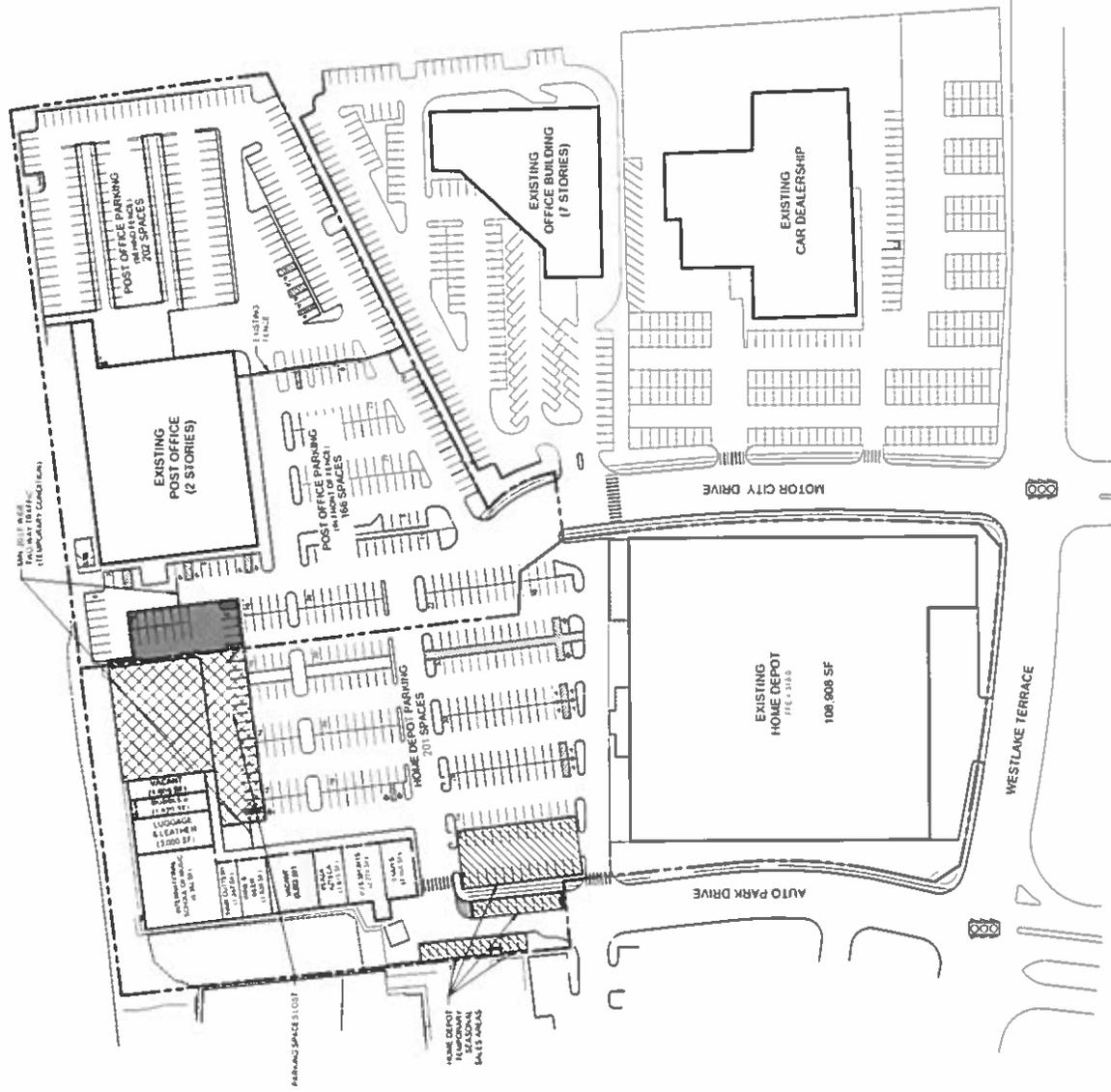
ATTACHMENT 2



PHASE A
JANUARY 2, 2018 - MARCH 1, 2018
NO WORK - BLACKOUT
MARCH 2, 2018 - JULY 13, 2018

TOTAL PARKING PROVIDED 582

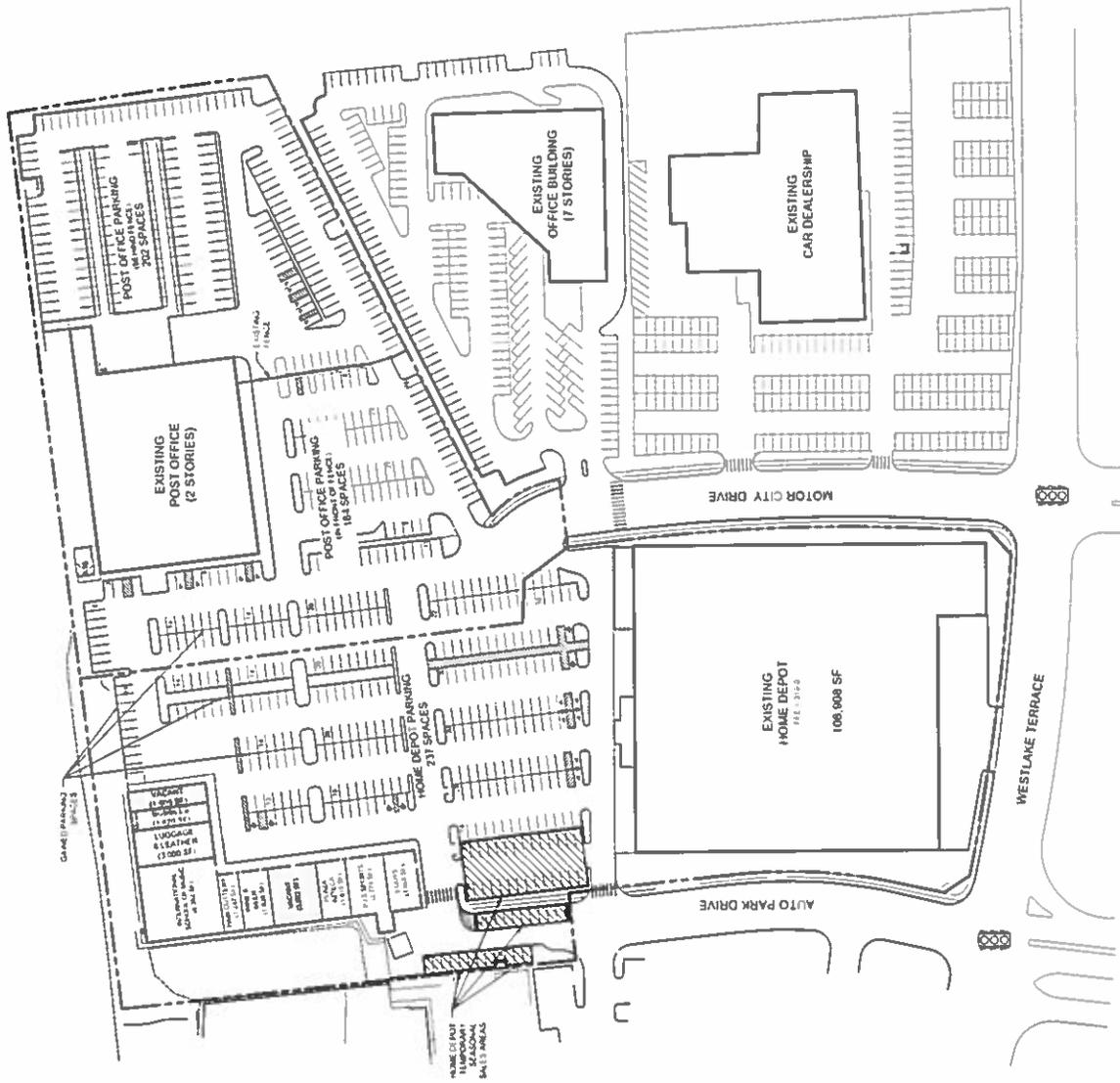
PHASE C
SEPTEMBER 8, 2018 - SEPTEMBER 28, 2018



TOTAL PARKING PROVIDED 569



**CONSTRUCTION COMPLETION
OCTOBER 5, 2018**



TOTAL PARKING PROVIDED 623



ATTACHMENT 3

FACILITIES HEADQUARTERS



April 9, 2018

Thomas F. Gallagher
Home Depot U.S.A., Inc.
7111 Westlake Terrace
Bethesda, MD 20817

RE: United States Postal Service's ("USPS's") Support of Improvements by Home Depot U.S.A., Inc., ("Home Depot"), to a Shared Parking Area Between the Home Depot ") and USPS Westlake Branch facility located at 7111 Westlake Terrace and 10421 Motor City Drive, respectively, in Bethesda, MD 20817

Dear Mr. Gallagher:

This letter is in response to your request for a statement of support from the USPS regarding the proposed concept and parking lot improvements, as shown in the enclosed work sequence drawings, ("Proposed Project").

The USPS and Home Depot share parking rights through a Deed of Easements and Agreement, (the "Agreement"), dated June 18, 1980, recorded in Liber 5543, Folio 466 in the Clerk's Office of Montgomery County, Montgomery County, Maryland. Recently, the USPS and Home Depot negotiated a Temporary Right of Access and Approval to Perform Certain Modifications of the Common Area Improvements, ("Right of Access"), which the parties fully executed on March 27th, 2018. Pursuant to this Right of Access, the parties agreed to the terms and conditions pursuant to which Home Depot would proceed with the Proposed Project. Both the USPS and the Home Depot stand to benefit from Home Depot completing work detailed in the enclosed drawings.

By this letter, the USPS recognizes and acknowledges the Right of Access pursuant to which the USPS has agreed to permit Home Depot to proceed with the Proposed Project. And as acknowledged above, the USPS is in support of and will benefit from Home Depot's completion of this Proposed Project. Should anyone from Montgomery County, Maryland have questions or concerns about USPS's support of the Proposed Project by Home Depot, please feel free to have them contact me at James.M.Ruffing@USPS.gov or (202) 268-5921.

Sincerely,

A handwritten signature in black ink, appearing to read "James M. Ruffing".

James M. Ruffing
Real Estate Specialist

Enclosure

USPS Facilities
475 L'Enfant Plaza, SW Room 6670
Washington, DC 20260-1862

ATTACHMENT 4



7600 Wisconsin Avenue, Suite 700 • Bethesda, MD 20814 • lerchearly.com

Stuart R. Barr

301-961-6095

srbarr@lerchearly.com

April 9, 2018

BY E-MAIL

To: Maryland National-Capital Park and Planning Commission, Planning Staff, Area 2

From: Stuart R. Barr, Lerch Early & Brewer, Chtd.

A handwritten signature in blue ink, appearing to read "SRB", is placed over the "From:" line.

Re: Home Depot Bethesda Store – 7111 Westlake Terrace, Bethesda, Maryland 20817

Plan Number 81980017A: Site Plan Amendment Application for removal of retail square footage and reconfiguration/increase of parking spaces

Statement in Support of Waiver for Bicycle and Motorcycle Parking Standards

On behalf of our client Home Depot USA, Inc., the applicant and owner of the subject property (“Home Depot” or the “Applicant”), we are submitting this Statement in Support of a Waiver for Bicycle and Motorcycle Parking Standards in connection with Site Plan application number 81980017A (the “Application”), for the property located at 7111 Westlake Terrace, Bethesda, Maryland 20817 (the “Property” or the “Site”).¹ The Property is currently improved with a one-story Home Depot home improvement retail store on the south side of the Property, approximately 35,000 square feet of additional retail square footage on the north side of the Property with various tenants, and associated surface parking. In order to improve the customer’s shopping experience and to make more parking spaces readily available, Home Depot proposes to remove approximately 15,870 square feet of vacant retail space on the north side of the Property (in phases in all likelihood), reconfigure the parking spaces to replace the removed retail space, and increase the total number of parking spaces on

¹ The store address is 7111 Westlake Terrace, Bethesda, Maryland 20817. The Maryland State Department of Assessments and Taxation reflects the address as 10410 Auto Park Avenue, Bethesda, Maryland 20817.

the Property. The project ultimately will result in a net increase of approximately 65 parking spaces on the Property. Home Depot is coordinating the planned improvements with the tenants on the Home Depot property along with the adjoining property owner, the United States Post Office, to minimize impact on their respective operations.

As described in the statement accompanying the Application, the Property was previously zoned C-2 and is currently zoned CRT (Commercial Residential Town) 2.25, C-1.5, R-0.75, H-75 Commercial Base. Given the nature of the proposed changes and based on the grandfathering provisions under the Zoning Ordinance, Home Depot has elected to proceed under the prior C-2 zoning and the provisions of the prior 2014 Zoning Ordinance.

Under the prior Zoning Ordinance provisions Sec. 59-E-2.3, and using the entirety of all of the parking spaces across the Home Depot and the adjoining Post Office properties, Planning Staff has calculated that 20 bicycle parking spaces and 10 motorcycle stalls would be required in order for the total parking facilities to meet the prior 2014 Zoning Ordinance parking standards. Home Depot is concerned that this number of bicycle parking spaces and motorcycle stalls is excessive and would not be used, and thus, Home Depot requests a waiver under Section 59-E-4.5. Home Depot requests a full waiver of the bicycle and motorcycle stall requirements. But if the Planning Staff and Planning Board are not inclined to grant a full waiver of the requirements (which would be Home Depot's first preference), then Home Depot would be willing to provide bicycle parking and motorcycle stall spaces based on the 65 net new parking spaces created, with the waiver request covering the balance remaining. Three bicycle spaces and one motorcycle stall would be required based on 65 net new parking spaces. Home Depot would be willing to provide three short-term bicycle spaces and one motorcycle stall on the Property, but again, would prefer a full waiver of the requirements.

Home Depot requests a waiver from required bicycle parking spaces and motorcycle stalls for two primary reasons. First, this particular Home Depot store, and Home Depot stores in general, do not generate any meaningful volume of bicycle or motorcycle traffic either from customers or employees given the types of products sold and the nature of the business conducted at the store. The retail uses on the north side of the Home Depot property also historically have not generated any meaningful volume of bicycle or motorcycle activity. Home Depot has no indication of any current or future demand for motorcycle or bicycle parking at this site. Additionally, even if specific motorcycle-only stalls are not available, motorcycles would not be precluded in any way from parking on the Property since they could simply use an available parking space.

Second, bicycle and motorcycle parking requirements have been calculated based on all of the parking spaces covering both the Home Depot and Post Office properties. The Post

Office property and the parking thereon should not be included in the calculation. The Post Office and Home Depot own their respective properties. Although Home Depot and the Post Office have a shared parking arrangement and the Post Office has granted Home Depot permission to perform some of the parking reconfiguration work on the Post Office property (see attached letter), Home Depot otherwise does not have any authority to require the Post Office to add any bicycle parking or motorcycle stalls to the Post Office property.

For these reasons, we respectfully request Planning Staff and Planning Board support for the parking waiver request. The parking waiver, if approved, will not adversely impact any adjoining properties or the surrounding area. As mentioned, if required to do so, Home Depot will agree to install one motorcycle stall and inverted-U bike racks to accommodate three bicycles, which will be more than adequate to accommodate any demand from customers or employees.

We appreciate your consideration and support of the proposed waiver. If you have any questions or need any additional information, please do not hesitate to contact us. Thank you very much for your favorable consideration.

Attachment: Letter dated April 9, 2018 from United States Post Office

cc: Applicant Team:

Tom Gallagher, Home Depot

John Kerekes/Alejandro Baca, Greenberg Farrow

Marc Halpin, Greenman-Pedersen, Inc.

ATTACHMENT 5



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

September 1, 2015

Dan Jackson
Greenman-Pedersen, Inc.
10977 Guilford Road
Annapolis Junction, MD 20701

Re: Bethesda Home Depot
Forest Conservation Exemption Request and Existing Conditions Plan No. 42016023E
Confirmed and Approved on 9/1/2015

Dear Mr. Dan Jackson:

On August 28, 2015, Development Applications and Regulatory Coordination staff of the Montgomery County Planning Department received a revised Existing Conditions Plan for a construction project at Bethesda Home Depot. The forest conservation exemption requested is a modification to an existing developed property. The project includes modifications to the parking lot. This Exemption Request and Existing Conditions Plan has been assigned plan number 42016023E.

The review of the exemption request is complete. The project meets the requirements of the Montgomery County Code, Chapter 22A (Forest Conservation Law), Section 22A-5(t) for modifications to existing, non-residential developed property. No forest will be cut or cleared as part of this project. To date, no forest has been removed from the property. The subject property is not within a special protection area. The requested modification does not affect any forest in a stream buffer. The project maintains the development and does not require approval of a new subdivision plan. The project increases the net developed area by less than 50 percent. Up to a 50 percent increase in developed area is permissible by a modification exemption.

Forest Conservation Exemption Request No. 42016023E is confirmed. The Existing Conditions Plan for the Bethesda Home Depot is approved.

Any changes from the confirmed exemption and approved plan may constitute grounds to rescind or amend any approval actions taken and to take appropriate enforcement actions. If there are any subsequent modifications to the approved plans, a separate amendment may be required for Montgomery County Planning Department review and approval prior to those activities occurring.

Sincerely,

A handwritten signature in blue ink that reads "Stephen Peck".

Stephen Peck
Senior Planner
Development Applications and Regulatory Coordination
M-NCPPC - Montgomery County Planning Department

CC: Tom Trosko, Greenman-Pedersen, Inc.

ATTACHMENT 6



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

September 13, 2017

Mr. Marc Halpin
Greenman-Pedersen, Inc.
10977 Guilford Road
Annapolis Junction, MD 20701

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN**
Request for Home Depot Bethesda
RECONFIRMATION
Preliminary Plan #: 119780470
SM File #: 278276
Tract Size/Zone: 7.6 Ac /CRT-2.5
Total Concept Area: 1.2 Ac
Parcel(s): N436
Watershed: Cabin John Creek

Dear Mr. Halpin

Based on a review by the Department of Permitting Services Review Staff, the Combined Stormwater Management Concept/Site Development Stormwater Management Plan for the above-mentioned site is **hereby RECONFIRMED**. The plan proposes to meet required stormwater management goals via the use of an underground proprietary volume based filter.

The following items will need to be addressed **during** the final stormwater management design plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. This site is considered as redevelopment and due to existing site conditions ESD cannot be provided. Structural volume based treatment is being provided.
5. Do not exceed the one-year storm volume for drainage area being treated
6. **Drainage area to a structural filter is not to exceed 1.0 acre.**

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

nageme

This letter must appear on the final stormwater management design 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 David at 240-777-6332.

Sincerely,

Mark C. Conlon
Director
Department of
Development Services

MCE: CN278276 Home Depot Bethesda Reconfi

cc C. Conlon
SM File # 278276

ESD Acres:	0.00
STRUCTURAL Acres	1.20
WAIVED Acres:	0.00



**Department of Permitting Services
Fire Department Access and Water Supply Comments**

DATE: 27-Mar-18
TO: Richard Hayes
Greenman-Pedersen, Inc
FROM: Marie LaBaw
RE: Cabin John Auto Park (n Bethesda Home Depot)
81980017A

PLAN APPROVED

1. Review based only upon information contained on the plan submitted 27-Mar-18 .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
 2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.
- *** Approval of retail space removal & parking lot reconfiguration *****

