

Lindsay Ford at Aspen Hill, Site Plan No. 820180070

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Staff Report Date: 07-02-18

### Description

Request for the approval to replace an existing vacant office building with a smaller approximately 95,000 square-foot building, and related landscape, hardscape, upgrades to an existing parking lot area, and various pedestrian and vehicular circulation improvements.

Location: Northwest quadrant of the intersection of Aspen Hill Road and Route 185-Connecticut Avenue;  
Master Plan: 2015 *Aspen Hill Minor Master Plan Amendment*;

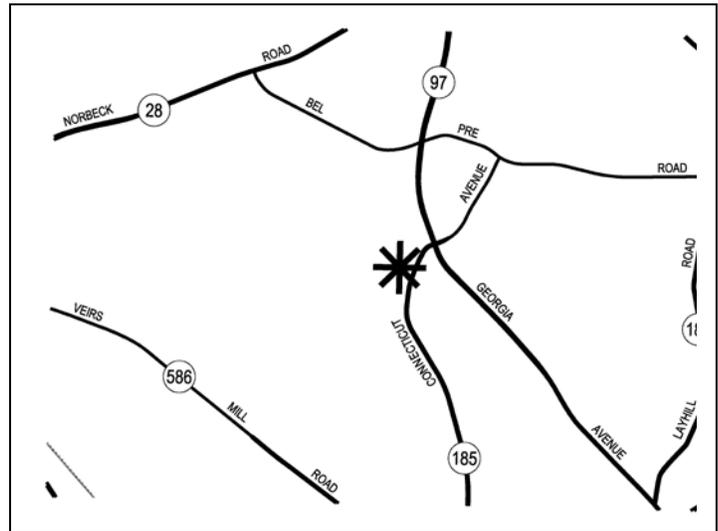
Zone: CRT-1.5, C-0.5, R-1.0, H-60;

Property Size: 10.04 acres;

Acceptance Date: November 22, 2017;

Applicant: Lindsay Ford;

Review Basis: Chapter 59, Zoning Ordinance.



### Summary

- Staff recommends approval with conditions.
- Staff reviewed this application under the Zoning Ordinance in effect on October 30, 2014.
- The Vitro Corporation occupied the subject property at 4115 Aspen Hill Road and had been a long-standing employer in the area. Unfortunately, the Vitro site has remained vacant since 2010. With the change and decline of large-scale, single-tenant office market throughout the region, the proposed Lindsay Ford project looks to establish itself as a vibrant part of the Aspen Hill community.
- The applicant has collaborated with the community to develop a proposal that responds to their feedback.
- The proposed auto-dealership will be lower in height and smaller in volume than the existing structure. The overall building volume will decrease from approximately 265,000 gross square feet to approximately 95,000 gross square feet and requires a single-story structure that will be approximately 27 feet, as compared to 37 feet today, on the west side and approximately 26 feet, as compared to 33 feet today, on the east side.
- The proposed Site Plan qualifies for an exemption to Chapter 22A, Forest Conservation Law.
- The existing office building was an existing legal structure, and its site layout was a legal site design under a variety of prior zones, up to October 30, 2014. Section 7.7.1.A.1. of the Zoning Ordinance allows such a building and site design to be “continued, renovated, repaired or reconstructed” if doing so does not increase the floor area, height or footprint, except as allowed by Section 7.7.1.C.
- Pursuant to Section 7.7.1.A.2.b., the light vehicle sales and rental uses, both indoor and outdoor, are permitted limited uses under current zoning; therefore, they can be located in a structure that is deemed conforming under Section 7.7.1.A.1.

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## SECTION 1: RECOMMENDATION AND CONDITIONS

Staff recommends approval of Site Plan No. 820180070 for up to 95,000 square feet for a new auto dealership building and associated improvements to the existing parking lot, landscape and hardscape improvements, and upgrades to pedestrian and vehicular circulation. All site development elements shown on the latest electronic version of Site Plan No. 820180070 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. Transportation

- a) The Applicant must install a keyed gate at the entrance to the Subject Property's Aspen Hill Road driveway for use by employees and emergency services only.
- b) The Applicant must coordinate with the Maryland State Highway Administration (SHA) exploring installation of a traffic signal at the Connecticut Avenue (MD 185)/Home Depot private drive access intersection. If SHA determines that the traffic signal is warranted, the Applicant must share the cost for installing the signal and associated pedestrian crosswalk improvements, as required by SHA. The Applicant's share of the cost should be based on the ratio of the traffic entering the Subject Property compared to the total traffic through the intersection during the AM and PM peak hours.
- c) Prior to issuance of final Use and Occupancy Certificate the Applicant must:
  - i. Provide ADA-compliant pedestrian circulation from Connecticut Avenue right-of-way (ROW) to the proposed automobile dealership.
  - ii. Improve the existing pedestrian crosswalks across the Home Depot driveway at the intersection with Connecticut Avenue.
  - iii. Provide an eight-foot-wide sidepath along the Connecticut Avenue frontage, as shown on the Site Plan; and
  - iv. Provide a ten-foot-wide sidepath along the Aspen Hill Road frontage, as shown on the Site Plan.
- d) The Applicant must provide an accessible bike room in the garage for long-term bicycle parking spaces for employees by removing the adjacent vehicular parking space that prevents bike room access.

### 2. Stormwater Management

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept acceptance letter dated June 25, 2018, 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.

### 3. 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 letter dated February 15, 2018, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

4. Adequate Public Facilities

The Adequate Public Facility Review (APF) will remain valid for sixty-one (61) months from the date of mailing of the Planning Board Resolution for the Site Plan.

5. Landscape Plan

Prior to the end of the first planting season after the issuance of the final Use and Occupancy Certificate, all landscape plant materials must be installed.

6. Lighting

- a) Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting 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 must be installed in accordance with these standards.
- b) All on-site down-lights must have full cut-off fixtures.
- c) Light fixtures have a maximum height of twenty-four feet or as indicated on the Site Plan.
- d) Deflectors must be installed on all proposed fixtures to prevent excess illumination or glare.
- e) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting residentially developed properties.
- f) Light poles must not exceed the height illustrated on the Certified Site Plan.

7. Architecture

The final exterior architectural character, proportion, materials and articulation must be substantially similar to the schematic elevations on the submitted architectural drawings, as determined by Staff.

8. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, or sediment control 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 59.7.3.4.K.4 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 on-site Site Plan elements, including, but not limited to plant material, lighting, site furniture, trash enclosures, retaining walls, fences, railings, private roads and sidewalks, paths and associated improvements, including storm drainage facilities, street trees and street lights. The surety must be posted before issuance of any building permit for development.
- 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 inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

9. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved by Staff prior to, or as part of the approval of the Certified Site Plan.

10. Certified Site Plan

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

- a) Include the stormwater management concept approval letter, Forest Conservation Exemption letter, and the Planning Board Resolution of approval for the site plan.
- b) Modify the data table to reflect development standards approved by the Planning Board.
- c) Ensure consistency of all details and layout between Site and Landscape Plans.
- d) On the Landscape Plan, use non-invasive plants and list their common and Latin names in the Plant schedule.

## SECTION 2: SITE DESCRIPTION AND BACKGROUND

### Site Vicinity

The Vitro Corporation Property (Property or Subject Property – outlined in red in Figure 1 below), located at 4115 Aspen Hill Road, is situated southwest of the major intersection of Connecticut Avenue (Maryland Route 185) and Georgia Avenue (Maryland Route 97), within the 2015 *Aspen Hill Minor Master Plan Amendment* (Master Plan) area. The 10.04-acre Property has been vacant since 2010. Although the site had been a long-standing employer in the area, its current use has solely been for law enforcement tactical training purposes.

The Property holds two formal addresses:

- 13905 Connecticut Avenue, Silver Spring, MD 20906; and
- 4115 Aspen Hill Road, Rockville, MD 20853



Figure 1: The Subject Property highlighted in red

The Property is located immediately south from The Home Depot, located at 14000 Georgia Avenue in Aspen Hill, with a shared private entrance from Connecticut Avenue. Figure 2 shows the site's confronting uses. Single-family detached homes, interspersed with institutional uses, are predominant to the south and west. Immediately to the west, the Aspen Hill residential community made up of single family detached houses are located across the green buffer of the site.



Figure 2: Bird's eye view of the subject property

### Site Description

Located about 1.9 miles from the Inter-County Connector and about 1.9 miles from the Glenmont Metro Station, the Vitro office building and associated parking encompass approximately 10 acres of the Property. Initially built in 1968, the multi-story building consists of approximately 265,000 square feet of gross floor area with a basement level for storage and parking. The Vitro Corporation was a major United States defense contractor which became part of BAE Systems Inc. in 1999. In the early 1980s, the Vitro Corporation was Montgomery County's largest civilian employer, with somewhere around 5,000 employees in the area.

At the steepest point of the Property, there is approximately 10 feet of grade change from the top of the curb at Connecticut Avenue to the parking area. There are no sensitive environmental resources (wetlands, streams, stream buffers, forests and floodplains) on the Property. There is one 33-inch white mulberry tree in poor health located along the western property boundary where a collapsing neighboring fencing is located. The Property is not within a Special Protection Area (SPA), and the reuse of the existing building on the Property does not increase the developed area by more than fifty percent.



Figure 3: The Vitro/BAE Building; View from Aspen Hill Road entrance; Elevation change on Connecticut Avenue; Western fence in disrepair

### SECTION 3: PROJECT DESCRIPTION

The Lindsay Ford automobile dealership has been a local presence in Montgomery County for over 100 years, and a family-owned business that has been in operation for over 50 years.

The Applicant proposes to construct a full service (sale, support, maintenance) automobile dealership building on the existing vacant Vitro/BAE building footprint. This new dealership will reuse the cellar of the existing building for inventory storage and parking. The design of the new dealership building will be lower in height and smaller in volume than the existing structure. The new dealership proposes a single-story structure that will be approximately 27 feet in height, as compared to the 37 feet of the existing building on the west side, and approximately 26 feet, as compared to 33 feet today on the east side. The overall building volume will decrease from approximately 265,000 gross square feet to approximately 95,000 gross square feet. The Applicant also proposes an addition of up to 2,400 square feet on the

northeast corner of the existing footprint for the creation of the vehicle intake area. An open ramp will be constructed on the north side of the dealership for access to the existing cellar, which will be used principally for vehicle storage. This minor expansion of the existing footprint to accommodate part of the Service Department vehicle intake/triage area is being proposed. This additional area is allowed up to the limits of Section 7.7.1.C, as it does not exceed the area allowed for the expansion.



Figure 4: Lindsay Ford project

The proposed dealership is comprised of various functions serving customers in addition to the actual sales operation and servicing of vehicles, which include vehicle service, repair, maintenance, sales of parts, private washing, detail facilities, private fueling station and vehicle storage (inventory and repair) both indoor and outdoor.

The Site Plan maintains the existing parking lot that already provides safe, well-integrated parking, and internal circulation patterns. While using the shared private drive with The Home Depot as its main entrance to the site, the circulation design will limit access using an automated and secured entrance gate at the Aspen Hill Road access point. This gate will be limited to emergency vehicles and employee access. This will improve the internal circulation while limiting the cut through potential from Aspen Hill Road to The Home Depot site.

To improve the pedestrian circulation on the periphery and leading toward the site, the Site Plan proposes to conform with the bicycle network for the County by introducing a 10-foot side path along the southern boundary of the Subject Property along Aspen Hill Road, while proposing an 8-foot side path along Connecticut Avenue where possible. Because of the grade change between the Property and the right-of-way along Connecticut Avenue, the proposed side path will have to transition to a sidewalk for a portion of the frontage along Connecticut Avenue and will also have a retaining wall to assist in supporting the elevation difference. To reinforce the pedestrian connection to the site, there is a proposed sidewalk along the private entrance/drive to establish a safe and secure connection for pedestrians heading to the Lindsay Ford site from Connecticut Avenue.

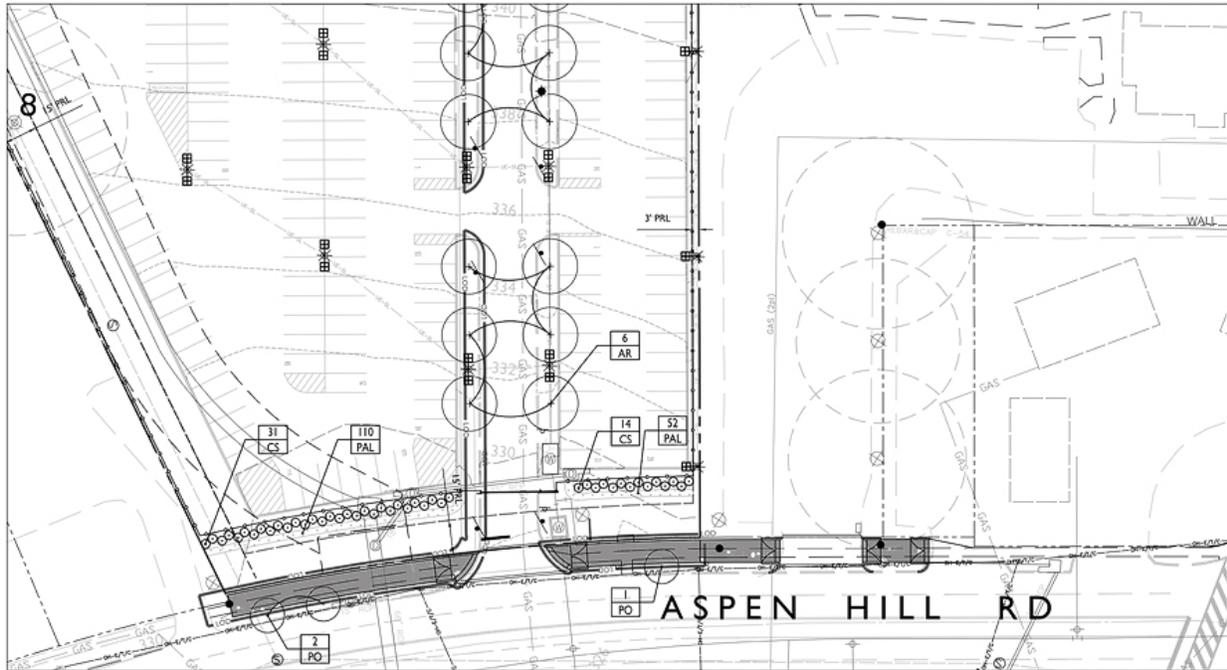


Figure 5: Sidepath shown in dark grey along Aspen Hill Road

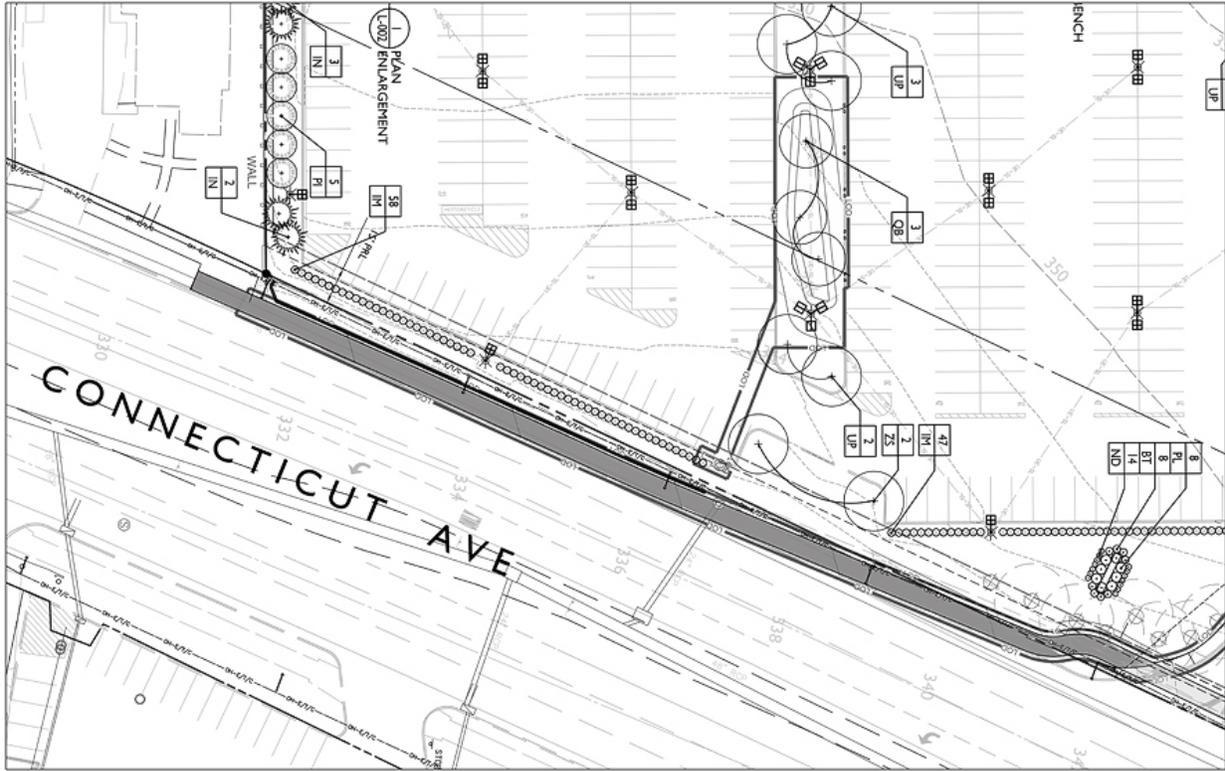


Figure 6: Sidewalk shown in dark grey along Connecticut Avenue

The existing vegetation that screens the Property from the adjacent neighborhood to the west will be preserved, and the proposed landscape will increase buffering on the west portion of the site neighboring the single-family residents of the Aspen Hill community, while functioning as a screen to the proposed building. Low plantings with trees within the green panel along Aspen Hill Road will enhance the landscape features of the site which also includes additional site furnishings such as benches and trash receptacles. A new fence is proposed to the west side of the Property, while a pedestrian-scale fence, which includes the access gate at the Aspen Hill Road access point are proposed to the south of the site. The main identification Ford sign is expected to be approximately 34 feet tall and is proposed to be located as shown on the Site Plan for visibility along the Connecticut Avenue frontage.

As for exterior features to the proposal, the operations of the dealership will not include any outdoor speakers for announcements or music, or any outdoor public-address system. The dealership is focusing their efforts on performing all service and maintenance work on vehicles to be completed within the proposed building. No repair, service, or maintenance work will be undertaken outside the dealership building.



Figure 7: Axonometric View of the proposal from Aspen Hill Road.

The existing office building of approximately 265,000 square feet of gross floor area was an existing legal structure, and its site layout was a legal site design under a variety of prior zones, up to October 30, 2014. Section 7.7.1.A.1. of the Zoning Ordinance allows such a building and site design to be “continued, renovated, repaired or reconstructed” if doing so does not increase the floor area, height or footprint, except as allowed by Section 7.7.1.C. The Applicant’s building proposal reduces the floor area and the height of the building. The proposed dealership building will be of 95,000 square feet with a height of 27 feet. Per Section 7.7.1.C., a minor expansion of 2,400 square feet of the existing footprint is being proposed/permitted to accommodate part of the Service Department vehicle intake/triage area to the northeast corner of the existing footprint. The proposed structure will result in a substantially reduced building massing compared to the existing condition, while the rest of the site design with respect to parking, access, and the landscape areas are planned to be retained.

Given there are no substantial revisions or changes to the layout and existing site design, the Applicant is not required to meet the requirements for open space, site access, or parking of the CRT Zone per the exemptions of Section 7.7.1.A.



Figure 8: Architectural elevation of the proposed building

With regard to the use, pursuant to Section 7.7.1.A.2.b., the light vehicle sales and rental uses, both indoor and outdoor, are permitted limited uses under current zoning; therefore, they can be located in a structure that is deemed conforming under Section 7.7.1.A.1.

The Applicant has agreed to use the Connecticut Avenue address as their official property address (13905 Connecticut Avenue, Silver Spring, MD 20906), and the dealership will request the Connecticut Avenue address as their main property address. This will focus the main access to the site via Connecticut Avenue while decreasing the impact along Aspen Hill Road, as well as minimize the impact to the Aspen Hill community.



Figure 9: View from Connecticut Avenue

## Community Outreach

The applicant worked to not only resettle a major operational headquarters within the Aspen Hill community, but has also worked with the community in the development of the site proposal.

The Applicant held a pre-submittal meeting with the community on September 28, 2017 at the Aspen Hill Library. Following the pre-submittal meeting, the community voiced concerns about the general outline of the project, as well as specific issues with details of the project. As part of the initial comments from the Development Review Committee (DRC) meeting held on December 12, 2017, Staff included the following comment specifically focused on community outreach:

*“Community outreach: We have heard some concerns from the community about traffic on Aspen Hill Road and the need for screening of the site. Staff is aware that the Applicant held the required pre-application meeting, but it seems that there was a lack of information about the project among the surrounding residents. We believe that additional outreach to community would be helpful in addressing some of their concerns. We suggest the Applicant schedule and involve community members and homeowner’s association representatives throughout the process of this application to reach a greater discourse toward incorporating Lindsay Ford to the Aspen Hill community and its residents, as well as establishing the project as a good neighbor to the neighborhood.”*

The Aspen Hill Community Association (AHCA) arranged a follow up meeting with the Applicant at the Aspen Hill Library on January 10, 2018, to update the community on the various issues raised during the DRC meeting and address the community concerns. Subsequent to this meeting, the Applicant requested an extension of the regulatory review and set a new tentative Planning Board date of June 7, 2018 to continue to meet with the community and collaboratively work through their concerns. The three-month extension request was approved by the Planning Board on February 15<sup>th</sup>, 2018.

Following approval of the extension request, the Applicant attended a community meeting on February 22, 2018, where the Applicant updated the community on the various revisions to the Site Plan in response to both community concerns and comments by Staff. At the community’s request, Staff helped facilitate the meeting to facilitate collaboration so that the project could respond to the concerns of the neighborhood. This exercise reflected the characteristics of a “place led” community-based process where the concept of “place” was at the center of the policy and planning framework.



Figure 10: Community Meeting held on May 1, 2018.

Through the additional meetings that took place since the DRC in December, the following are some of the agreements that have been achieved during the various meetings with the community:

- Customer and employee use of Connecticut Avenue as the primary entrance to the Lindsay Ford property;
- The restricted use of Aspen Hill Road supporting only emergency vehicles and Lindsay Ford on-task employees during business hours;
- A keyed gate on the Aspen Hill Road entrance ensuring the dealership patrons and employees will not add to Aspen Hill Road traffic issues;
- The construction of a new pedestrian sidewalk off of Connecticut Avenue to accentuate the main entrance access to the property to replace the existing sidewalk from Aspen Hill Road;
- Increased landscaping along the southwest border of the property; and
- Lindsay Ford street side signage exclusive to Connecticut Avenue.



Figure 11: View of improvements along Aspen Hill Road.

## Transportation

### Vehicular Site Access Points

The main vehicular site access point to the Property is from Connecticut Avenue at the existing shared driveway that also serves The Home Depot. The other existing driveway from Aspen Hill Road is proposed for emergency vehicles and employees' vehicular trips during the non-weekday peak periods. Access is limited from Aspen Hill Road for the following reasons:

- The existing excessive queuing on Aspen Hill Road during the weekday peak periods. The queue grows to approximately 500 feet from the signalized intersection at Connecticut Avenue westward to Frankford Drive;
- There are already multiple curb cuts in the vicinity along Aspen Hill Road; and
- The potential cut-through access from patrons to The Home Depot site from Aspen Hill Road.

At the access point from the shared driveway leading to The Home Depot at the intersection with Connecticut Avenue, a traffic signal warrant study was prepared for the Maryland State Highway Administration (SHA). The signal warrant analysis showed that in future traffic conditions, four of the nine traffic signal warrants were met given the projected high left-turn volume from the Home Depot driveway. However, the signal design must accommodate queuing on the southbound direction of Connecticut Avenue because of the limited intersection spacing between the Home Depot shared driveway and Georgia Avenue. Thus, if the traffic signal is installed and intersection improvements are required, per the conditions of approval, the Applicant must contribute their pro-rata share of the cost of these improvements.

### Master-Planned Roadways, Transitway, and Bikeways

In accordance with the 2015 *Aspen Hill Minor Master Plan Amendment*, 2013 *Countywide Transit Corridors Functional Master Plan*, 2005 *Countywide Bikeways Functional Master Plan*, and draft *Bikeway Master Plan*, the master-planned roadways, transitway, and bikeways are as follows:

1. Aspen Hill Road is designated as an arterial, A-38, with a recommended 80-foot-wide right-of-way. Although the existing right-of-way is approximately 68 feet along the property frontage, which is less than the recommended 80 feet, the Applicant dedicated 40 feet from centerline per Plat No. 8574. Thus, any additional right-of-way would be required from the properties along the south side of Aspen Hill Road when they redevelop. The 2005 *Countywide Bikeways Functional Master Plan* recommends a signed shared roadway, while the draft *Bikeway Master Plan* recommends a ten-foot-wide sidepath with a green panel on north/property side.
2. Connecticut Avenue (MD 185) is designated as a major highway, M-7, with a 150-foot wide right-of-way. The existing right-of-way is approximately 156-feet-wide, which is more than the recommended 150 feet. The 2005 *Countywide Bikeways Functional Master Plan* recommends a ten-foot wide shared use path, SP-27, while the draft *Bikeway Master Plan* recommends two-way separated bike lanes on both sides. The 2013 *Countywide Transit Corridors Functional Master Plan* for Bus Rapid Transit (BRT) includes the recommended Corridor 1: Georgia Avenue North along nearby Georgia Avenue that includes a BRT station at the Connecticut Avenue/Georgia Avenue intersection approximately 875 feet away from the site access from Connecticut Avenue.

Although the proposed development is considered an adaptive reuse of the existing building onsite and reduces the overall density and height, the Applicant has agreed to provide the ten-foot-wide sidepath along Aspen Hill Road. Due to existing grades and utility locations along Connecticut Avenue, the Applicant has agreed to replace the existing sidewalk with a variable width sidepath. The Applicant will be required to install the full recommended pedestrian and bike improvements when the Property redevelops in the future.

The 2015 *Aspen Hill Minor Master Plan Amendment* recommends two long-term roadways for internal circulation on the subject property:

- An east-west roadway as a “potential mobility”
- A north-south roadway as a “future” road.

The Applicant will be required to provide these vehicular connections when the site redevelops in the future.

#### On-Site Parking

With this Site Plan, the Applicant is proposing 42 on-site customer parking spaces, which is between the minimum of 21 and the maximum of 52 parking spaces permitted per Section 59.6.2.4.B. The Applicant is also providing 648 sales/employee surface parking spaces, and another 189 sales parking spaces in the garage below the building.

#### Available Public Transit Service

Currently, eight following public transit routes operate on either Aspen Hill Road, Connecticut Avenue, or nearby Georgia Avenue:

1. Ride On route 26 operates along Aspen Hill Road and Connecticut Avenue between the Glenmont Metrorail Station and the Montgomery Mall Transit Center with half hour headways on weekdays and weekends.

2. Ride On route 34 operates along Connecticut Avenue between the Friendship Heights Metrorail Station and Aspen Hill (at the Bel Pre Road/Grand Pre Road intersection) with half hour headways on weekdays and weekends.
3. Ride On route 41 operates along Connecticut Avenue the Glenmont Metrorail Station and Aspen Hill (at the Bel Pre Road/Grand Pre Road intersection) with half hour headways on weekdays and weekends.
4. Metrobus route L8 operates along Connecticut Avenue between Aspen Hill (at the Bel Pre Road/Grand Pre Road intersection) and the Friendship Heights Metrorail Station with half hour headways on weekdays and weekends.
5. Ride On route 53 operates along nearby Georgia Avenue between the Shady Grove Metrorail Station and the Glenmont Metrorail Station with half hour headways on weekdays only.
6. Metrobus routes Y2, Y7, & Y8 operate along nearby Georgia Avenue between the Olney's Medstar Montgomery Medical Center and the Silver Spring Paul Sarbanes Transit Center with half hour headways on weekdays and weekends.

There are four bus stops in close proximity to the Subject Property:

- Westbound along Aspen Hill Road just to the right of the Aspen Hill Road access;
- Eastbound along Aspen Hill Road near the vehicular entrance to the parking area of the Aspen Hill Center office building;
- Southbound along Connecticut Avenue near the entrance to the Dunkin Donuts restaurant; and
- Northbound along Connecticut Avenue to the east of the Subject Property across the shared driveway access to The Home Depot.



Figure 12: Existing bus stop along Connecticut Avenue located at the southeast boundary of the Subject Property

Pedestrian and Bicycle Facilities

The existing and proposed pedestrian facilities along the adjacent and internal streets and their intersections are as follows:

1. Along the property frontage of Aspen Hill Road, the existing four-foot-wide sidewalk with a six-foot-wide green panel is proposed to be upgraded to a ten-foot-wide sidepath with a with five-foot-wide tree panel extending to the intersection of Aspen Hill Road and Connecticut Avenue.
2. Along the property frontage of Connecticut Avenue, the existing five-foot-wide sidewalk with no green panel is proposed to be upgraded to an eight-foot wide sidepath with no green panel. The steep slopes along the Connecticut Avenue frontage require the integration of a retaining wall. The width of the sidepath is limited to eight feet as an interim bikeway facility until the right-of-way becomes available for the master-planned recommended two-way separated bike lanes on both sides.
3. Along the shared driveway from Connecticut Avenue, the Applicant is proposing a new 5-foot wide lead-in sidewalk and no green panel on the south side of the shared driveway to mark their main entrance to their property. This in turn replaces the existing 4-foot wide lead-in sidewalk along the west side only off of Aspen Hill Road.
4. Although not directly required in the County Zoning Ordinance, the Applicant is proposing to conform with providing long-term bicycle parking spaces in a bike locker in the garage for employees. The Applicant must remove the adjacent vehicular parking space that would block access to this proposed bike room.

#### SECTION 4: SITE PLAN ANALYSIS AND REQUIRED FINDINGS

Section 7.3.4. Section 7.3.4.E.2, *Necessary Findings*, states that to approve a site plan, the Planning Board must find that the proposed development:

- a. *Satisfies any previous approval that applies to the site;*

This finding is not applicable. The Master Plan was adopted in 2015, and the subsequent Section Map Amendment (SMA) rezoned the Property CRT-1.5, C-0.5, R-1.0, H-60, and this Site Plan Application is filed under the current Zoning Ordinance and CRT-1.5, C-0.5, R-1.0, H-60 Zone. Any previous approvals will be superseded by this Site Plan application.

- b. *Satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;*

This finding is not applicable. See finding a. above.

- c. *Satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014, for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;*

This finding is not applicable. See finding a. above.

- d. *Satisfies applicable use standards, development standards, and general requirements under this chapter;*

The existing office building of approximately 265,000 square feet of gross floor area was an existing legal structure, and its site layout was a legal site design under a variety of prior zones, up to October 30, 2014. Section 7.7.1.A.1. of the Zoning Ordinance allows such a building and site design to be “continued, renovated, repaired or reconstructed” if doing so does not increase the floor area, height or footprint, except as allowed by Section 7.7.1.C. The Applicant’s building proposal reduces the floor area and the height of the building. The proposed dealership building will be of 95,000 square feet with a height of 27 feet. Per Section 7.7.1.C., a minor expansion of 2,400 square feet of the existing footprint is being proposed/permitted to accommodate part of the Service Department vehicle intake/triage area to the northeast corner of the existing footprint. This additional area is allowed up to the limits of Section 7.7.1.C – Expansion of Floor Area, as it does not exceed the area allowed for such expansion. The reconstructed proposed structure will result in a substantially reduced building massing compared to the existing condition, while the rest of the site design with respect to parking, access, and the existing open spaces, landscape areas are planned to be preserved. Thus, the Site Plan meets the development standards of the CRT-1.5, C-0.5, R-1.0, H-60 Zone, per Section 59.4.5.3, as shown in the Data Table below:

| <b>TABLE 1 - PROJECT DATA TABLE for the CRT 1.5, C-0.5, R-1.0, H-60</b>  |                                  |                               |                                 |
|--|----------------------------------|-------------------------------|---------------------------------|
|  |                                  | <b>Required/Allowed</b>       | <b>Proposed</b>                 |
| Gross Tract Area   |                                  |                               | 10.06AC (438,378 SF)            |
| Dedication   |                                  |                               |                                 |
|  | Previous                         |                               | 0.02AC (837 SF)                 |
|  | Subdivision Record Plat No. 8574 |                               | 10.04AC (437,541 SF)            |
| Zoning   |                                  | CRT 1.5, C-0.5, R-1.0, H-60FT | CRT 1.5, C-0.5, R-1.0, H-60FT   |
| <b>Development Standards (Section 4.5.3)</b>   |                                  |                               |                                 |
| Open Space   |                                  | N/A                           | Exemption under Section 7.7.1.A |
| <b>Density and Height - CRT, the greater of 1.0 FAR or 10,000 sf</b>   |                                  |                               |                                 |
|  | Commercial                       | 0.5 FAR (218,771 SF)          | 0.22 FAR (95,000 SF)            |
|  | Residential                      | 1.0 FAR(437,541 SF)           | N/A                             |
|  | Total Density (max.)             | 1.5 FAR (656,312 SF)          | 0.22 FAR (95,000 SF)            |
|  | Height (max.)                    | 60 FT                         | 30 FT                           |
| <b>General Development Requirements (Article 59-6)</b>   |                                  |                               |                                 |
| Division 6.1   | Site Access                      | N/A                           | Exemption under Section 7.7.1.A |
| Division 6.2   | Parking, Queuing and Loading     | N/A                           | Exemption under Section 7.7.1.A |
| Division 6.3   | Open Space and Recreation        | N/A                           | Exemption under Section 7.7.1.A |
| <p>"N/A" means not applicable</p> <p>Section 7.7.1. Exemptions:</p> <p>A. Existing Structure, Site Design, or Use on October 30, 2014</p> <p>1. Structure and Site Design</p> <p>A legal structure or site design existing on October 30, 2014 that does not meet the zoning standards on or after October 30, 2014 is conforming and may be continued, renovated, repaired, or reconstructed if the floor area, height, and footprint of the structure are not increased, except as provided for in Section 7.7.1.C for structures in Commercial/Residential, Employment, or Industrial zones, or Section 7.7.1.D.5 for structures in Residential Detached zones.</p> |                                  |                               |                                 |

Table 1: Project Data Table

Pursuant to Section 7.7.1.A.2.b., the light vehicle sales and rental uses, both indoor and outdoor, are permitted limited uses under current zoning, and they can be located in a structure that is deemed conforming under Section 7.7.1.A.1.

e. *Satisfies the applicable requirements of:*

i. *Chapter 19, Erosion, Sediment Control, and Stormwater Management; and*

The Montgomery County Department of Permitting Services (MCDPS) Stormwater Management Section issued a letter accepting the stormwater management concept approval on June 25, 2018. Stormwater treatment will be accomplished using micro bioretention, drywells, green roof and structural practices.

ii. *Chapter 22A, Forest Conservation*

The proposal is for the reuse of the existing structure and site design under Section 59.7.7.1.A. The Site Plan qualifies for an exemption from the applicable requirements of

forest conservation under Chapter 22A-5(t), as a modification to an existing non-residential developed property. Per the confirmation letter dated November 6, 2017, the Site Plan is exempt from Article II of the Montgomery County Code, Chapter 22A (Forest Conservation Law), Section 22A-5(t) because of the following:

1. No more than 5,000 square feet of forest is ever cleared at one time or cumulatively after an exemption is issued;
2. The modification does not result in the cutting, clearing, or grading of any forest in a stream buffer or located on property in a special protection area which must submit a water quality plan;
3. The modification does not require approval of a preliminary plan of subdivision, and;
4. The modification does not increase the developed area by more than 50% and the existing development is maintained.

*f. Provides safe, well integrated parking, circulation patterns, building massing and, where required, open space and amenities;*

*i. Parking and Circulation Patterns*

The Site Plan maintains the existing parking lot, which the Applicant will restripe to provide safe and integrated parking, and circulation patterns. The Applicant will provide internal wayfinding/directional signage for customers and for service to the site. The Applicant also plans to limit access to the site from the Aspen Hill Road site access by installing an automated gate accessible to emergency responders and employees. The reconstructed structure will result in reduced building massing compared to the current condition on the site, and the existing open spaces and landscaped buffer along the western edge of the Property will be preserved.

*ii. Buildings and Structures*

The proposal is to construct a new dealership building on the existing building footprint. The Applicant proposes an addition of up to 2,400 square feet on the northeast corner of the existing footprint for the creation of the vehicle intake area. An open ramp will be constructed on the north side of the dealership for access to the existing cellar, which will be used principally for vehicle storage.

*iii. Open Spaces*

While there is no requirement for open space for the proposed project, the Applicant is proposing various landscape and hardscape measures and treatments toward enhancing the existing conditions of the site.

1. Along the shared drive entrance off of Connecticut Avenue, a new sidewalk to the south side of the shared drive is proposed as a pedestrian enhancement leading to the proposed building.
2. Along Connecticut Avenue, an eight-foot side path is proposed.
3. Along Aspen Hill Road, a ten-foot side path is proposed. In addition, enhanced landscape material is being proposed
4. Along the west property line and the southern property line, a new fence is proposed with a new access gate at the Aspen Hill access point. A revision to the fencing that was shown on the Site Plan materials filed on February 28th is also proposed as follows: The fencing along the southwest/west property line will be revised to match the Type 2 fencing on the Site Plan, currently proposed for the Aspen Hill Road frontage, for an approximate length of 30 feet. After that point,

Type 1 fencing with privacy ribbons will be used along the remainder of the west property line.

5. Along the east property line, enhanced landscaping is proposed through tree and shrub plantings.
6. Along the west property line, enhanced landscaping is proposed through an increase in tree plantings.

iv. Landscaping and Lighting

The Applicant is proposing various landscape and hardscape measures and treatments toward enhancing the existing conditions of the site. All proposed lighting and landscaping is designed to meet Montgomery County requirements. And all light fixtures have a maximum height of twenty-four feet or as indicated on the Site Plan.

v. Pedestrian and Vehicular Circulation Systems

The Applicant will use the shared entrance off of Connecticut Avenue as its main entrance to the Site and will use the Connecticut Avenue address as its official main address of business. Traffic lanes will allow direct access from Connecticut to the service reception on the north side of the building. Vehicles will be delivered to the dealership by trucks entering the site from Connecticut Avenue and then unloaded onsite. Wayfinding signs will direct traffic to and from Connecticut Avenue for both ingress and egress. Customer parking will be located immediately adjacent to the building on the south and east sides, in the areas generally in front of the showroom. A sidewalk linking Connecticut Avenue to the main entrance of the site along the shared private entrance will be installed to improve pedestrian access to the site. Additional sidewalks will be provided from customer parking areas to the dealership. The access from Aspen Hill Road will be limited to emergency vehicles and employee access. A side path of 10-feet is proposed along Aspen Hill Road, while a 9-foot side path is proposed along Connecticut Avenue. The pedestrian and vehicular circulation systems are designed to be safe, adequate, and efficient.

- g. *Substantially conforms with the recommendation of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*

The Master Plan acknowledged the changing office market in the area, and to capture the area's retail market potential, recommended zoning to allow redevelopment that includes a neighborhood-serving mix of uses that could define local identity for the benefit of surrounding communities. The Master Plan also provides specific design criteria to support "the transition of this area to a more pedestrian-friendly, accessible, and human-scale environment." (p. 13)

While the long-term goal of the Master Plan is to facilitate comprehensive redevelopment, it recognizes the near-term likelihood of single-use redevelopment in transitional areas such as this commercial cluster. As allowed by the Zoning Ordinance, the application reconstructs the building to suit the proposed use but retains the existing property configuration including the building footprint and location, layout of surface parking and green areas, and access points. In this scenario, incorporating the design elements as discussed in the Master Plan (p. 13) becomes infeasible but some improvements to existing conditions are provided:

Public Realm Enhancement: Public realm along Aspen Hill Road will be improved with additional plantings, and the existing sidewalk will be expanded to become a ten-foot-wide sidepath extending to Connecticut Avenue. The existing sidewalk along Connecticut Avenue will be replaced with an eight-foot-wide sidepath where possible.

Building Placement: The reconstructed building will be in the same location as the existing building, but the density and height will be reduced, and will include trees to partially screen the building from surrounding areas.

Transition to Residential Neighborhoods: The proposal retains the existing separation from adjacent single-family uses and additional plantings for screening are provided.

Building Entrances: The proposal highlights the existing Connecticut Avenue access as the main access to the Property, to provide both vehicular and pedestrian access. The existing access from Aspen Hill Road will be gated and available only for emergency use and employees during non-weekday peak periods.

Parking and Loading Areas: Surface parking will remain. Loading areas will be clustered along the west side of the building and will be screened with plantings from adjacent single-family uses.

Although the proposal does not fully advance the goal of a walkable mixed-use neighborhood center envisioned by the Master Plan, it does begin to provide the pedestrian and bicycle improvements envisioned on the periphery of the Property. Until the Property is fully redeveloped and the Master Plan vision is fully realized, the Application delivers appropriate improvements that will enhance the Property's general appearance and will improve mobility along its frontages for pedestrians and cyclists. Thus, Staff finds these improvements to be in substantial conformance with the Master Plan as an adaptive reuse of the Property.

- h. Will be served by adequate public facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required, the Planning Board must find that the proposed development will be served by adequate services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

The Traffic Statement which was prepared for filing with the APFO review concluded that the traffic impact is far less than with the current allowed use, and thus a traffic study is not required. The table below shows the reduction of site-generated trips by the proposed automobile dealership compared with the existing office building. The transportation Adequate Public Facilities (APF) test under the current *2016-2020 Subdivision Staging Policy* considers person trips rather vehicular trips under the prior standards.

| Land Use                      | Square Footage | Weekday Peak Hour        |             |
|-------------------------------|----------------|--------------------------|-------------|
|                               |                | Vehicular (Person) Trips |             |
|                               |                | Morning                  | Evening     |
| Existing General Office Space | 265,600        | 409 (551)                | 368 (496)   |
| Proposed Auto Dealership      | 100,000        | 190 (264)                | 259 (359)   |
| Difference – Additional Trips |                | -219 (-287)              | -109 (-137) |

Table 2: Site generated trips of Proposed Auto Dealership versus Existing Office building

The use and occupancy permit for the existing office building was issued more than 12 years ago for at least 75 percent of the originally approved development. Thus, the vacant, but still permitted office trips are considered as “existing” traffic on the road network in accordance with the *2016-2020 Subdivision Staging Policy*. Thus, only the additional peak-hour trips are considered for the LATR test purposes rather than the total (existing and additional) number of peak-hour trips.

A traffic study is not required to satisfy the Local Area Transportation Review (LATR) test because the proposed automobile dealership generates fewer trips than those by the existing/reusable office building. There are fewer than 50 additional peak-hour person and other types of trips within the weekday morning (6:30-9:30 a.m.) and evening (4:00-7:00 p.m.) peak periods. The other types of trips analyzed for the LATR test analysis include auto passenger, transit, bicycle, and pedestrian trips as required in the *2016-2020 Subdivision Staging Policy*. If the additional person trips are fewer than 50 peak-hour trips, the auto passenger, transit, bicycle, and pedestrian trips are also fewer than 50 peak-hour trips because the number of person trips will be larger than the other types of trips.

The proposed development will be served by public water and sewer systems. Fire and Rescue has reviewed the application and has determined that the Property has appropriate access for fire and rescue vehicles. 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 construction of the project. Electric, gas and telecommunications services will also be available and adequate.

- i. *On a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood;*

Not applicable, the Subject Property is zoned CRT.

- j. *On a property in all other zones, is compatible with the existing and approved or pending adjacent development.*

The building height for the proposed dealership will be reduced approximately 10 feet from the existing building height (from approximately 37 to approximately 27 feet). Because of the height reduction, the set-backs, and proposed dense vegetation screening, the building will decrease its visibility from adjacent residential properties to the west.

The structure is set back from Aspen Hill Road and Connecticut Avenue and there is ample green strip between the existing sidewalk and the parking lot which will be preserved. Along Aspen Hill Road, the Applicant proposes to limit access to that entrance to emergency vehicles and employees; introduces trees and other low growth vegetation; replace the existing sidewalk with a ten-foot-wide sidepath; and increase plantings in making a more pleasant environment for pedestrians. The renovation and reconstruction of the existing office building for the dealership will result in a structure which is compatible with The Home Depot site to the north, and the residential neighborhoods to the west.

## **CONCLUSION**

Based on the review by Staff and the other relevant agencies, and the analysis contained in this report, Staff finds that the proposed Site Plan meets all the required findings and complies with the applicable Zoning Ordinance standards. Staff recommends approval of this Site Plan No. 820180070, subject to the conditions and findings contained at the beginning of this report.

## **ATTACHMENTS**

1. Site Plan
2. Forest Conservation Exemption Letter
3. Agency Approval Letters
4. Community Correspondence