



Montgomery Auto Sales Park: Preliminary Plan No. 11985027A, Site Plan No. 820140130 and Site Plan No. 820140140

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Staff Report Date:10/26/18

Description

A. Preliminary Plan No. 11985027A Lots 17 and 18, Montgomery Auto Sales Park:

Request approval for 155,000 square feet of automobile sales and service (excluding above-ground structured parking) in total with 85,000 square feet allotted to Lot 17 and 70,000 square feet allotted to Lot 18, 8.1. acres, located on Automobile Boulevard, 240 feet SW of Briggs Chaney Road, GR-1.5 H-85 zone (submitted and reviewed under C-3 zone), *Fairland Master Plan*.

B. Site Plan No. 820140130 - Lot 17

Request to construct an 85,000 square-foot sales and service building on Lot 17 (4.78 acres).

C. Site Plan No. 820140140 – Lot 18

Request to construct a parking and automobile storage facility on Lot 18 (3.32 acres).



Applicant: Auto Sites 7 LLC

Submittal Date: September 8, 2014

Review Basis: Ch. 50, Ch. 59 and Ch. 22A

Summary

- Staff recommends approval of Preliminary Plan 11985027A, and Site Plans 820140130 and 820140140 with conditions.
- These Applications were filed on September 8, 2014 and were reviewed under the Zoning Ordinance in effect at that time (prior to the effective date of the new Zoning Ordinance on October 30, 2014).
- In 2016, the Applicant requested that these applications be put on hold due to a major rebranding at the Lexus corporate level, which led to major revisions to the building and facilities proposed.
- Parking requirements reviewed under zoning ordinance in effect after October 30, 2014 in accordance with Section 59.7.7.1.3.b.
- The Applicant has requested an extended validity of the Adequate Public Facilities finding for 10 years (120 months) instead of the typical 5 years (60 months).
- Surface parking lot on Lot 18 is an interim condition.
- Staff has received no public comment.

SECTION 1: RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN No. 11985027A: Staff recommends approval, subject to the following conditions which supersedes and replaces the Planning Board Opinion dated June 14, 1985 for Preliminary Plan 1-85027:

1. Approval under this Preliminary Plan is limited to a total of 155,000 square feet of automobile sales and service of which 85,000 square feet is allotted to Lot 17 (excluding above-ground structured parking) and 70,000 square feet is allotted to Lot 18.
2. The Applicant must comply with the conditions of approval for the Preliminary/Final Forest Conservation Plan, approved as part of Preliminary Plan 11985027A, subject to:
 - a. The Applicant must obtain M-NCPPC Office of General Counsel approval of a Certificate of Compliance agreement for the offsite forest planting requirement and record it in the land records prior to the start of any demolition, clearing or grading.
 - b. The Final Sediment and Erosion Control Plan must be consistent with the limits of disturbance as shown on the approved Preliminary/Final Forest Conservation Plan.
3. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated October 26, 2015 and April 2, 2018, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan Approval.
4. The Planning Board accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letters dated June 7, 2018 (two separate letters for Lot 17 and Lot 18), 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 Preliminary Plan approval.
5. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its amended letter dated October 4, 2018, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
6. Prior to issuance of access permits, the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
7. The Certified Preliminary Plan must contain the following note:

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

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

8. No clearing, grading or recording of plats prior to signature set approval.
9. Final approval of the location of buildings, on-site parking, site circulation, sidewalks, and open spaces will be determined at site plan.
10. Prior to submission of any plat, Site Plan No. 820140140 and Site Plan No. 820140130 must be certified by M-NCPPC Staff.
11. All necessary easements must be shown on the Record Plat.
12. The Adequate Public Facility (APF) review for the preliminary plan will remain valid for one hundred and twenty (120) months from the date of mailing of the Planning Board resolution.
13. Prior to Certified Preliminary Plan remove references to "Ownership Lot(s)" from the Preliminary Plan sheets.
14. Prior to Certified Preliminary Plan, the Applicant must add required and proposed setbacks to the data table required by Section 59-C-4.362 of the Zoning Ordinance.

SITE PLAN No. 820140130 (LOT 17): Staff recommends approval of Site Plan 820140130. The development must comply with the binding elements and conditions of approval for Preliminary Plan No. 11985027A.

All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.¹

Transportation and Circulation

1. Parking

Vehicle parking is restricted to the designated parking areas shown on the Certified Site Plan Lot 17.

Site Plan

2. Site Design

- a. Parking of all vehicles, except those vehicles, which are for sale and are on display in designated "Automobile Sale Lot" areas, shall be restricted to the side, rear, and/or rooftop of the building (Section 59-C-4.364) in areas clearly identified on the Site Plan as "Automobile Parking Facilities" (as defined in Section 59-A-2.1).

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

- b. The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations of the submitted architectural drawings on the Certified Site Plan, as determined by M-NCPPC Staff.
3. Building Height
The development is limited to a maximum height of 84 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.
4. Signage
The Applicant must provide details and specifications for all signage, including materials, lighting fixture mounts, lamps and wattage and installation details on the Certified Site Plan.
5. Landscaping
The Applicant must install landscaping no later than the next growing season after completion of site work.
6. Lighting
- a. Prior to certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the 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 onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
 - b. All onsite down-lights must have full cut-off fixtures or Staff approved equivalent.
 - c. Deflectors will be installed on all fixtures to prevent excess illumination and glare.
 - d. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.
 - e. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
 - f. On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.
7. Site Plan Surety and Maintenance Agreement
Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, 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 [59-D-3.5(d)] of the Montgomery County Zoning Ordinance, with the following provisions:
- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
 - b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, site furniture, bike racks, trash enclosures, retaining walls, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, and private 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 inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

8. Development Program

The Applicant must construct the development in accordance with a development program that will be reviewed and approved by M-NCPPC prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. Sidewalks must be installed within six months after the parking lot construction is completed.
- b. On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities must be installed prior to release of any Use and Occupancy Certificate.
- c. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- d. The development program must provide phasing for installation of on-site landscaping and lighting.
- e. Landscaping associated with the parking lot and building(s) must be completed as construction of each facility is completed.
- f. Pedestrian pathways and seating areas associated with each building must be completed as construction of each facility is completed.
- g. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, and other features.

9. Certified Site Plan

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

- a. Include the final forest conservation approval, stormwater management concept approval, development program, inspection schedule, Site Plan resolution, and other applicable agency letters on the coversheet.
- b. Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices prior to clearing and grading".
- c. Modify data table to reflect development standards approved by the Planning Board.
- d. Ensure consistency of all details and layout between Site and Landscape plans.
- e. Remove references to "Ownership Lot(s)" from the Site Plan sheets.
- f. Add a note to the Certified Site Plan saying: "No Automobile Parking Facilities, as defined in Section 59-A.2.1 of the Zoning Ordinance in effect prior to October 30, 2014, shall be located in front of the building."
- g. Revise Site Plan parking table to eliminate all Parking Facility parking spaces shown in the front yard of building per Section 59-C-4-365 and replace with designated Auto Sales Lot spaces in the front yard of building.
- h. Identify location of electric vehicle charging spaces.

SITE PLAN No. 820140140 (LOT 18): Staff recommends approval of Site Plan 820140140. The development must comply with the binding elements and conditions of approval for Preliminary Plan No. 11985027A.

All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.²

Site Plan

1. Future development of up to 70,000 square feet of automobile sales and service on Lot 18 will be subject to approval of a Site Plan Amendment.
2. Parking
Vehicle parking shall be restricted to the designated parking areas as shown on Site Plans Lot 18.
3. Signage
The Applicant must provide details and specifications for all signage, including materials, lighting fixture mounts, lamps and wattage and installation details on the Certified Site Plan.
4. Landscaping
The Applicant must install landscaping no later than the next growing season after completion of site work.
5. Lighting
Prior to certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the 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 onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
 - a. All onsite down-lights must have full cut-off fixtures or Staff approved equivalent.
 - b. Deflectors will be installed on all fixtures to prevent excess illumination and glare.
 - c. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.
 - d. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
 - e. On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.
6. Site Plan Surety and Maintenance Agreement
Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, 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

² For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.

with Section 59.7.3.4.K.4 [59-D-3.5(d)] of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, site furniture, bike racks, trash enclosures, retaining walls, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, and private 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 inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

7. Development Program

The Applicant must construct the development in accordance with a development program that will be reviewed and approved by M-NCPPC prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. Sidewalks must be installed within six months after the parking lot construction is completed.
- b. On-site amenities including, but not limited to, sidewalks and trash receptacles.
- c. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- d. The development program must provide phasing for installation of on-site landscaping and lighting.
- e. Landscaping associated with the parking lot must be completed as construction is completed.
- f. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, and other features.

8. Certified Site Plan

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

- a. Include the final forest conservation approval, stormwater management concept approval, development program, inspection schedule, Site Plan resolution, and other applicable agency letters on the coversheet.
- b. Modify data table to reflect development standards enumerated in the staff report.
- c. Ensure consistency of all details and layout between Site and Landscape plans.

SECTION 2: SITE LOCATION & ANALYSIS

Site Location

The property is located immediately southeast of Briggs Chaney Road and Columbia Pike (MD 29). The property is located in the middle of a dead-end loop road known as Automobile Boulevard. The property is identified as Lot 17 and Lot 18 on Plat No. 23582 recorded in 2007 ("Property" or "Subject Property").

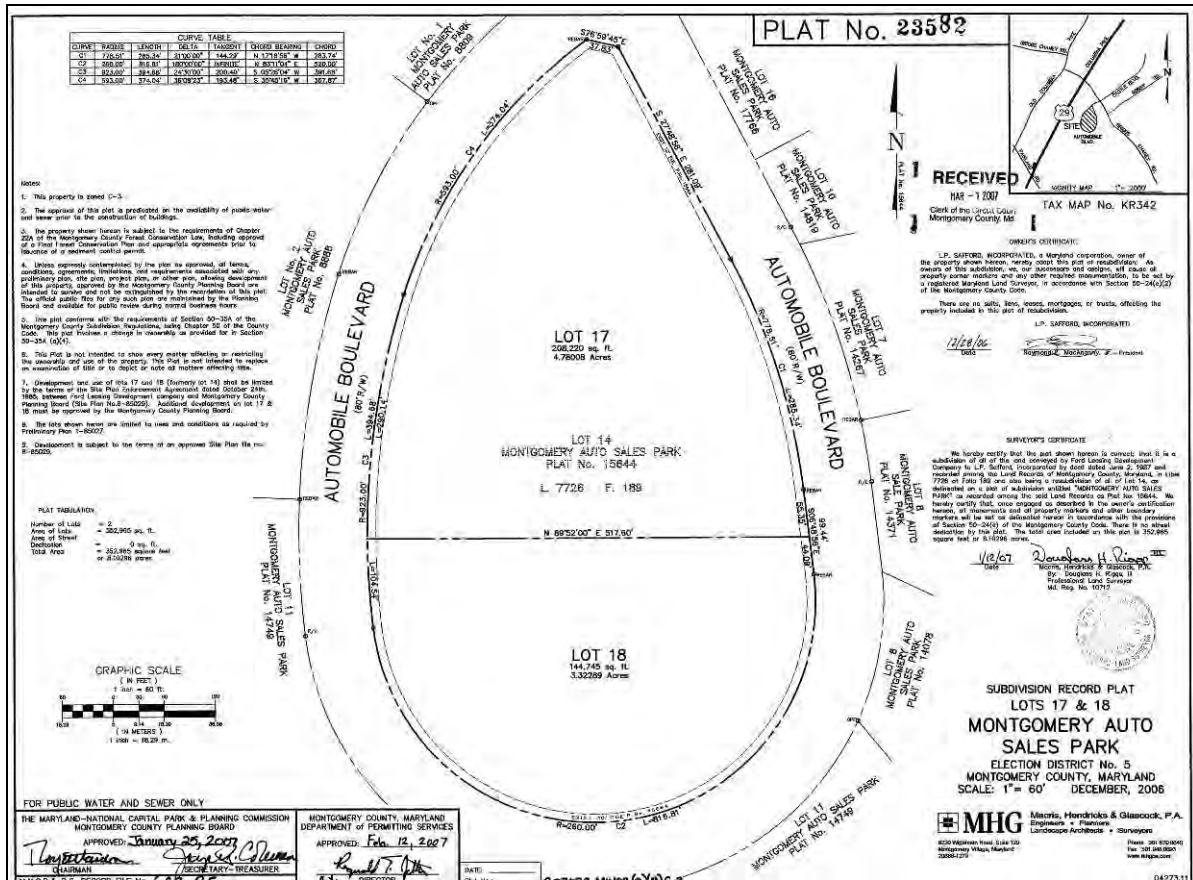


Figure 1 - Plat No. 23582

The Subject Property is 8.10 acres (Lot 17 = 4.78 acres, Lot 18 = 3.32 acres). The Property is currently zoned GR-1.5 H-85. However, because this application was submitted before October 30, 2014, the effective date of the current zoning ordinance. Therefore, it is being reviewed under the previous C-3 zoning standards. The Property is located in the 1997 Fairland Master Plan ("Master Plan").

Vicinity

The Subject Property is surrounded on all sides by automobile sales dealerships located in the GR-1.5 H-85 zone except for one automobile dealership in the IM-2.5 H-50 zone. Immediately to the south is the Intercounty Connector. To the west is Columbia Pike (MD 29). To the north is Briggs Chaney Road and the East County Regional Services Center. The closest residential uses are located on the north side of Briggs Chaney Road between Castle Boulevard and Robey Road.

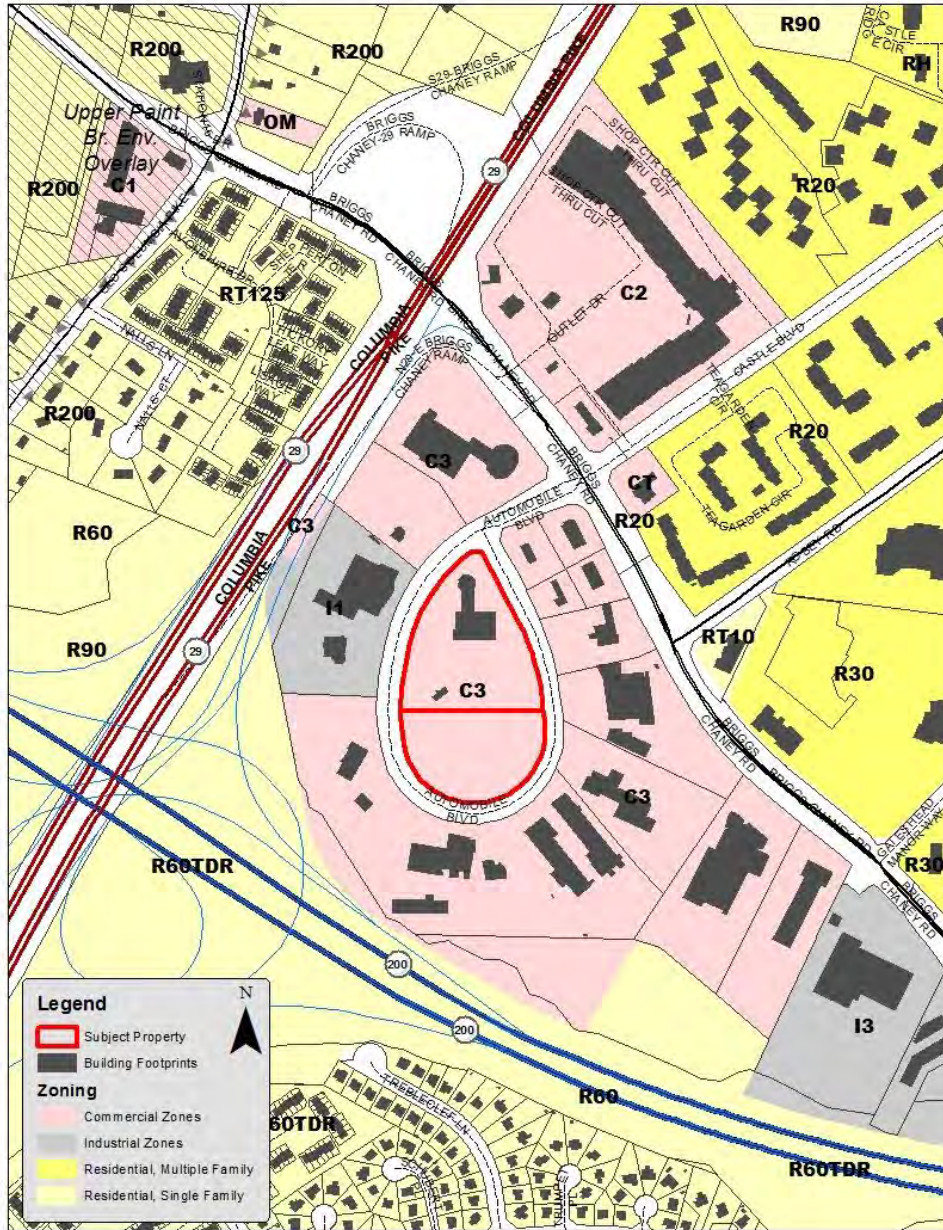


Figure 2 – Vicinity Map

Site Description

The Subject Property is zoned C-3 under the Zoning Ordinance in effect prior to October 30, 2014 (currently zoned GR-1.5 H-85) and located within the inner loop of Automobile Boulevard in the Montgomery County Auto Sales Park (“Auto Park”) in the 1997 *Fairland Master Plan* (“Master Plan”) area (Figure 3). Automobile Boulevard is an oval-shaped two-lane, one-way service road that provides access to the property and to other dealerships and auto-orientated businesses in the Auto Park.

Lot 17 is prominently located near the entrance to the Auto Park and is improved with an older automobile dealership that is currently being used for the sale of pre-owned vehicles. Lot 18 adjoins Lot

17 to the south and is developed as a partially paved and gravel parking lot. The site is surrounded by other dealerships within the Auto Park.

The Subject Property is located in the Little Paint Branch watershed, which is classified by the State of Maryland as Use Class I waters. There are no streams, wetlands, stream buffers, or steep slopes on the site, and the Property does not have any forested areas.



Figure 3 - Aerial View of Montgomery Auto Sales Park

SECTION 3: APPLICATION AND PROPOSAL

Previous Approvals

Preliminary Plan No. 119850270 and Site Plan No. 819850290, Montgomery Auto Sales Park, were approved on June 6, 1985, on Lot 14. Lot 14 was divided into Lots 17 and 18 by a minor subdivision record plat to denote a change in ownership on the northern half and southern half of the former Lot 14. The Preliminary Plan for the former Lot 14 was approved for 1,800 square feet of industrial and 20,000 square feet of retail center space with an APF validity that expired on July 16, 1997. The existing automobile dealership of 21,800 square feet was built in 1986 on what is now Lot 17 and surface parking was built on what is now Lot 18.

Current Applications

The Applicant has filed a series of applications (“Applications”): Preliminary Plan Amendment No. 11985027A (“Preliminary Plan”), Site Plan No. 820140130 (“Site Plan, Lot 17”), and Site Plan No. 820140140 (“Site Plan, Lot 18”) in 2014. At that time, the Applications were reviewed and scheduled for a Planning Board hearing when Lexus, at a corporate level, decided to go through a major brand refresh. As a result, the Applications were removed from the Planning Board agenda and put on hold. In 2017, the Applicant contacted Staff to re-activate the Applications and complete the review process with the re-envisioned building and site layout.

The Preliminary Plan proposes a total of 155,000 square-feet of automobile sales and service uses on Lots 17 and Lot 18. Lot 17 will have a new 85,000 square-foot automobile sales and service facility on the 4.78-acre lot. In addition, Lot 17 includes a six-story parking structure with 660 spaces for inventory storage. Lot 18 is being approved for a 70,000 square-foot automotive showroom with associated parking on a 3.32-acre lot, although the subsequent Site Plan for Lot 18 only approves a surface parking lot as an interim condition.

Site Plan Lot 17 proposes to construct a new 85,000 square foot automobile dealership including a showroom and a 660-space parking structure. The Applicant has also filed Site Plan No. 820140140 for Lot 18 that proposes 326 surface parking spaces for parking and inventory vehicle storage as part of Phase 1. Consistent with a Master Plan recommendation (page 67), the Applicant reserves the right to lease some or all surplus parking spaces within the parking structure on Lot 17 and the surface parking spaces on Lot 18, to other dealers with facilities in the Auto Park. The Applicant also plans on developing another automobile sales and service facility on Lot 18 at a future date. This future development on Lot 18 will require a Site Plan amendment, however the Applicant has provided the necessary Adequate Public Facilities study with the Preliminary Plan Amendment No. 11985027A to provide 70,000 square feet of automobile dealership entitlements on Lot 18.

The existing DARCARS Lexus of Silver Spring dealership, located in the nearby Montgomery Industrial Park on Prosperity Terrace, plans to relocate to Lot 17. The interim proposed development on Lot 18 is to construct a surface parking lot to park vehicle inventory in conjunction with the proposed Lexus dealership on Lot 17.



Figure 4 – Overall Development with interim condition (Parking Lot/Vehicle Storage) shown on Lot 18

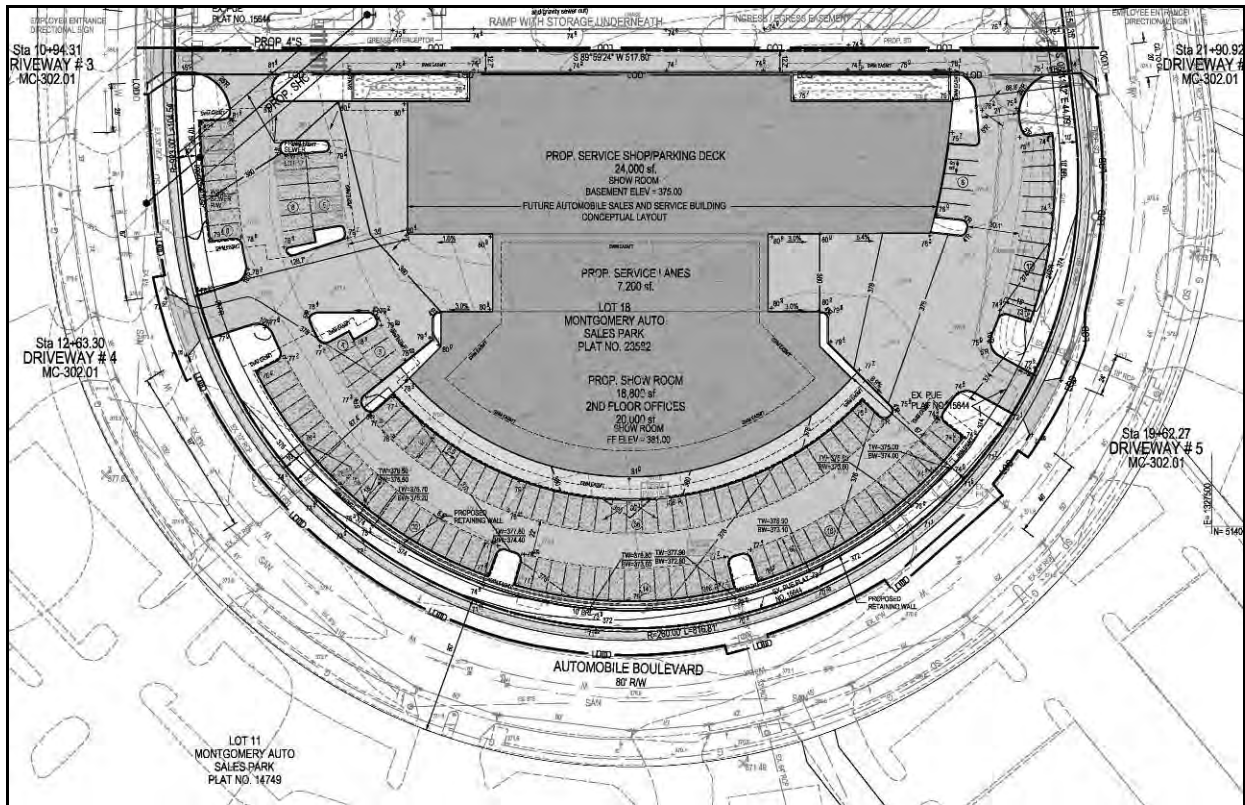


Figure 5 - Preliminary Plan, Lot 18 (Ultimate Build Out with Car Dealership)



Figure 6 - Building Elevations, North



Figure 7 - Building Elevations, West

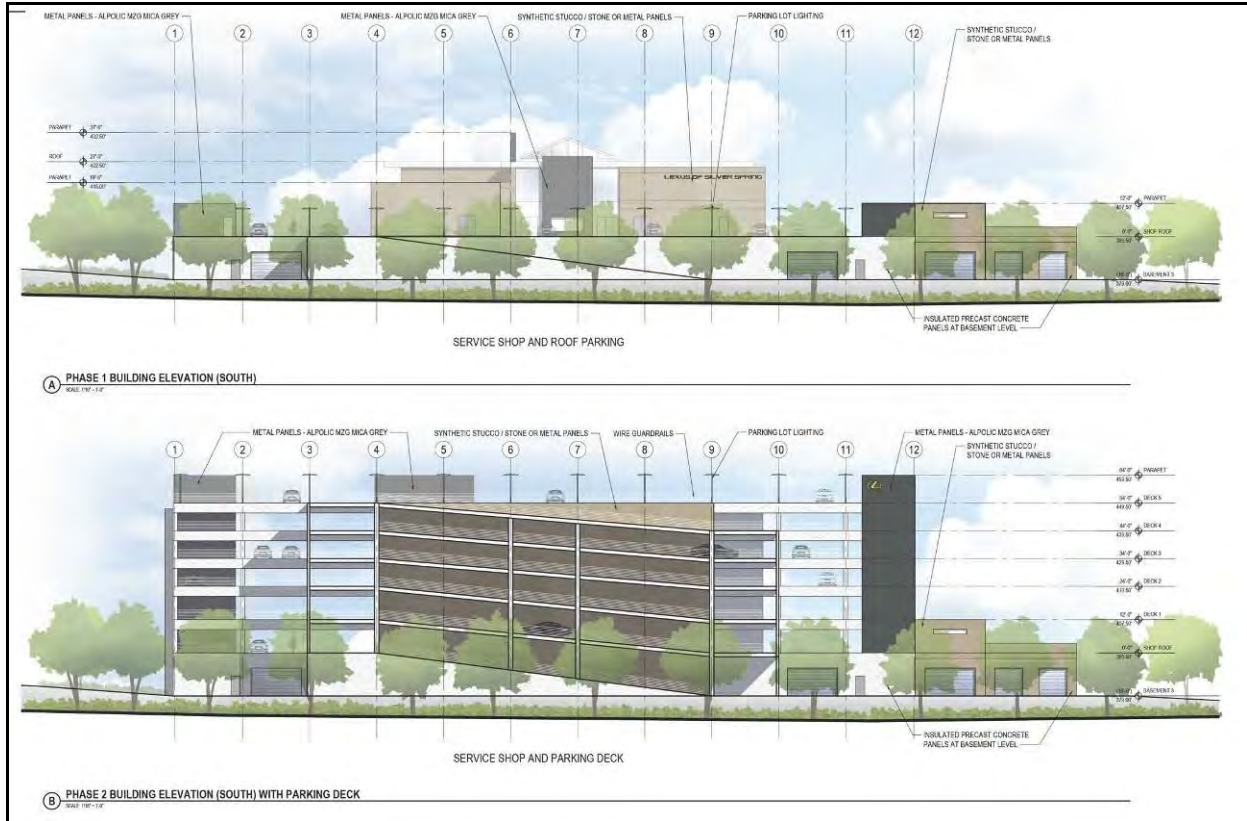


Figure 8 - Building Elevations, South



Figure 9 - Building Elevations, East

SECTION 4: ANALYSIS AND FINDINGS - PRELIMINARY PLAN No. 11985027A

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

The 46-acre Montgomery Auto Sales Park is located within the Briggs Chaney portion of the 1997 Fairland Master Plan. The Master Plan notes the following about the Auto Park on page 65:

“The concept for an Auto Sales Park dates to the late 1960s, when changes to the Zoning Ordinance limited expansion of auto sales in central businesses districts. Auto sales businesses developed the one-stop automobile shopping area as a coordinated development in an attractive setting with green space. Although the auto-park concept is a successful sales tool, a number of problems have developed over the years. Private covenants were used to maintain the appearance of the Auto Park, but the covenants were extinguished by the affected parties in the 1980s. Since then, the green space has been used for parking and inventory storage and on-street parking is being used for car and truck storage”.

The proposed automobile dealership will consist of a single building comprising 85,000 square feet on Lot 17. Showroom and offices will occupy the front portion of the building and the service area and six levels of parking will be located at the rear portion of the building. The proposed automobile and service facility will replace the existing automobile and service facility on Lot 17.

The existing, gravel surfaced parking area on Lot 18 will be replaced with a paved, lighted and landscaped parking lot for inventory vehicle storage and will have modern stormwater management controls. This inventory storage facility is an interim condition. The Preliminary Plan proposes a second auto dealership in the future.

The Master Plan’s goal for Auto Sales Park is to improve circulation and more clearly define the boundaries of the commercial area. The Master Plan clearly supports the continued land use of the Auto Sales Park as a whole. However, it seeks to “encourage the Auto Sales Park property owners to participate in efforts to make the south side of Briggs Chaney Road more attractive and compatible with opposite residential and retail uses including parking on green space along Briggs Chaney Road, US 29, and Automobile Boulevard.” Site Plan, Lot 17 provides specific display areas and vehicle platforms to avoid parking in green areas. Furthermore, the proposed landscaping for help deter this situation from occurring. The Master Plan also encourages consolidation or sharing of parking including the possibility of structured parking with a building height greater than 42 feet, if necessary, in order to meet inventory storage needs.

Site Plan, Lot 17 meets the guidance provided by the Master Plan by including 84-foot-tall structured parking/inventory facility to meet the needs of the dealership in terms of inventory management.

Because the Subject Property does not have frontage on Briggs Chaney Road, Site Plan Lot 17 can do very little to improve compatibility along Briggs Chaney Road. This Master Plan recommendation is aimed toward those properties fronting on Briggs Chaney Road rather than the Subject Property.

Therefore, the proposed redevelopment of Lots 17 and 18 as automotive sales land use is generally consistent with the 1997 Fairland Master Plan.

2. Public facilities will be adequate to support and service the area of the approved subdivision.

Master Plan Transportation Facilities

Master-Planned Roadways and Bikeway

In accordance with the 1997 Fairland Master Plan, the 2018 Master Plan of Highways and Transitways, the 2005 Countywide Bikeways Functional Master Plan, and the forthcoming 2018 Bicycle Master Plan, the designated roadways and bikeway are as follows:

1. Briggs Chaney Road is recommended as a four-lane divided arterial with a 120-foot wide right-of-way and Class I or shared use path on the southwest side.
2. Automobile Boulevard is recommended as an industrial road with an 80-foot wide right-of-way and no bike path. Automobile Boulevard is a two-lane one-way oval that connects to Briggs Chaney Road.

Public Transit Service

Ride-On routes 21 & 39 and Metrobus routes Z6, Z8 and Z11 operate along Briggs Chaney Road with the nearest bus stop located at the intersection of Briggs Chaney Road and Robey Road. The 2013 Countywide Transit Corridors Functional Master Plan recommends BRT along nearby Colesville Road (US 29); the proposed BRT route is planned to be in operation by late 2020 and will include a station at the Briggs Chaney Park & Ride Lot.

Site Frontage Improvements

Automobile Boulevard has an existing 5-foot wide sidewalk with 9-foot wide green panels on both sides. No additional site frontage improvements are necessary.

Adequate Public Facilities Review (APF)

Local Area Transportation Review (LATR)

The proposed 155,000 square feet of automobile dealerships and service uses would generate the following number peak-hour trips during the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.):

Table 1: Peak-hour trips

Proposed Land Use	Square Feet	Weekday Peak-Hour Trips	
		Morning	Evening
Lot 17 - Preliminary Plan No. 11985027A & Site Plan No. 820140130			
Auto Repair/Service/Sales	85,000	163	223
Existing Land Uses on Lot 17 (Credit)			
Auto Repair/Service/Sales	21,800	42	57
Net Increase from Existing	+63,200	+121	+166
Lot 18 - Site Plan No. 820140140			
Auto Repair/Service/Sales	70,000	134	183
Net Increase from Existing	+70,000	+134	+183
Both Lots 17 & 18			
Total New: Auto Repair/Service/Sales	+133,200	+255	+349

The Applicant is required to submit a traffic study to satisfy the LATR test because the proposed land uses generate 30 or more total peak-hour trips within the weekday morning and evening peak periods. Based on the traffic study results, the capacity/Critical Lane Volume (CLV) values at the studied intersections are shown in the table below for the following traffic conditions:

1. Existing: The current traffic condition.
2. Background: The existing condition plus the trips generated from approved but un-built nearby developments.
3. Total: The background condition plus the additional site-generated trips based on proposed automobile repair/service/sales land uses on Lots 17 and 18.

Table 2: Critical Lane Volumes

Studied Intersection	Traffic Condition					
	Existing		Background		Future	
	AM	PM	AM	PM	AM	PM
Briggs Chaney Rd and US 29 (Columbia Pike) SB Ramps	574	599	608	611	624	616
Briggs Chaney Rd and US 29 (Columbia Pike) NB Ramps	846	911	922	1021	956	1,070
Briggs Chaney Rd & Outlet Drive	747	902	782	1,004	797	1,051
Briggs Chaney Rd & Automobile/Castle Blvd	762	873	801	985	812	1,042
Briggs Chaney Rd & ICC/MD 200 WB Off-Ramp	495	446	509	465	515	474
Briggs Chaney Rd & ICC EB Off-Ramp	379	416	382	430	382	436
Automobile Blvd NB & Briggs Chaney Rd.	441	543	685	876	806	1,042
and Gateshead Manor Way	653	719	686	757	691	760

As indicated in the table above, the calculated CLV values do not exceed the CLV standard of 1,475 for the Fairland/Colesville Policy Area, and, thus, the LATR test is satisfied.

Adequate Public Facility Validity Extension Request

The Applicant has requested an extended validity of the Adequate Public Facilities finding for 10 years (120 months) instead of the typical 5 years (60 months).

Under Section 50.4.3.J.5.iv, an Adequate Public Facilities finding shall be “for no less than 5 and no more than 10 years after the preliminary plan is approved, as determined by the Board when it approved the plan, for any plan approved after July 31, 2007, and before April 1, 2009, or after March 31, 2017.” As such, the Applicant’s request is for the maximum allowable time period under the Subdivision Regulations.

The Subdivision Regulation continues under Section 50.4.3.5.b:

“If an applicant requests a longer validity period than the minimum specified in 5.a, the applicant must submit a development schedule or phasing plan for completion of the project in the Board for its approval.

- i. At a minimum, the proposed development schedule or phasing plan must show the minimum percentage of the project that the applicant expects to complete in the first 5 or 7 years, where is the applicable minimum, after the preliminary plan is approved.*

The phasing plan indicates that Phase I will take approximately 5 years to complete. This includes the construction of half of the approved commercial square footage. This phase is the most intensive phase of the three, comprised of demolishing the existing automobile dealership in order to construct the new dealership and its service facility.

Table 3 – Adequate Public Facilities Phasing

Phase	Benchmark	Duration
Phase I	Construction of 50% of the total approved square footage on Lot 17 and Lot 18. The structured parking/vehicle inventory facility may be built in this phase.	60 months
Phase II	Approval of Site Plan amendment for Lot 18 for construction of addition to automobile dealership	36 months (96 months cumulative)
Phase III	Construction of 80% of total square footage approved for Lot 17 and Lot 18. The structured parking/vehicle inventory facility may be built in this phase.	12 months (10 years cumulative)

- ii. To allow a validity period longer than the specified minimum, the Board must find that the size or complexity of the subdivision warrant the extended validity period and would not be adverse to the public interest. The Board must condition a validity period longer than the specified minimum on adherence to the proposed development schedule or phasing plan, and may impose other improvements or mitigation conditions if those conditions are needed to assure adequate levels of transportation or school service during the validity period.*

Upon reviewing the Applicant’s request for 10 years of APF validity, Staff recommends approval of the increased validity period as requested. The logistics of completing the final build out will require the Applicant to complete a series of steps in a specific order. First, the existing auto dealership must be demolished and a new dealership constructed on Lot 18 as well as the associated storage lot on Lot 18. Second, the structured parking/inventory facility must be constructed before the other auto dealership on Lot 18 can proceed in order to have a place to store auto inventory from the interim storage lot. Once the structured parking/inventory facility is constructed, the third and final step of gaining approval of a site plan amendment and construction of the second auto dealership can proceed. Because the auto dealership will remain open after the initial construction, these steps have to occur sequentially rather than in parallel. Therefore, the APF increased validity period will allow enough time to complete all proposed development. This increase in APF validity is not adverse to the public interest.

Other Public Facilities and Services

Other public facilities and services are available and adequate to serve the proposed lots. The Subject Property is in the W-1 and S-1 water and sewer service categories, respectively, and will utilize public water and sewer.

The Application was reviewed by the MCDPS, Fire Department Access and Water Supply Section, and a Fire Access Plan was approved on June 7, 2018 (two separate letters for Lot 17 and Lot 18) and (Attachment 15 and Attachment 17). Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the Subdivision Staging Policy in effect at that time that the Application was submitted. The Application is for a commercial land use which does not generate students. Therefore, a school facilities test does not apply.

3. The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.

Compliance with the Subdivision Regulations and Zoning Ordinance

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations and meets all applicable sections. The size, shape, width and orientation of the lots are appropriate for the intended uses and conform with guidance in the local Master Plan.

Table 4 - Preliminary Plan Project Data Table (Lot 17)

	Required Zoning Ordinance Development Standards C-3³	Proposed
Site Area:		
Gross Tract Area	N/A	4.78 ac. (208,220 s.f.)
Zone:	C-3	C-3
Building Gross Floor Area (S.F.)⁴	N/A	
Retail		20,500
Service (including service shops, service lanes, and car wash		58,500
Office		6,000
Total (S.F.)		85,000
Building Coverage (Max.) (59-C-4.367(b))	(72,877 s.f.) 35%	(72,877 s.f.) 35%

³ Development Standard requirements are per the Zoning Ordinance 59-C-4.36 Highway Commercial and 59-C-4.367 Special Regulations applicable to designated automobile-related uses.

⁴ Building Gross Square Footage excludes structured parking areas.

Table 5 - Preliminary Plan Project Data Table (Lot 18)

	Required Zoning Ordinance Development Standards (C-3)⁵	Proposed
Site Area:		
Gross Tract Area:	N/A	3.32 ac. (144,746 s.f.)
Zone:	C-3	C-3

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

The Subject Property is in compliance with all of the applicable requirements of the Forest Conservation Law. The Preliminary Plan includes a combined Preliminary/Final Forest Conservation Plan since the Preliminary Plan and Site Plans are being reviewed concurrently. The 8.10-acre Property is located in the Little Paint Branch watershed, which is classified by the State of Maryland as Use Class I waters. The NRI/FSD identified all of the environmental features on and adjacent to the Property, as further described in the *Environmental Guidelines for Environmental Management of Development in Montgomery County* (Environmental Guidelines).

There are no streams, wetlands, stream buffers, steep slopes, highly erodible soils, or existing mapped floodplain per the Federal Emergency Management Association (FEMA), Montgomery County Department of Permitting Services or M-NCPPC sources. The Property does not contain any forest or any trees greater than 24 inches Diameter at Breast Height (DBH). The Applicant submitted a combined Preliminary/Final Forest Conservation Plan as part of Preliminary Plan 11985027A and Site Plans 820140130 and 820140140 (Attachment 5, Attachment 8, and Attachment 9). Since there is no existing forest on the Property, the Applications do not include any forest clearing or retention. The forest conservation worksheet includes a net tract area of 9.12 acres, which includes the 8.10 acre Property and 1.02 acres of offsite disturbed area. The lack of existing forest results in an afforestation planting requirement of 1.37 acres, which is proposed to be met at an offsite location.

5. *All stormwater management requirements shall be met as provided in Montgomery County Code Chapter 19, Article II, titled "Storm Water Management," Sections 19-20 through 19-35.*

The Preliminary Plan received an approved stormwater concept from the Montgomery County Department of Permitting Services, Water Resources Section on October 26, 2015 and reconfirmed on April 2, 2018 (Attachment 12 and 13). The Application will meet stormwater management goals through the use of bio swales, micro bioretention, permeable concrete, planter boxes, green roofs, and a waiver to the Montgomery Auto Park Regional Stormwater Management pond.

⁵ Only surface parking and inventory storage proposed for Phase 1.

SECTION 5: ANALYSIS AND FINDINGS - SITE PLAN No. 820140130

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;*

There are no development, diagrammatic or schematic plans associated with the Subject Property.

2. *The site plan meets all of the requirements of the zone in which it is located.*

Site Plan Lot 17 meets all the requirements of the C-3 zone. Automobile sales indoor, outdoor, and service mall uses are permitted by-right in the C-3 zone subject to special regulations in Section 59-C-4.367 applicable to designated automobile-related uses (59-C-4.36). These special regulations include the following requirements that are applicable to the Subject Property:

- *Building Height – Maximum 42 feet, except where recommended as appropriate in applicable master or sector plan, the maximum building height for an auto sales and service mall is 7 stories or 84 feet.*
The automobile sale building is less than 42 feet in height. The structured parking/inventory facility is 84 feet in height.
- *Setbacks – Off-street parking, maneuvering area, display and storage of motor vehicles must be setback 10 feet from all property lines from any adjoining land classified in a commercial zone.*
According to Site Plan, Lot 17 and Table 6 of this Staff Report, all off-street parking, maneuvering areas, display and storage of motor vehicles are setback at least 10 feet from all property lines which meets this standard.
- *Building Coverage – No more than 35 percent of the area of a lot may be covered by buildings, except that parking structures are excluded from the building coverage calculation.*
According to Site Plan, Lot 17 and its corresponding data table (Table 6), the area of the lot covered by buildings is 34.4%. Therefore, Site Plan, Lot 17 compiles with this requirement.
- *Green Area – Green Area shall constitute at least 10 percent of the lot.*
The green area exceeds this requirement by providing 27% of green area on the Property (Figure 12).
- *Lighting – In order to prevent any objectionable glare on surrounding properties or streets, the exterior lighting plan that is submitted as part of the required site plan must indicate the height, number and types of lighting fixtures, and a diagram showing their light distribution characteristics.*
The submitted lighting plan included in Site Plan, Lot 17 provides the location, height, number, and types of lighting fixtures as well as the light distribution designed to prevent objectionable glare on surrounding properties. This requirement has been met.

One of the requirements of the C-3 zone in Section 59-C-4.365(b) of the Zoning Ordinance in effect prior to October 30, 2014 requires that “all parking shall be located to the side or rear of the main building,

inside the of the building or, on the roof.” The same ordinance defines Automobile Parking Facility under Section 59-A-2.1 as “any lot or structure used for off-street parking of 6 or more motor vehicles, where service or repair facilities are not permitted”. This definition further states that an “automobile sales lot is not a parking facility under this Chapter.” Previous site plans for other auto dealerships in this Auto Sales Park have interpreted this to allow vehicles for sale and/or display to be located in front of the building. Staff has conditioned Site Plan, Lot 17 to be modified at certified site plan to clearly demarcate areas for customer parking on the sides and rear of the building, while parking in front of the building to be limited for sale or display vehicles by the auto dealership.



Figure 10 - Site Plan, Lot 17 illustrative rendering

Table 6 – Site Plan Development Standard Table (Lot 17)

Development Standard	Required Zoning Ordinance Development Standards C-3⁶	Proposed for Approval
Gross Tract Area:	N/A	4.78 ac. (208,220 s.f.)
Building Gross Floor Area (S.F.)⁷		
Retail	N/A	22,000
Service	N/A	57,000
Office	N/A	6,000
Total (S.F.)	N/A	85,000
Max Building Coverage (59-C-4.367(b))	(72,877 s.f.) 35%	(71,686 s.f.) 34.4%
Max Building Height (59-C-4.361)	42 feet/84 feet	
Phase 1 Building Height		27 feet
Phase 2 Building Height		54 feet
Building Setbacks		
Min From Street Right of Way	10 feet	55 feet ⁸
Min From other lot line (59-C-4.367(a)(1))	10 feet	10 feet
Parking		
Light Vehicle Sales (59-6.2.4)	55 spaces@ 2.5 sp/1000 s.f.	105
Service (59-6.2.4)	143 spaces @ 2.5 sp/1000 s.f.	143
Office (59-6.2.4)	14 spaces @ 2.25 sp/1000 s.f.	14
Total	212	326
Accessible spaces	8	8 (4 outside, 4 gar.)
Storage Spaces	N/A	Up to 534
Total Car Parking Spaces	315	860
Motorcycle Spaces (59-6.2.3.C)	7	10
Bicycle Spaces (59-6.2.3.E)	10 (8 short term/2 long term)	12 (8 short term/4 long term)
Electric Car Charging Spaces (59-6.2.3.A)	4	4
Car Share Space (59-6.2.3.D)	1	1
Green Area (59-C-4.363)	10% of Lot Area	27%
Internal Parking Lot Shade Tree Area (59-E-2.73)	5% of internal parking lot area	16%

⁶ Development Standard requirements are per the Zoning Ordinance 59-C-4.36 Highway Commercial and 59-C-4.367 Special Regulations applicable to designated automobile-related uses.

⁷ Building Gross Square Footage excludes structured parking areas

⁸ Final setback at time of building permit will be no less than 10 feet from property line.

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

Building Location

The Site Plan includes a new 85,000 square-foot automobile sales and service facility in addition to a six-story parking structure with 660 parking spaces, on the 4.78-acre lot. The automobile sales and service building and parking structure are adequately located in the central portion of the Property in such a way to take advantage of the existing drop in topography from north to south. As such, the proposed dealer showroom and auto display areas are near the top of the loop, which combined with the higher elevation, allows for the most visibility. Whereas, the service and structured parking areas are adequately located to the south at a lower elevation, which permits these uses to be built into the grade. The locations of the proposed building and structures are adequate, safe and efficient.



Figure 11 – Building Elevation (East)

Green Space/Open Space

The Site Plan proposes 27 percent green area, which exceeds the Zoning Ordinance minimum requirement of 10 percent. The green area is mostly located along the perimeter of the Property and the northernmost portion of the Property, where the Applicant is providing a terraced plaza with seating as a pedestrian amenity and gateway feature for Automobile Boulevard. The green space/open space safe, adequate, and efficient.

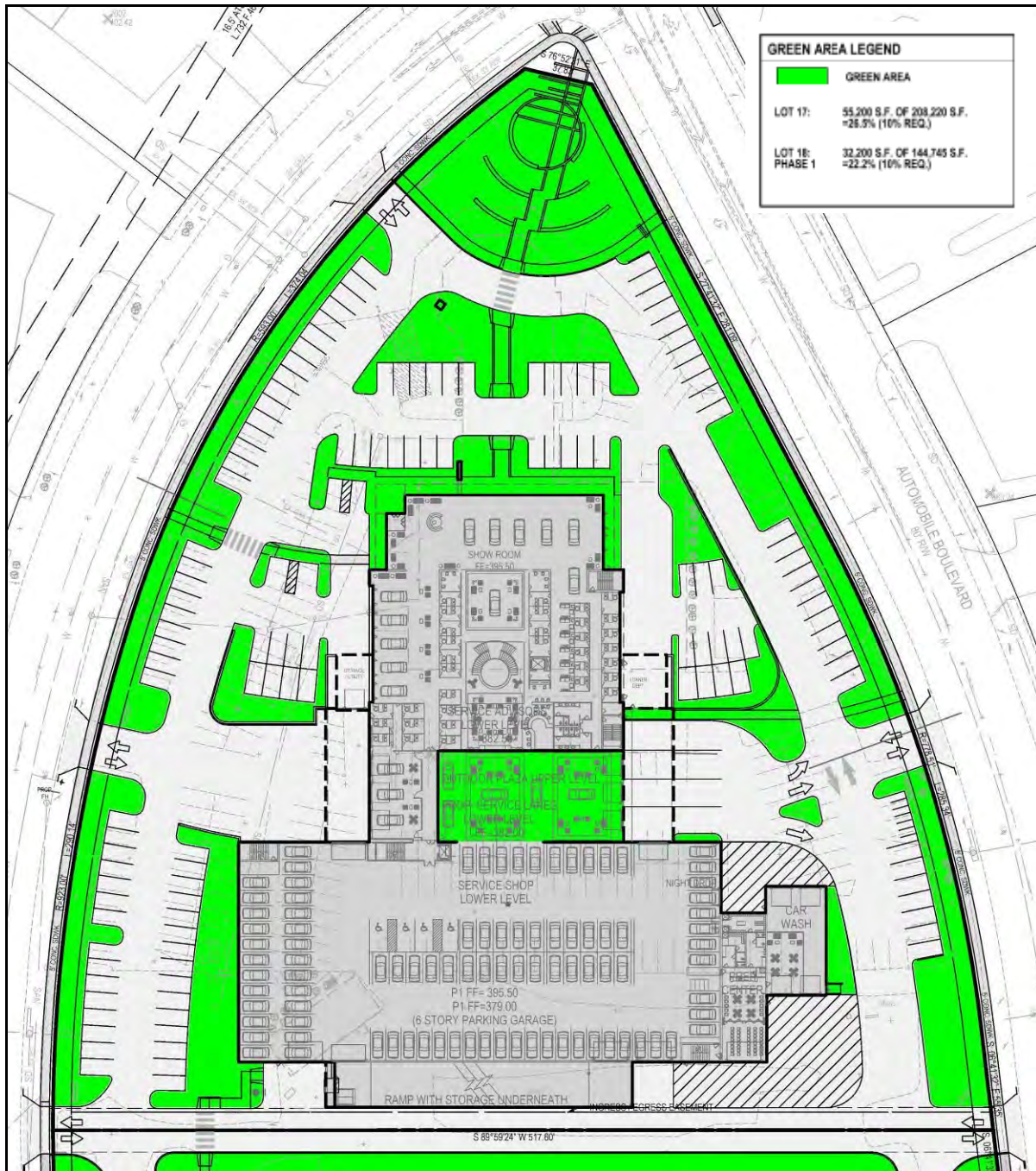


Figure 12 – Green Space Exhibit

Landscaping & Lighting

The proposed landscaping is adequate and efficient along the inner perimeter of Automobile Boulevard with street trees and other shrubs, and internally on numerous parking lot islands. The Property will be enhanced with a variety of trees and plant materials for screening, shade, and for seasonal color. The building’s roof over the two- story showroom and a portion of the roof over the service area will be covered by a green roof. A vegetative screen wall will also cover the west façade of the parking structure. The Site Plan provides 16 percent tree canopy coverage for the surface parking facility, which exceeds the 5 percent minimum requirement. The landscaping is safe, adequate, and efficient.

The lighting plan consists of pole light not to exceed 30 feet in height and wall packs. This provides adequate and safe light levels for both security and public safety.

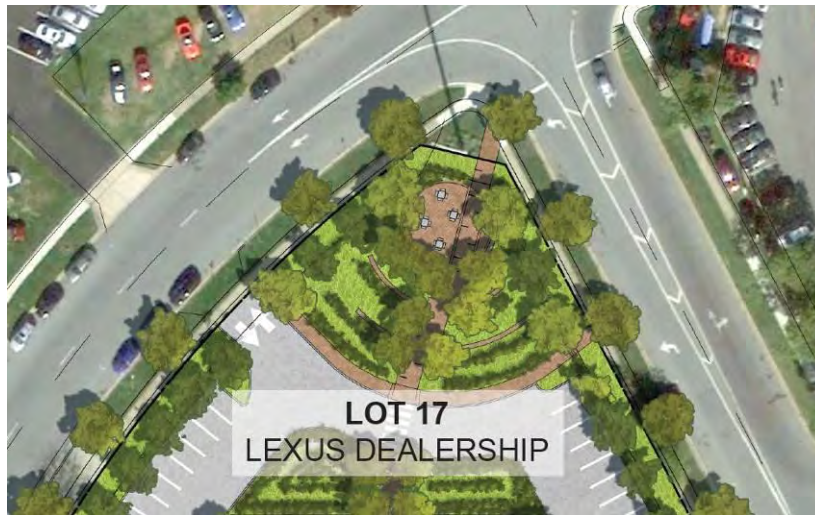


Figure 13 – Terraced plaza with seating

Pedestrian and Vehicular Circulation

Automobile Boulevard has existing 5-foot wide sidewalks with 9-foot wide green panels. At the intersections with Automobile Boulevard's one-way segment, handicap ramps are located at each corner, but with no pedestrian crosswalks. At the intersection of Automobile Boulevard and Briggs Chaney Road, both handicap ramps and pedestrian crosswalks exit at all intersection corners and approaches. The Applicant will provide the required number of public inverted-U bike racks located near the main entrance and private bike lockers or a secured bike room for employees that is convenient to the employee's entrance. The pedestrian and vehicular circulation is safe, adequate, and efficient.

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



Figure 14 – Illustrative rendering of the Western architectural facades

The property is zoned GR-1.5 H-85, however, Site Plan Lot 17 is being reviewed under the C-3 Highway Commercial, and the proposed use is permitted in the zone. The proposed auto sales and service facility

will be compatible with the other automobile dealerships and auto-related uses along Automobile Boulevard. The location of the building, parking areas and internal driveways will seamlessly function with other dealerships and uses located around Automobile Boulevard. Site Plan Lot 17 is compatible with other existing uses and building adjunct to the Subject Property.

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

The Site Plan was reviewed concurrently with the Preliminary Plan No. 11985027A, and the analysis for the environmental resources and forest conservation law is presented under the environmental findings made with the Preliminary Plan earlier in this report. The Site Plan makes no changes to the layout or environmental findings made with the Preliminary Plan. Site Plan No. 820140130 for Lot 17 complies with the Preliminary/Final Forest Conservation Plan No. 11985027A.

An approved stormwater concept from the Montgomery County Department of Permitting Services, Water Resources Section was issued on October 26, 2015 and reconfirmed on April 2, 2018 (Attachment 12 and 13).

SECTION 6: ANALYSIS AND FINDINGS - SITE PLAN No. 820140140

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;

There are no development, diagrammatic or schematic plans associated with the Subject Property.

2. The site plan meets all of the requirements of the zone in which it is located.

Site Plan Lot 18 meets all the requirements of the C-3 zone. Under the C-3 zone the parking of motor vehicles, off street in connection with any use permitted in the C-3 zone is allowed by-right in the C-3 zone.

Table 7 – Site Plan Lot 18 Development Standards

Development Standards C-3	Required Zoning Ordinance	Proposed by Site Plan No. 820140140
Gross Tract Area	N/A	3.32 acres
Setbacks	N/A	No structure is proposed ⁹
Parking	0	342
Green Area (59-C-4.363)	10% of Lot Area	22%

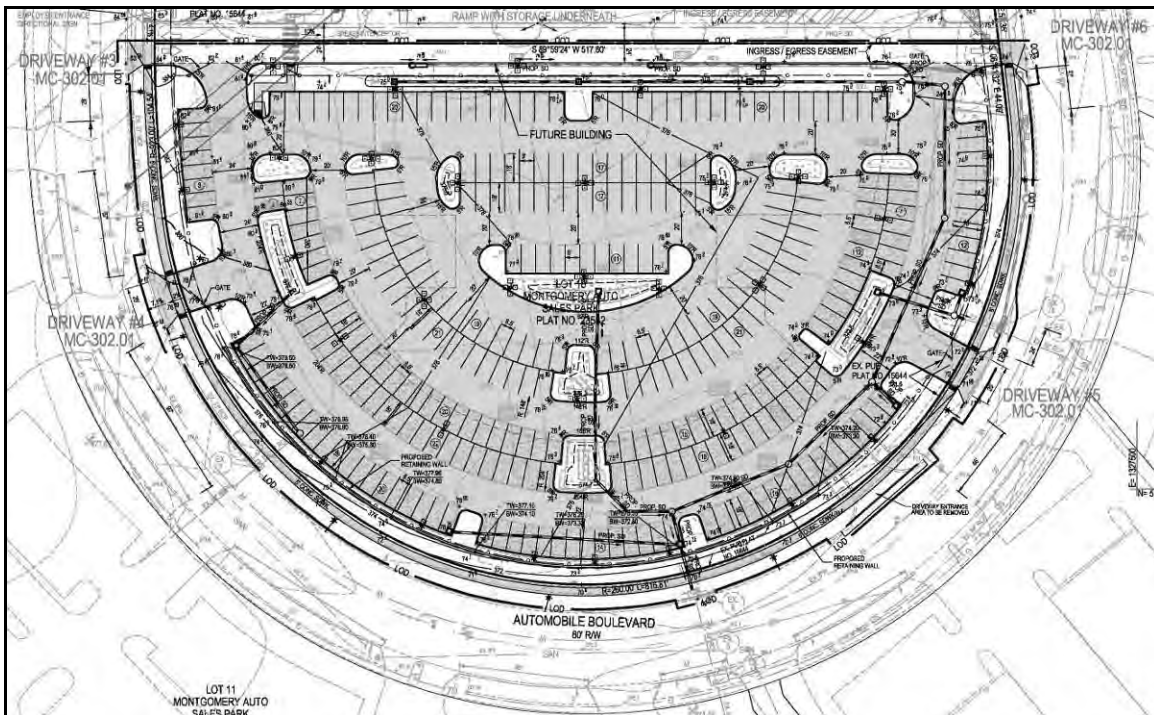


Figure 15 – Site Plan, Lot 18

⁹ Site Plan Amendment required for new auto dealership in the future.

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

Building Location

No buildings are proposed with Site Plan Lot 18. This portion of the finding is not applicable.

Green Space/Open Space

The Site Plan proposes 22 percent green space, which includes the required 10-foot buffer around the perimeter of the Subject Property and several parking lot islands. The green space/open space is safe, adequate, and efficient.

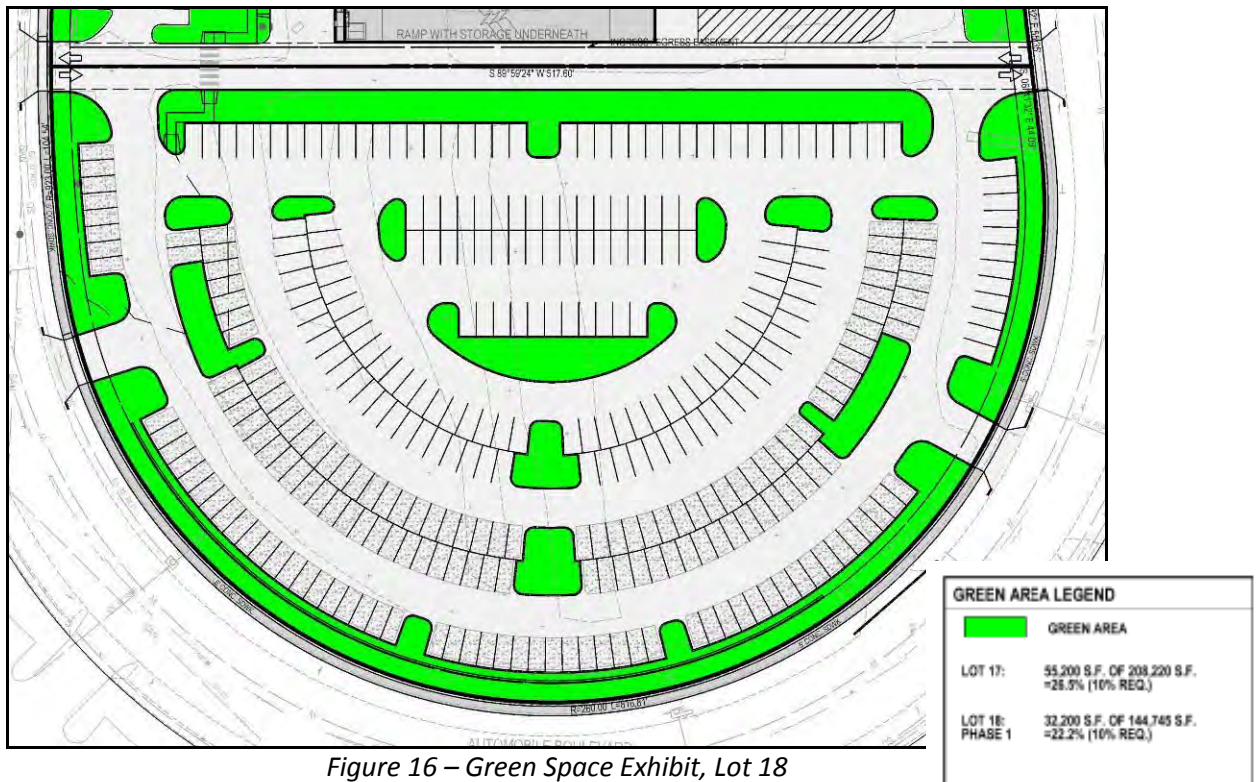


Figure 16 – Green Space Exhibit, Lot 18

Landscaping & Lighting

The landscaping provided is adequately located along the inner perimeter of Automobile Boulevard with street trees and other shrubs, and internally in several parking lot islands. The Property will be enhanced with a variety of trees and shrubs materials for shade, and for seasonal color. The Landscaping is safe, adequate, and efficient.

The lighting plan consists of pole light not to exceed 30 feet in height and wall packs. This provides adequate and safe light levels for both security and public safety.

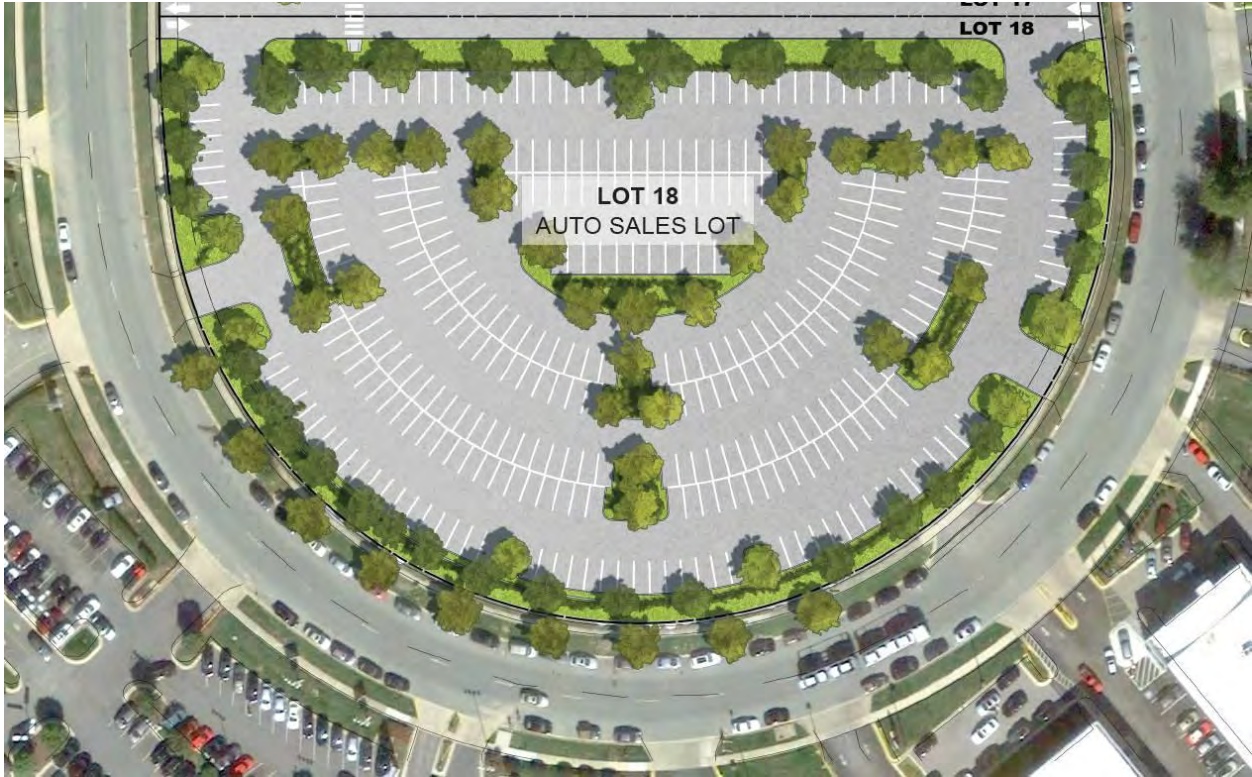


Figure 17 – Illustrative rendering of the Landscape Plan, Lot 18

Pedestrian and Vehicular Circulation

The parking facility has four vehicle point of access onto Automobile Boulevard all of which are connected via internal drive aisles to help separate service, sales, and deliveries, and to provide adequate traffic flow around and thru the facility. Two of these vehicle access points are shared between the parking facility proposed with Site Plan Lot 18 and the adjacent automobile dealership proposed in Site Plan Lot 17 to be used for vehicle drop-off and pick-up. There are also driveway connections proposed between Lot 17 and the surface parking area on Lot 18 to eliminate the need for vehicles to use Automobile Boulevard while traveling between the two lots. Site Plan 18 proposes a pedestrian crosswalk to provide interconnectivity between the Lot 17 and Lot 18. Pedestrian and vehicular circulation is safe, adequate and efficient.

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

No structures are proposed with Site Plan Lot 18. In the future, a Site Plan Amendment is required to construct the auto dealership proposed in Preliminary Plan No. 11985027A. The parking facility to support the dealership on Lot 17 will seamlessly integrate with the parking facilities associated with the other automobile dealerships surrounding the Subject Property.

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

The Site Plan was reviewed concurrently with the Preliminary Plan No. 11985027A, and the analysis for the environmental resources and forest conservation law is presented under the environmental findings made with the Preliminary Plan earlier in this report. The Site Plan makes no changes to the layout or environmental findings made with the Preliminary Plan. Site Plan 820140140 for Lot 18 complies with the Preliminary/Final Forest Conservation Plan No. 11985027A.

An approved stormwater concept from the Montgomery County Department of Permitting Services, Water Resources Section was issued on October 26, 2015 and reconfirmed on April 2, 2018 (Attachment 12 and 13).

CONCLUSION

The Preliminary Plan, Site Plan Lot 17, and Site Plan Lot 18 meet the requirements of the Chapter 50, Subdivision Regulations, Chapter 59, the Zoning Ordinance, and substantially conform to the recommendations of the 1997 *Fairland Master Plan*. The Applications have been reviewed by the applicable county agencies and all have recommended approval of the plans. Therefore, Staff recommends approval of the Preliminary Plan 11985027A, Site Plan 820140130, and Site Plan 820140140.

ATTACHMENTS

- Attachment 1 – Statement of Justification, Preliminary Plan 11985027A
- Attachment 2 – Statement of Justification, Site Plan 820140130
- Attachment 3 – Statement of Justification, Site Plan 820140140
- Attachment 4 – Planning Board Opinion, Preliminary Plan 1-85027 June 14, 1985
- Attachment 5 – Preliminary Plan, Lot 17
- Attachment 6 – Preliminary Plan, Lot 18, Interim Improvements
- Attachment 7 – Preliminary Plan, Lot 18, Final Buildout
- Attachment 8 – Site Plan No. 820140130
- Attachment 9 – Site Plan No. 820140140
- Attachment 10 – Forest Conservation Plan, Lot 17
- Attachment 11 – Forest Conservation Plan, Lot 18
- Attachment 12 – DPS Stormwater Approval, October 26, 2015
- Attachment 13 – DPS Stormwater Reconfirmation of Water Concept, April 2, 2018
- Attachment 14 – MCDOT Approval Letter, October 4, 2018
- Attachment 15 – DPS Water Supply and Fire Access Approval Letter, June 7, 2018
- Attachment 16 – DPS Water Supply and Fire Access Approved Fire Access Plan Letter, Lot 17, June 7, 2018
- Attachment 17 – DPS Water Supply and Fire Access Approval Letter, June 7, 2018
- Attachment 18 – DPS Water Supply and Fire Access Approved Fire Access Plan Letter, Lot 18 Interim Condition, June 7, 2018
- Attachment 19 – DPS Water Supply and Fire Access Approved Fire Access Plan Letter, Lot 18 Final Buildout, June 7, 2018

Attachment 1

MODIFIED
APPLICANT'S STATEMENT OF JUSTIFICATION FOR
AMENDMENT TO PRELIMINARY PLAN NO. 11985027A
LOTS 17 AND 18, MONTGOMERY AUTO SALES PARK
3110 AND 3130 AUTOMOBILE BOULEVARD,
SILVER SPRING, MARYLAND
UPDATED July 20, 2018

This Modified Statement of Justification ("Modified Statement") is filed on behalf of Auto Sites 7 LLC ("Applicant"). The Applicant is the owner of both Lots 17 and 18. As reflected in that certain Deed dated December 1, 2017 and recorded in Liber 55400 at folio 10, Applicant recently acquired adjoining Lot 18 (previously submitted Attachment "A").

Preliminary Plan of Subdivision No. 1-85027 (now No. 11985027) was previously approved for the 8.1 +/- acres (former Lot 14) that now collectively comprise Lots 17 and 18 (sometimes collectively referred to as the "Property") by Planning Board Opinion mailed June 14, 1985, (previously submitted Attachment "B"). Site Plan No. 8-85029 was subsequently approved for an automobile dealership on the Property by Planning Board Opinion mailed June 21, 1985, (previously submitted Attachment "C").

In 2007, the Property was subdivided into Lots 17 and 18 by Plat No. 23582, (previously submitted Attachment "D") as recorded in the Montgomery County Land Records. Lot 17 has an address of 3110 Automobile Boulevard and comprises the 4.78 +/- acre property situated immediately north of Lot 18. Lot 18 has an address of 3130 Automobile Boulevard and comprises the 3.32 +/- acre property situated immediately south of Lot 17. At the time the Application and Statement were originally accepted for review on August 11, 2014, the Property was zoned "C-3" (Highway Commercial). Having remained active, the Modified Preliminary Plan Application continues to be pursued in accordance with the provisions and requirements of the C-3 zone. The Property is currently zoned GR- (General Retail).

1. The Property

Collectively, Lots 17 and 18 comprise the "egg-shaped" Property, which is situated south of Briggs Chaney Road. Located within the interior of the Montgomery Auto Sales Park ("Auto Park"), the Property is completely encircled by Automobile Boulevard. Automobile Boulevard is a two lane, one-way service road that provides access and on-street parking for the Property and all other automobile dealerships in the Montgomery Auto Sales Park.

2. Surrounding Properties

All properties surrounding the Property are improved with automobile sales, service and related facilities situated within the Auto Park. Located immediately south of the Auto Park are the Intercounty Connector and a regional stormwater pond. Situated to the west of the Auto Park is Columbia Pike (Route 29), and located to the north are Briggs Chaney Road and the Briggs Chaney Shopping Plaza. The closest apartments and townhouse units are located on the far sides of Briggs Chaney Road, Route 200, and Columbia Pike screened from sight and sound of the Property by intervening commercial uses and buildings.

Because the automobile sales, service, parking and storage uses proposed in this Application will replace existing automobile sales, service, parking and storage uses, and because the Property is surrounded by other automobile sales and service facilities, the proposed uses and improvements on the Property will be fully compatible with the surrounding properties.

3. Existing Development

Lot 17 is improved with an automobile dealership facility that is currently being used for the sale of pre-owned vehicles. Lot 18 is currently improved with a gravel surface vehicle parking/storage lot. All existing improvements on both Lots 17 and 18 will be removed in conjunction with the proposed new development on the Property.

4. Summary of Proposed Development

The existing Preliminary Plan approval allows for 20,000 square feet of automobile sales and service use, plus 1,800 additional square feet of drive-thru service write-up area, all of which is situated on the Lot 17 portion of the Property.

This Preliminary Plan Amendment Application, as now modified, requests subdivision and APFO approval for an 85,000 square foot (excluding above ground structured parking) automobile sales and service building on the Lot 17 portion of the Property. It further requests subdivision and APFO approval for a future separate 70,000 square foot (excluding above ground structured parking) automobile sales and service building on the Lot 18 portion of the Property.

The Applicant is initially requesting approval to upgrade the existing gravel surface lot and to re-construct the existing surface vehicle lot on Lot 18 for use in conjunction with the proposed new dealership on Lot 17; prior to anticipated future construction of a proposed new dealership building on Lot 18 but concurrently with the construction of improvements on Lot 17. Initial improvements in Phase 1 on Lot 18 will consist of surface paving, landscaping, lighting and stormwater management for a striped vehicle parking lot which is a permitted use in the C-3 zone and will be used for an outdoor automobile sales lot, which is a permitted use in the C-3 zone, for the display and storage of inventory. It will not include any building square footage as all sales and service uses will be located in the improvements on adjacent Lot 17, and the proposed use will not generate any additional vehicle trips. In the future under Phase 2 of development of Lot 18, this surface vehicle parking and storage use will be replaced with a new automobile sales and service facility on Lot 18 (separate from the dealership proposed for Lot 17).

The requested density under the Application has been expressly allocated as 85,000 square feet for Lot 17 and 70,000 square feet for Lot 18. The Applicant does not intend to transfer any portion of its separate building square footage or APFO approvals between Lot 17 and Lot 18 without future Planning Board or Planning Board designee

approval. Should this Modified Preliminary Plan Amendment be approved for the entirety of the Property, the Applicant requests that the Board's Opinion distinguish and separately allocate the proposed building square footages (excluding above ground structured parking) and APFO approvals for each of Lots 17 and 18. Accordingly, the Applicant requests that 85,000 building square feet be allocated to Lot 17 and that 70,000 square feet be allocated for the future dealership on Lot 18.

The Applicant is also requesting an extended APFO validity period of ten (10) years for the full build-out of Lot 18 to permit future development of the dealership on Lot 18 to be market-driven in an industry that is experiencing accelerated and fundamental change. Justification for the extended APFO validity period is discussed in more detail below. Accordingly, Applicant requests that the Board's Opinion distinguish and separately state the APFO validity period for each of Lots 17 and 18.

Zoning Ordinance Sec. 59-C-4.366 requires that all uses in the C-3 zone obtain Site Plan approval in accordance with Div. 59-D-3. At this time, the Applicant is simultaneously filing separate modifications to its pending Site Plan Applications for a dealership on Lot 17 and for a related surface vehicle parking lot/outdoor auto sales lot on Lot 18. The Lot 18 surface parking and inventory storage improvements will be used in conjunction with the Lot 17 dealership. Consistent with the Master Plan recommendation discussed below, should surplus spaces become available in the structured garage parking on Lot 17 and/or the surface lot on Lot 18, the Applicant reserves the right to lease some or all of such surplus spaces to dealers with facilities in the Auto Sales Park.

Each of the Modified Site Plans concurrently being filed will comply with the applicable development standards of Zoning Ordinance Sec. 59-C-4.36 for the C-3 zone, and Zoning Ordinance Sec. 59-C-4.367 for automobile-related uses.

5. Proposed Users

The Applicant, which is affiliated with the DARCARS Automotive Group, proposes to relocate the existing DARCARS Lexus facility located at 2505 Prosperity

Terrace (Lot 32) in the Montgomery Industrial Park, Silver Spring, to a new, state-of-the-art facility to be built on Lot 17. It is anticipated that this new Lexus dealership will be the first of its kind on the east coast designed to the new Lexus brand standards. The existing Lexus dealership has become obsolete and too small, and cannot adequately accommodate the current and projected needs of Lexus.

By building an entirely new Lexus dealership on a property in proximity to the existing DARCARS Lexus dealership, the current dealership can remain in operation until the new facility is completed on Lot 17. This will facilitate a seamless transition that will minimize disruption to neighboring properties and occupants as well as Lexus customers and employees. As noted, the proposed Lot 18 surface lot will be used by the Applicant in conjunction with the Lot 17 Lexus dealership.

The Applicant has not yet identified a dealership to ultimately be located on Lot 18. Accordingly, a building square footage of 70,000 square feet and conceptual building footprint are being proposed for the future Lot 18 dealership use for purposes of obtaining Preliminary Plan approval for the specified square footage and APFO-generated trips associated with the future Lot 18 dealership building.

6. Master Plan Recommendations and Compliance

The entire Property (both Lots 17 and 18) is located within the 1997 Approved and Adopted Fairland Master Plan. The "Auto Park" in which the Property is situated is included in the Greencastle/Briggs Chaney portion of the Master Plan, and is discussed therein at pages 63-67.

The Master Plan confirms that private design covenants previously applicable to the Auto Park were extinguished in the 1980's (*See*, Master Plan at p. 65). Note that a "Termination of Covenants, Conditions and Restrictions" was recorded in the Montgomery County Land Records at Liber 7451, folio 291 on December 18, 1986.

The Master Plan expressly recommends that, "Consolidation or sharing of parking, possibly structured parking (with a building height greater than 42 feet, if necessary)

should be considered to meet parking needs" within the Auto Park. (See, Master Plan at p. 67).

The Master Plan does not recommend any changes to the existing auto sales/service uses or the then existing C-3 zoning of the Property or of any other property in the Auto Park. Accordingly, the proposed Preliminary Plan Amendment is fully consistent with the Master Plan.

7. Zoning Uses and Compliance

When this Application and Statement were originally filed and then accepted for review on August 11, 2014, the entirety of the Property was zoned C-3 (Highway Commercial). Automobile sales indoor, outdoor, and service mall uses are all permitted by-right in the C-3 zone, subject to Sec. 59-C-4.2, Footnote No. 14, ("Footnote"). The Footnote requires that these uses comply with the special regulations for automobile-related uses found in Sec. 59-C-4.367. The Footnote requirement is in addition to the applicable development standards of the C-3 zone. Parking of motor vehicles, off-street in connection with any use permitted in the C-3 zone is also allowed by-right in the C-3 zone. All of the proposed uses for Lots 17 and 18 are permitted by-right in the C-3 zone.

On October 30, 2014 (2½ months after the initial Application and Statement had been accepted for review), a new Comprehensive District Zoning Map Amendment ("ZMA") went into effect. The ZMA rezoned the entire Property from C-3 to the newly created "GR" (General Retail) zone. Light vehicle sales and rental uses, including vehicle repairs and outdoor vehicle storage, are allowed in the new GR zone. As defined in the new Zoning Ordinance that preceded the ZMA, sales and service of light vehicles are the types of operations that typically occur at automobile dealerships. Additionally, the ZMA for the Property provides that, under the GR zone, development is allowed up to a 1.5 FAR and building height is allowed up to 85 feet. (previously submitted Attachments "E-1" and "E-2"). Although not applicable since the Application is proceeding under the prior C-3 zoning, the proposed development will satisfy the standards of the GR zone.

8. Zoning Purpose Clause and Compliance

The C-3 zone "Purpose Clause" is found at Sec. 59-C-4.360. In pertinent part, this Purpose Clause states,

It is the intent of this zone to provide for the orderly grouping and spacing of development on properties...which are recommended for such zoning on approved and adopted master plans or which are adjacent to properties previously or currently zoned C-3.

As discussed herein at Sec. No. 6 ("Master Plan Recommendations and Compliance"), the 1997 Approved and Adopted Fairland Master Plan recommended no changes to the then-existing C-3 zoning and auto sales and service use of the Property and of the other properties in the Auto Park. Therefore, the Property satisfies the C-3 zone Purpose Clause.

9. Zoning Development Standards and Compliance

Set forth on the following pages are copies of the Development Standards Charts for the Amended Preliminary Plan, as modified, transmitted with the filing of this Modified Application:

PRELIMINARY PLAN DEVELOPMENT STANDARDS – Lot 17

	<u>Required</u> Zoning Ordinance Development Standards C-3 ²	<u>Revised</u> Proposal
Site Area:		
Gross Tract Area:	N/A	4.78 ac. (208,220 s.f.)
Zone:	C-3	C-3
Building Gross Floor Area (S.F.)	N/A	
Retail		22,000
Service (including Service Shops, Service Lane, and Car Wash)		57,000
Office		6,000
Total (S.F.):		85,000
Building Coverage (Max.) (59-C-4.367(b))	(72,877 s.f.) 35%	(71,686 s.f.) 34.4%
See footnotes below		

1. Building Gross Square Footage excludes structured parking areas.

2. Development Standard requirements are per previous Montgomery County Zoning Ordinance Sec. 59-C-4.36 Highway Commercial and Sec. 59-C-4.367 Special Regulations applicable to designated automobile-related uses.

SITE PLAN DEVELOPMENT STANDARDS – Lot 18 (Initial Surface Vehicle Parking and Storage)

	<u>Required</u> Zoning Ordinance Development Standards C-3 ¹	<u>Proposed</u>
Site Area:		
Gross Tract Area:	N/A	3.32 ac. (144,745 s.f.)
Zone:	C-3	C-3

PRELIMINARY PLAN DEVELOPMENT STANDARDS - Lot 18 (Future Dealership)

	<u>Required</u> Zoning Ordinance Development Standards C-3 ²	<u>Revised</u> Proposal
Site Area:		
Gross Tract Area:	N/A	3.32 ac. (144,745 s.f.)
Zone:	C-3	C-3
Building Gross Floor Area ¹	N/A	
Showroom		18,800
Offices		20,000
Service Lane		7,200
Service Shop		24,000
Total (S.F.):		70,000
Building Coverage (Max.) (59-C-4.367(b))	35%	35%
See footnotes below		

1. Building Gross Square Footage excludes structured parking areas.

2. Development Standard requirements are per previous Montgomery County Zoning Ordinance Sec. 59-C-4.36 Highway Commercial and Sec. 59-C-4.367 Special Regulations applicable to designated automobile-related uses.

The above Charts indicate that, as filed, the Modified Amended Preliminary Plan will satisfy all applicable subdivision development standards.

Note that proposed development standard figures may change during the Modified Preliminary Plan review and approval process. Additional changes may also occur in

conjunction with Site Plan review, approval and certification. All changes that may occur will continue to satisfy all applicable development standards either directly or, if necessary, by waiver or variance approval.

10. Traffic Analysis and APFO Compliance

Separate Traffic Impact Analysis Reports have been filed for each of Lot 17 and Lot 18 dated March 9, 2018, as updated by the May 17, 2018 Traffic Report (as amended collectively and individually, "Traffic Report"). As concluded in the Traffic Report for Lot 18, the initially proposed surface vehicle parking lot/ outdoor automobile sales lot (display and inventory storage) use will not generate additional traffic beyond that which will be generated by Lot 17. Accordingly, the Traffic Study for Lot 18 is based on the building square footage and trips proposed for the future dealership on Lot 18.

The Revised Traffic Impact Analysis Report for Lot 17 is based on 85,000 square feet of auto sales and service use (excluding above and below ground structured parking), while the Traffic Report for the future dealership on Lot 18 is based on 70,000 square feet of the same use (also excluding above and below ground structured parking). Because Lot 17 will be developed first, its trips are included in the background traffic for the future Lot 18 dealership.

The separate updated Traffic Impact Analysis Reports for both Lots 17 and 18 each conclude that the intersections studied will operate within the acceptable congestion standard for the area, thereby satisfying the LATR requirements of the APFO.

An updated Queuing Analysis Memo prepared by Kimley-Horn dated July 11, 2018 has been submitted to Montgomery County DOT in support of the Design Exception requests for the curb cuts.

11. Parking

Adequate parking for the retail and service portions of the Lot 17 building are provided; including motorcycle, bicycle, and accessible parking spaces. A total of 212 spaces are required for the light vehicle sales, office and automobile service uses on-site, and 326 spaces are provided on-site for these purposes; the balance of the spaces onsite

will be used for display and inventory storage. The structured parking facility on Lot 17 may be constructed in a subsequent phase or phases by the owner, with up to 534 additional spaces to add display and inventory storage spaces on Lot 17. The structured parking facility when fully constructed will be six stories (five parking levels over the first floor service shop level).

Because no building square footage will be constructed on the initial Lot 18 surface parking lot and because no trips will be generated by the use itself, no parking will be required thereon. However, the Applicant proposes to provide 342 surface parking spaces on Lot 18 to be used as a parking lot, or alternatively, as an outdoor automobile sale lot for the display and storage of inventory, with any surplus spaces possibly being leased to other dealerships in the Auto Sales Park.

12. Access and Interior Vehicle and Pedestrian Circulation and Safety

The proposed layout provides adequate and safe pedestrian and vehicular circulation around all sides of the proposed new dealership building on Lot 17. Lot 17 has five (5) driveway entrances to help separate service, sales, and deliveries and to provide adequate traffic flow. The fire department can access the building from all sides and park within fifty (50) feet of the main door. A pedestrian sidewalk wraps around three (3) sides of the showroom section of the building. Internally, a pedestrian connection exists to all levels of the proposed building and garages. There is an existing sidewalk along Automobile Boulevard that will be expanded to five (5) feet wide to meet current code standards. Proposed sidewalk connections link the perimeter sidewalk to pedestrian sidewalk into the showroom entrance.

On Lot 18, the lot shows four (4) entrances onto Lot 18 with two (2) entrances to be built into the parking lot/outdoor automobile sales lot uses and two (2) shared entrances with Lot 17. All parking aisles allow for two-way traffic and are continuous to allow for thru-traffic.

The conceptual future dealership building on Lot 18 reflects the same four (4) total number of driveway entrances. A perimeter sidewalk along Automobile Drive will be

upgraded to current standards. A parking lot with internal drives will encircle three sides of the building, allowing continuous two-way movement throughout the site. The shared driveway along the common property line with Lot 17 will allow for service vehicle circulation without use of Automobile Boulevard and the off-street off-loading of car transport trucks. Final building and sidewalk configuration will be determined at Site Plan.

13. Green Area and Landscaping

The minimum green area required per Zoning Ordinance Sec. 59-C-4.363 is 10% of the lot area. The proposed plan on Lot 17 provides 26% of green area on the lot provided in landscaping, partial vegetative green roof, and pedestrian sidewalks. An impactful green area at the high point of Lot 17 in the highly visible front yard at the main entrance to the Auto Park is improved with landscaping, a gathering plaza, and seating. A ten (10)-foot wide perimeter landscape strip inside the sidewalk is provided adjacent to the right-of-way. Landscape trees and an evergreen hedgerow proposed in this landscape area will line the edge of the parking lot, buffering the parking lot from the street as required by Sec. 59-E-2.71 and 2.72. Landscaping is proposed at each driveway entrance and at the front of the building. 13,630 square feet on the showroom section of the dealership on Lot 17 will be covered in an extensive vegetative roof. Micro-bio-filtration, landscaped stormwater management, and additional landscaping are provided in all of the parking lot islands. Approximately sixteen (16%) of the internal area of the surface parking facility will be shaded with trees, far exceeding the minimum of five (5)% coverage required by Sec. 59-E-2.73.

The Lot 18 surface parking and storage lot will provide a minimum of 10% green area. The dealership to be built on Lot 18 in the future is anticipated to provide a minimum of 10% green area. A ten (10)-foot wide perimeter landscape strip is also provided inside of the sidewalk adjacent to the right-of-way on this property. Landscape trees and an evergreen hedgerow in this landscape area will line the edge of the parking lot, buffering the parking lot from the street as required by Sec. 59-E-2.71 and 2.72 of the

Zoning Ordinance. Supplemental landscaping is proposed at each driveway entrance and at the front of the building proposed for the future dealership on Lot 18.

14. Stormwater Management

The Property is located within the (4) sub-watershed of Little Paint Branch. The Property soil is urban land. As previously noted, both Lots 17 and 18 are currently improved parcels.

Stormwater quality up to one inch of rainfall will be provided through micro-bio-retention areas, bio-swales, pervious paving, planter boxes, and green roofs on Lot 17. On the Lot 18 surface parking and storage use, lot layout will provide stormwater quality up to one (1) inch of rainfall through micro-bio-retention areas, bio-swales, and pervious paving. Stormwater management for the future dealership building on Lot 18 will be designed and permitted when site plan approval is sought for the future dealership.

The remaining required stormwater quality and quantity will be provided by a regional stormwater pond that serves the Montgomery Auto Park service area. The regional pond is located south of the Property, and was retrofitted for the Intercounty Connector.

The storm drain system on both Lots 17 and 18 will be sized for a 10-year storm event. Runoff will be transferred from the gutter pan to the swales and bio-retention areas through curb openings. Under-drains from the swales and bio-retention areas will be connected to the proposed storm drain structures at the end of each drainage area. Existing storm drain pipes will convey flow from Lots 17 and 18 to the storm drain system at four (4) locations on Automobile Boulevard, which will ultimately drain to the existing pond.

15. Sediment and Erosion Control

A Sediment and Erosion Control Plan will be prepared and submitted to MCDPS for approval prior to the commencement of land-disturbing activity on the Property. There will be two (2) phases of sediment control for construction on the Lot 17 under one

(1) sediment control permit. The first phase will be for the demolition and removal of existing building and paving to construct the new building on Lot 17 and associated parking lots. The second phase will revise the existing demolition permit and will be for construction of the new dealership building and parking lot on Lot 17, with staging and sediment traps located on Lot 18. Lot 18 will have a separate sediment control permit for the construction for the proposed storage parking lot.

The size of the area to be disturbed is approximately 4.8 acres for Lot 17 and 3.5 acres for Lot 18, for a total of 8.3 acres. The existing paved entrances located on Automobile Boulevard will be used as the point of construction access/stabilized construction entrance. Two (2) construction entrances are proposed, one (1) each on Lot 17 and Lot 18. Super silt fence will be installed as a perimeter sediment control measure. Sediment-laden runoff from the disturbed area will be received in excavated areas and sediment removed by the use of one or more of the following devices, as specified and detailed in the "2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control": Removal Pumping Station, Sump Pit, Portable Sediment Tank, and/or Filter Bag before it is allowed to leave the site and flow by way of the existing drainage pattern to the existing curb inlet in Automobile Boulevard.

16. Forest Conservation

M-NCPPC approved a simplified NRI-FSD for the Property on January 16, 2004. A Preliminary Forest Conservation Plan is being submitted with this Modified Preliminary Plan Amendment and concurrently Final Forest Conservation Plans are being submitted with the separate Site Plan Applications for Lot 17 and Lot 18.

17. Existing and Proposed Public Utilities

All existing dry and wet utilities are located on or adjacent to the Property. In order to obtain additional service for the proposed development, individual requests will be completed or analyzed separately for each utility. Wet utilities include storm drain, water and sewer. Dry utilities include electric, gas and communications.

Proposed water service will be provided via an onsite waterline (to be sized by the MEP), connected to the 8-inch public mainline in Automobile Boulevard. This Application requires one on-site water house connection with an outside meter located in a vault within a WSSC right-of-way. Service will be provided from one exterior fire hydrant located within 100 feet of the proposed FDC (Siamese) for fire protection. The proposed FDC will be located along the building frontage per Fire Marshal Code requirements. Sewer service for the proposed buildings on both Lots 17 and 18 will be provided via a 4-inch sewer house connections to the existing public mainline sewer located in Automobile Boulevard. The sewer connection for Lot 17 will traverse a corner of Lot 18 and will be subject to a private easement to be recorded.

18. APFO Validity Period Justification for a Multi-Phase Project

Applicant is requesting (i) different APFO validity periods for Lot 17 (5 years) and Lot 18 (10 years) and (ii) that each lot's respective validity period be clearly stated in the opinion of approval of the preliminary plan. Applicant has requested a longer APFO validity period than five (5) years for the phased development of a future dealership on Lot 18 per Subdivision Regulations 50-4.4.3.J.5.b. Applicant is requesting a ten (10) year validity period for Lot 18 and in justification states the following:

- a. Phasing Plan. This Preliminary Plan Amendment is for a multi-phase project for two dealerships. Applicant requests an 85,000 gsf dealership on Lot 17 and a 70,000 gsf future dealership on Lot 18. Phase 1 includes Lot 17's building, which itself may be constructed in several sub-phases, with up to 85,000 gsf in the first sub- phase, and the remainder of the unbuilt mezzanine space on Lot 17 in a subsequent sub-phase. In addition, the structured parking facility on

Lot 17 may be constructed in up to 3 sub-phases, on an as-needed basis.

Concurrently with this Preliminary Plan Amendment, Applicant has filed for the site plan for the 85,000 gsf dealership on Lot 17 and a site plan for Lot 18 to make improvements to the existing gravel surface conditions on Lot 18 for a paved parking surface with landscaping, forestry and stormwater management improvements to bring Lot 18 up to current standards. Implementation of the initial site plans for Lots 17 and 18 will present a finished look to the development of the two lots. The future Phase 2 includes a dealership on Lot 18 as industry and market conditions demand. The Applicant proffers a development schedule that includes the following phasing:

- i. Within 5 years: Site plan approval for dealership on Lot 17 and parking surface improvements on Lot 18. Building permit issuance for at least 50% of the total approved Lot 17 and 18 building square footage (50% of 155,000 gsf = 77,500 gsf) with completion within two (2) years of building permit issuance. Phase 1 of Lot 18 as a surface parking facility/outdoor automobile sales lot with paved surface and perimeter landscaping and streetscape improvements completed.
 - ii. Within 8 years: Site Plan approval for Phase 2 building on Lot 18.
 - iii. Within 10 years: 80% of total approved Lot 17 and 18 building square footage has been built, is under construction, or building permits have been issued.
- b. Justification based on size, type and location of development/complexity of subdivision. While only a preliminary plan for a two lot subdivision, its location as two of the last lots in the Auto Park to be redeveloped is critical. Modern redevelopment of Lots 17 and 18 will have a significant positive impact on all owners and users within the Auto Park due to the visibility of Lots 17 and 18 at both the entrance of the Auto Park and during a visitor's

entire circulation around Automobile Boulevard. The type of development for two new dealerships is complex given the accelerating changes in the automotive industry. In a period of swift transitions as we are seeing in the automotive industry, the industry dealers must both wait for change and then be nimble enough to implement the new vision and serve the needs of its customers in a new dealership. Based on the foregoing, the Applicant requests a longer validity period for the Phase 2 development on Lot 18 so it will be ready to respond with a modern dealership in the future. As a non-residential development and an auto services use, the reserved APFO capacity will not affect schools and the transportation capacity is not significant for Phase 2. The area intersections operate within acceptable congestion standards. Reserving transportation capacity here at its location immediately adjacent to the Route 29 overpass and near the connection to the Intercounty Connector will have the least impact than elsewhere on the changing conditions over time of the larger Fairland/White Oak policy area.

Based on the foregoing, Applicant requests a 5 year and 10 year APFO validity period for Lots 17 and 18 respectively per the forgoing phasing schedule.

19. Conclusion

In sum, as demonstrated by this Modified Stated of Justification and the plans, reports and other materials filed with this Revised Application, the proposed Revised Amended Preliminary Plan No. 1985027A will fully satisfy all applicable Montgomery County Code provisions and requirements.

Respectfully submitted,
SHULMAN, ROGERS, GANDAL
PORDY AND ECKER, P.A.

By: 

Nancy Regelin

Attorneys for the Applicant,
Auto Sites 7 LLC

Previously submitted Attachments:

"A" Deed

"B" June 14, 1985 Planning Board Opinion approving Preliminary Plan No. 1-85027.

"C" June 25, 1985 Planning Board Opinion approving Site Plan No. 8-85029.

"D" Plat No. 23582 creating Lots 17 and 18.

"E-1" Zoning Map

"E-2" Zoning Map

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MODIFIED
APPLICANT'S STATEMENT OF JUSTIFICATION FOR
SITE PLAN APPLICATION NO. 820140130
LOT 17, MONTGOMERY AUTO SALES PARK
3110 AUTOMOBILE BOULEVARD,
SILVER SPRING, MARYLAND
UPDATED July 20, 2018

This Modified Statement of Justification ("Updated Statement") is filed on behalf of Auto Sites 7 LLC ("Applicant"). The Applicant is the owner of both Lot 17, which is the subject property of this site plan application, and adjacent Lot 18. As reflected in that certain Deed dated December 1, 2017 and recorded in Liber 55400 at folio 10, Applicant recently acquired adjoining Lot 18 (previously submitted Attachment "A").

Preliminary Plan of Subdivision No. 1-85027 (now No. 11985027) was previously approved for an 8.1+/- acre area consisting of what is now Lots 17 and 18. The subdivision approval was contained in a Planning Board Opinion mailed June 14, 1985, (previously submitted Attachment "B"). Site Plan No. 8-85029 was approved for the same area (former Lot 14 now subdivided as Lots 17 and 18) by Planning Board Opinion mailed June 21, 1985, (previously submitted Attachment "C"). In 2007, Lots 17 and 18 were created by Plat No. 23582, (previously submitted Attachment "D") as recorded in the Montgomery County Land Records. Lot 17 has an address of 3110 Automobile Boulevard.

An amendment to the Preliminary Plan for both Lots 17 and 18 (No. 11985027A) was filed concurrently with this Site Plan. This Application is for a new site plan for just Lot 17. A separate application for a new site plan for Lot 18 (No. 820140140) was filed concurrently with this Site Plan.

At the time the Application and Statement were originally accepted for review on August 11, 2014, Lot 17 was zoned "C-3" (Highway Commercial). Having remained active, the Modified Statement and Application continue to be pursued in accordance with the provisions and requirements of the prior C-3 zone per Zoning Ordinance Sections 7.7.1.B.1 and 7.7.1.B.3.

1. The Property

Lot 17 contains 4.78+/- acres. It is situated south of Briggs Chaney Road, and is located within the interior of the Montgomery Auto Sales Park ("Auto Park"). Lot 17 is a triangular shaped property with a very narrow front property line, encircled on 3 sides by Automobile Boulevard, and bordered to the south by Lot 18. Automobile Boulevard is a two lane, one-way service road that provides access and on-street parking for Lot 17 and all other automobile dealerships in the Montgomery Auto Sales Park. Lot 17 slopes from a high-point near the main entrance to the Auto Park down to the common property line with Lot 18 with an elevation change of more than fifteen feet (15'). Applicant is using this elevation change to provide a new open space at the high point of its front yard to improve the overall arrival experience into the Auto Park and tuck the new dealership's service department and structured parking facility into the site grade.

2. Surrounding Properties

All properties surrounding Lot 17 are improved with automobile sales, service and related facilities situated within the Auto Park. Located immediately south of the Auto Park are the Intercounty Connector and a regional stormwater pond. Situated to the west is Columbia Pike (Route 29), and located to the north are Briggs Chaney Road and the Briggs Chaney Shopping Plaza. The closest apartments and townhouse units are located on the far sides of Briggs Chaney Road, Route 200, and Columbia Pike beyond the commercial uses and screened from the Property by intervening commercial development.

Because the new automobile sales and service facility proposed for Lot 17 will replace an existing automobile sales and service facility, and because Lot 17 is surrounded by other car sales, service and vehicle storage facilities, the proposed new use on Lot 17 will be fully compatible with the surrounding properties.

3. Existing Development

Lot 17 is improved with an automobile dealership facility that is currently being used for the sale of pre-owned vehicles. All existing improvements on Lot 17 will be removed in conjunction with the proposed new development.

4. Summary of Proposed Development on Lots 17 and 18

The existing Preliminary Plan approval for Lots 17 and 18 combined allows for 20,000 square feet of automobile sales and service use, plus 1,800 additional square feet of drive-thru service write-up, all of which has been constructed on Lot 17. Lot 18 provides additional surface parking and inventory storage.

This Modified Site Plan Application proposes development of a new 85,000 square foot (excluding above ground structured parking) single automobile sales and service building on Lot 17.

The Applicant is also filing a separate Site Plan Application (No. 820140140) to construct a striped surface parking lot and outdoor sales lot on Lot 18 for initial use in conjunction with the proposed new dealership on Lot 17.

Consistent with the Fairland Master Plan recommendation discussed below, should surplus spaces become available in the structured garage on Lot 17 and/or the surface lot on Lot 18, the Applicant reserves the right to lease some or all of such surplus parking to dealers with facilities in the Auto Park. The Applicant anticipates pursuing any required approvals under then-applicable zoning requirements for a separate dealership to be located on Lot 18 at a future date.

5. Proposed User

The Applicant, which is affiliated with the DARCARS Automotive Group, proposes to relocate the existing DARCARS Lexus facility located at 2505 Prosperity Terrace (Lot 32) in the Montgomery Industrial Park, Silver Spring, to a new, state-of-the-art facility to be built on Lot 17. The existing Lexus dealership has become obsolete, and cannot adequately accommodate the current and projected needs of Lexus.

By building an entirely new Lexus dealership on a property in proximity to the existing DARCARS Lexus dealership, the current dealership can remain in operation until the new facility is completed on Lot 17. This will facilitate a seamless transition that will minimize disruption to neighboring properties and occupants as well as Lexus customers and employees. As noted, the proposed Lot 18 surface lot will be used by the Applicant in conjunction with the Lot 17 Lexus dealership as an additional parking lot, and, or alternatively, as an outdoor automobile sales lot for parking, display and storage of inventory for sale, until Lot 18 is redeveloped with a dealership.

6. Lot 17 Site Plan and Design

The proposed new dealership will consist of a single building with multiple function areas. The showroom will be near the center of Lot 17 and will house up to 14 display vehicles, plus sales, accounting, training, meeting and office functions, and customer lounge use on a first floor. The showroom includes a partial mezzanine level. The middle portion of the building steps down from the showroom elevation and will consist of four (4) drive-thru lanes enclosed by garage doors to be used for customer vehicle drop-off and pick-up for service. On the roof of the service write-up area at the same elevation as the showroom, an open plaza is proposed to provide an attractive pedestrian connection for customers moving between the sales showroom to customer deck parking and the additional display and inventory in the adjoining structured parking garage. This open plaza will be used as amenity space for customer events at the dealership and outdoor vehicle display for five (5) cars. The rear portion of the building closest to Lot 18 will be the 44 bay service and parts department on the same lower level as the service write-up area with “rooftop” parking (on the roof of the service department) and up to five (5) levels of structured parking built above the service department. All portions of the single building, including the garage, will be structurally and functionally integrated and interconnected.

The site design is organized to have customer and service traffic separated through different entrances and exits along Automobile Boulevard. Automobile Boulevard is a

one-way two lane service drive through the Auto Park with on-street parking. The first curb cut to the site along Automobile Boulevard is the customer entrance for the showroom and customer parking. The second curb cut to the site is the customer entrance to the service write-up lanes. The third curb cut is the shared through driveway straddling the Lots 17 and 18 property line which provides internal circulation of serviced cars by dealership employees, internal access between Lots 17 and 18, as well as head-in/head-out off-street unloading of car transport trucks. As Automobile Boulevard loops back around to the site, there is another curb cut to the shared internal driveway. The fifth curb cut is at the exit from the service write-up lanes where customers will pick up their cars after servicing and be able to exit directly onto Automobile Boulevard. The fifth curb-cut is an entrance and exit. The service drive building exit has been modified to gently merge and direct exiting service area customers safely to the exit lane of the 5th curb-cut.

Outdoor surface parking for customers and service vehicle spaces will be provided on the surface parking spaces on Lot 17. Additional parking spaces are provided on the roof of the service shop (lowest level of the parking structure) for customer, employee and service vehicle parking. Additional parking for service is provided in the write-up lanes and in the service shop. These collective parking facilities provide all of the required parking for Lot 17. Surplus surface spaces will be used for display vehicles and inventory storage. Additional levels of structured parking will be used for display vehicles and inventory storage. See the more detailed Parking discussion in Section 11 below.

A significant, and highly visible green space will be provided in the front yard to improve the arrival experience into the Auto Park, provide a place for employees to take a break, and create a space for small dealership events. Green space is also provided within a ten foot (10') continuous landscaped buffer around the Lot 17 frontage with Automobile Boulevard inside the expanded perimeter sidewalk. Additional green space will be provided at various locations near the base of the parking structure and within the interior of the Lot providing additional tree canopy, landscaping and buffering of the

structured parking facility. On parts of the building roof of the showroom, 13,630 square feet of extensive green roof will be provided (not including the open plaza or parking deck roof).

The interior showroom in the front portion of the building will include display space for fourteen (14) vehicles. Offices for sales, accounting and support staff, and highly amenitized customer lounges will also be provided on the first floor of the showroom. A mezzanine level above the showroom will include management and human resources offices, meeting facilities, employee lounges and a training center.

Service reception and write-up area is located in the middle section of the building and is provided via a garage door enclosed, climate controlled, four (4) lane service drive accommodating up to 28 cars for customer drop-off and return of service vehicles. Service writers will receive customers on the lower level in the middle section of the building, who may then wait for their vehicles in the customer lounges in the showroom section. These lounges will function as remote business centers designed to encourage customers to wait for service completion (rather than leave and return), thereby reducing traffic and environmental impact.

In-coming service vehicles will either be moved to the service parking deck or surface lot for service at a later time or taken directly to the service shop. Repaired vehicles awaiting customer pickup will be returned to parking deck storage or the surface lot. A two (2) stall, automatic private carwash facility will also be provided. All of the service vehicle circulation utilizes internal driveways and a shared private driveway along the common property line with Lot 18 to separate service activities from customer circulation on the site.

In the rear section of the building, a service shop is located below the parking deck at grade level with the shared driveway along the common property line with Lot 18. The service shop will house up to forty - four (44) service bays, plus specialty repair and detailing bays, inventory parts storage, tool and equipment rooms, and technician lounges and training rooms. Customer, employee and service parking will be available on the roof of the service shop with easy pedestrian access into the showroom across the open

plaza on the roof of the service write-up area. The roof top parking is easily accessible through ramps on either side of the building.

Above the service shop is a multi-level structured parking facility, of up to five stories. The structured parking facility is designed as a clean-lined, modern, open and well-lit structure which will serve as a “picture display window” of the Lexus display cars and inventory parked on the upper levels. The parking structure may be built in its entirety or in several sub-phases, adding levels on an as-needed basis. The data table denotes Phase 1 as the dealership with just the roof top parking and Phase 2 as the addition of structured parking levels above. The height of the auto sales use parking structure is fifty-four (54) feet which is permitted in the C-3 zone per Section 59-C.4.361 where recommended by a master plan. The Fairland Master Plan specifically recommends structured parking facilities to be built in the Auto Park, allowable at heights greater than 42 feet (See Master Plan page 67).

Green features placed throughout Lot 17, such as partial extensive green roof and green screen bracketing the south face of the parking garage, will enhance customer experience and promote the green image of the Lexus brand and its full line of hybrid vehicles.

The shared private driveway along the common property line of Lot 17 and Lot 18 is anticipated to manage the multitude of daily internal movements of serviced vehicles and loading activities, including the offloading of car transport trucks. It is intended that when Lot 18 is developed with a future dealership that its service activities will back up to and use the shared private driveway. Due to the type of uses projected for the shared driveway which will see activities more analogous to a loading dock area, no pedestrian sidewalks are provided along the shared driveway to prevent conflicts between the general public and commercial/industrial type activities.

7. Master Plan Recommendations and Compliance

Lot 17 is located within the 1997 Approved and Adopted Fairland Master Plan. The Auto Park in which Lot 17 is situated is included in the Greencastle/Briggs Chaney portion of the Master Plan, and is discussed therein at pages 63-67.

The Master Plan noted that the appearance of the Auto Park was listed as a negative neighborhood attribute. The redevelopment of the site and the addition of the key green space in the front yard of Lot 17 to improve the Auto Park arrival experience, as well as the perimeter landscape buffer along the Automobile Boulevard frontage will transform this attribute from a negative to a positive.

The Master Plan confirms that private design covenants previously applicable to the Auto Park were extinguished in the 1980's (*See*, Master Plan at p. 65). Moreover, a "Termination of Covenants, Conditions and Restrictions" was recorded in the Montgomery County Land Records at Liber 7451, folio 291 on December 18, 1986.

The Master Plan expressly recommends that, "Consolidation or sharing of parking, possibly structured parking (with a building height greater than 42 feet, if necessary) should be considered to meet parking needs" within the Auto Park. (*See*, Master Plan at p. 67). Structured parking is proposed as part of the Lot 17 redevelopment.

The Master Plan does not recommend any changes to the existing auto sales/service uses or C-3 zoning of Lot 17 or of any other property in the Auto Park. Accordingly, the proposed Site Plan is fully consistent with the Master Plan.

8. Zoning Uses and Compliance

When this Application and Statement were originally filed and then accepted for review on August 14, 2014, Lot 17 was zoned C-3 (Highway Commercial). This Modified Application and Modified Statement continue to be pursued under the C-3 zone as allowed under Zoning Ordinance Section 7.7.1.B. Automobile sales indoor, outdoor, and service mall uses are all permitted by-right in the C-3 zone, subject to Sec. 59-C-4.2, Footnote No. 14, ("Footnote"). The Footnote requires that these uses comply with the special regulations for automobile-related uses found in Sec. 59-C-4.367. The Footnote

requirement is in addition to the applicable development standards of the C-3 zone. Parking of motor vehicles, off-street in connection with any use permitted in the C-3 zone and parking garages are permitted uses. Auto Sales - Outdoor lots for the display and inventory storage of vehicles for sale are also allowed by-right in the C-3 zone (subject to the Footnote).

On October 30, 2014 (2½ months after the original Application and Statement had been accepted for review), a new Comprehensive District Zoning Map Amendment (“ZMA”) went into effect. The ZMA rezoned Lot 17 (and Lot 18) from C-3 to the newly created GR (General Retail) zone. Light vehicle sales and rental uses, including vehicle repairs and outdoor vehicle storage, are allowed in the new GR zone. As defined in the new Zoning Ordinance that preceded the ZMA, the sales and service of light vehicles are the types of operations that typically occur at automobile dealerships. Additionally, the ZMA for Lot 17 provides that, under the GR zone, development is allowed up to a 1.5 FAR and building height is allowed up to 85 feet. (previously submitted Attachment "E-1" and E-2"). Although not applicable, the proposed development will satisfy these standards.

Under the Zoning Ordinance Section 7.7.1.B.3.b, an Applicant can request to utilize either the parking standards under the C-3 zone or the current zoning ordinance. The Application utilizes and satisfies the parking standards under the current zoning ordinance.

9. Zoning Purpose Clause and Compliance

The C-3 zone "Purpose Clause" is found at Sec. 59-C-4.360. In pertinent part, this Purpose Clause states,

It is the intent of this zone to provide for the orderly grouping and spacing of development on properties...which are recommended for such zoning on approved and adopted master plans or which are adjacent to properties previously or currently zoned C-3.

As discussed herein at Sec. No. 7 ("Master Plan Recommendations and Compliance"), the 1997 Approved and Adopted Fairland Master Plan recommended no changes to the then-existing C-3 zoning and auto sales and service use of Lot 17, and of the other properties in the Auto Park. Therefore, the Modified development proposal for Lot 17 satisfies the C-3 zone Purpose Clause.

10. Zoning Development Standards and Compliance

A copy of the Development Standards Chart provided on the Site Plan filed with this Modified Application follows:

SITE PLAN DEVELOPMENT STANDARDS – LOT 17

	<u>Required Zoning Ordinance Development Standards C-3²</u>	<u>Modified Proposal</u>
Site Area:		
Gross Tract Area:	N/A	4.78 ac. (208,220 s.f.)
Zone:	C-3	C-3
Building Gross Floor Area (S.F.)¹	N/A	
Retail		22,000 gsf
Service (including service shops, service lanes, and car wash)		57,000 gsf
Office		6,000 gsf
Total (S.F.):		85,000 gsf
Building Coverage (Max.) (59-C-4.367b))	(72,877 s.f.) 35%	(71,686 s.f.) 34.4%
Building Hgt (Max.): Main Bldg. (59-C-4.361) Phase 1 main building + rooftop pkg Phase 2 structured parking deck	42' but 84' for auto sales and service where recommended in master plan	Phase 1 27' Phase 2 54'
Building Setbacks (Min.) (59.C-4.367(a)):		
From Street Right of Way	10'	55' (FN 4)
From other lot line (59-C-4.367 (a) (1))	10'	10'
Parking:		
Light Vehicle Sales (59.6.24) 22,000 sf	55 spaces @ 2.5 sp/1000 s.f.	55 sp
Service (59.6.24) 57,000 sf	143 spaces @ 2.5 sp/1000 s.f.	143 sp
Office (59.6.24) 6,000 sf	14 spaces @2.25 sp/1000 s.f.	14 sp
Inventory/Display	As needed	114 sp
Total Parking Required/Provided	212 sp + Display/Inventory	326 sp
Accessible Spaces	8 per 2010 ADA table 208.2	8 (4 outside surface, 4 in garage)
Ph2 Garage Storage Spaces	N/A	up to 534
Motorcycle Spaces (59.6.2.3.C)	7	7
Electric Car Charging Sp (59.6.2.3.E)	4	4
Car Share Space (59.6.2.3.D)	1	1

Bicycle Spaces (59.6.2.3.F)	2+3=5	6 short term/4 longterm
Parking Locations:		
Surface Parking Spaces Lot 17		138
Garage Parking Spaces		Ph 1 Roof 97
Garage Spaces Ph 2		Ph 2 Structured up to 534
Indoor Display		14
External Display		5
Outdoor Storage		114 sp
Service Drive Parking		28
Service Shop		44
Total Car Parking Spaces Ph1 + Ph2		Ph 1 326/ Ph 2 up to 860
Green Area (59-C-4.363)	10% of Lot Area	27%
Open Space	n/a	7.6%
Internal Parking Lot Tree Shade Area (59-C-4.363)	5% of internal parking lot area	16%
1. Building Gross Square Footage excludes structured parking areas.		
2. Development Standard requirements are per the Montgomery County Zoning Ordinance 59-C-4.36 Highway Commercial and 59-C-4.367 Special Regulations applicable to designated automobile-related uses.		
3. Building height is measured from average elevation of finished ground surface along front of building. The only portion of the building that exceeds 42' is the structured parking garage.		
4. Final setback at time of building permit will be no less than 10' from property line.		
5. Service Drive Parking includes 28 spaces in indoor service lanes and 44 spaces in indoor service bays.		

The above Chart indicates that, as filed, the Modified Site Plan will satisfy all applicable development standards of the C-3 zone and Sec. 59-C-4.367. This includes, among other requirements, compliance with building height standards. The Zoning Ordinance allows up to 42 feet in height, with an increase to up to 84 feet (per Sec. 59-C-4.361) where recommended as appropriate in the applicable master or sector plan. As discussed herein at Sec. No. 7, the Fairland Master Plan recommends at p. 67, "Consolidation or sharing of parking, possibly structured parking (with a building height greater than 42 feet, if necessary...). The entire proposed auto sales, service, drive through and parking facility will be contained in a single building. As measured from the average elevation of the finished ground surface along the front of the building, excluding the structured parking portion, the building will be 27 feet, less than base 42 feet height standard. The parking garage will be 54 feet high, well below the 84 foot allowable height cap under the C-3 zone for auto sales, service and service mall uses.

Note that additional changes may occur in conjunction with Modified Site Plan review, approval and certification. All changes that may occur will continue to satisfy all

applicable development standards either directly or, if necessary, by waiver or variance approval.

11. Parking and Parking Waiver Request

Adequate parking for the retail, office, and service portions of the Lot 17 building is provided wholly on Lot 17; including motorcycle, bicycle, and accessible parking spaces. The Applicant has elected to use the parking standards under the new Zoning Ordinance per Section 59.7.7.1.B.3.b. A total of 212 spaces are required for the light vehicle sales, office, and vehicle service uses on-site, and a total of 326 spaces will be provided on the surface parking lot and the roof-top parking. This allows for up to 114 display and inventory spaces to be included on the Lot 17 surface lot and rooftop deck. A structured parking garage is proposed to be constructed as Phase 2 above the service shop, adding levels for the display and storage of vehicles on an as needed basis, up to 534 additional garage spaces. In total, with the addition of the structured parking garage, up to 860 spaces will be provided on Lot 17.

Included among the total spaces provided are the following by location: 138 surface parking spaces, 5 external display spaces on the connecting plaza, 14 indoor display spaces in the showroom, 114 display/inventory storage surface and rooftop spaces, 28 spaces in the service drives, and 44 spaces in the service shop. The remaining garage spaces will be garage spaces for display and inventory storage parking for up to 534 vehicles. 16 of the surface lot spaces for service/display/inventory storage vehicles to be handled by employees are tandem spaces. 7 motorcycle parking spaces are provided on the surface lot. 4 spaces will have access to electric charging stations. 1 car share space is provided. Short term bicycle spaces are provided at grade level; Long term bicycle spaces are provided on the rooftop parking level outside of the employee lounge.

Handicapped spaces are provided on the surface lot near the front door of the showroom and also on the rooftop parking deck. All handicapped spaces have accessible routes into the building.

Parking Waiver from 59-C-4.365. Zoning Ordinance Section 59-C-4.365(b) provides that off-street parking in the C-3 zone shall be located to the side or rear of the main building, inside of the building, or on the roof. A parking waiver is requested to permit some surface parking in the front yard of Lot 17. Due to the triangular shape of the site with a narrow front yard line of only 37.83 ft wide and the exercise of design best practices to place the building in the center of the site with its service area and parking garage placed near the common property line and shared service driveway with Lot 18 so that once the second dealership is constructed, the service areas are back to back to have the least visual impact on the Automobile Boulevard that completely encircles Lots 17 and 18, a parking waiver is justified to permit some surface parking in the front yard of Lot 17 due to the unique shape and characteristics of the Property.

12. Access and Interior Vehicle and Pedestrian Circulation and Safety

The proposed layout provides adequate and safe pedestrian and vehicular circulation around all sides of the proposed new dealership building on Lot 17. Lot 17 has five (5) driveway entrances to help separate service, sales, and deliveries and to provide adequate traffic flow. The fire department can access the building from all four (4) sides and park within fifty (50') feet of the main door.

Pedestrian circulation around and through the site is provided. A continuous sidewalk is provided along the Automobile Boulevard frontage, reconstructed to 5' wide per current standards. Pedestrian connections are provided from the perimeter sidewalk on two sides to the main and side entrances to the showroom respectively. A pedestrian sidewalk wraps around three (3) sides of the front of the building. A sidewalk from the apex of Automobile Boulevard through the front yard green space to the front door of the showroom is provided. Internally, pedestrian connections exist to all levels of the proposed building and garage area.

13. Green Area and Landscaping

The minimum green area required per Zoning Ordinance Sec. 59-C-4.363 is 10% of the lot area. The proposed plan on Lot 17 provides 27% green area on the lot through landscaping, partial extensive green roof, and pedestrian sidewalks. Of the 27% green area, 15,850 sf open space (7.6%) is provided in the front yard. A ten (10') foot wide landscape strip is provided adjacent to the right-of-way. Landscape trees and an evergreen hedgerow in this landscape area will line the edge of the parking lot, buffering the parking lot from the street as required by Sec. 59-E-2.71 and 2.72. Lush landscaping is proposed at each driveway entrance, in the front yard, and in landscape areas adjacent to the parking structure. A green screen with vegetation is also proposed along a portion of the garage facing the InterCounty Connector screening the garage structure and framing the display vehicles. Micro-bio-filtration, landscaped stormwater management, and additional landscaping are provided in the parking lot islands. Approximately 16 percent (16%) of the internal area of the surface parking facility will be shaded with trees, exceeding the minimum of five percent (5%) coverage required by Sec. 59-E-2.73.

14. Stormwater Management

Lot 17 is located within the (4) sub-watershed of Little Paint Branch. The soil on Lot 17 is urban land. As previously stated, Lot 17 is currently developed. Stormwater quality up to one (1) inch of rainfall will be provided through micro-bio-retention areas, bio-swales, pervious paving, planter boxes, and green roofs. The remaining required stormwater quality and quantity will be provided by a regional stormwater pond that serves the Auto Park service area. The regional pond is located south of Lot 17, and was recently retrofitted for the Intercounty Connector.

The storm drain system will be sized for a 10-year storm event. Runoff will be transferred from the gutter pan to the swales and bio-retention areas through curb openings. Under-drains from the swales and bio-retention areas will be connected to the proposed storm drain structures at the end of each drainage area. Existing storm drain

pipes will convey flow from Lot 17 to the storm drain system at two (2) locations on Automobile Boulevard, which will ultimately drain to the existing pond.

15. Sediment and Erosion Control

A Sediment and Erosion Control Plan will be prepared and submitted to MCDPS for approval prior to the commencement of land-disturbing activity on Lot 17. There will be two (2) phases of sediment control for construction on Lot 17 under one (1) sediment control permit. The first phase involves the demolition and removal of existing building and paving to construct the new building on Lot 17 and associated parking lots. The second phase will be to revise the existing demolition permit and for the construction of the new dealership building and parking lot on Lot 17, with staging and sediment traps located on Lot 18.

The sizes of the areas to be disturbed are approximately 4.8 acres for Lot 17 and 3.5 acres for Lot 18, for a total of approximately 8.3 acres. The existing paved entrances located on Automobile Boulevard will be used as the point of construction access / stabilized construction entrance. Two (2) construction entrances are proposed, one (1) on Lot 17 and one (1) on Lot 18. Super silt fence will be installed as a perimeter sediment control measure. Sediment-laden runoff from the disturbed area will be received in excavated areas and sediment removed by the use of one or more of the following devices as specified and detailed in the "2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control": Removable Pumping Station, Sump Pit, Portable Sediment Tank, and/or Filter Bag before it is allowed to leave the site and flow by way of the existing drainage pattern to the existing curb inlet in Automobile Boulevard.

16. Forest Conservation

M-NCPPC approved a simplified NRI-FSD for the entire area included in Lots 17 and 18 on January 16, 2004. A Final Forest Conservation Plan is being submitted with this Modified Site Plan Application.

17. Existing and Proposed Public Utilities

All existing dry and wet utilities are located on or adjacent to Lot 17. In order to obtain additional service for the proposed development, individual requests will be completed or analyzed separately for each utility. Wet utilities include storm drain, water and sewer. Dry utilities include electric, gas and communications.

Proposed water service will be provided via an onsite waterline (to be sized by the MEP), connected to the 8-inch public mainline in Automobile Boulevard. This Modified Application requires one (1) on-site water house connection with an outside meter located in a vault within a WSSC right-of-way. Service will be provided from one (1) exterior fire hydrant located within 100 feet of the proposed FDC (Siamese) for fire protection. The proposed FDC will be located along the building frontage per Fire Marshal code requirements. In addition there are fire hydrants located all around Automobile Boulevard spaced 500 ft. or closer. Sewer service for the proposed building will be provided via a 4-inch sewer house connection to the existing public mainline sewer located in Automobile Boulevard.

18. Planning Board Findings and Compliance

Previous Zoning Ordinance Sections 59-D-3.4(c) and (d) require that the Planning Board make the following findings in approving a Site Plan Application:

- (c) (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;
 - Not applicable.
- (2) The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56;

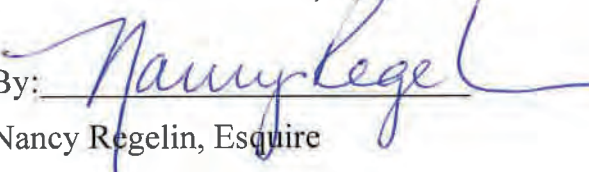
- *See* discussion herein at Sec. Nos. 7 through 10; and plans submitted with this Modified Application. Lot 17 is not subject to an urban renewal plan.
- (3) The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient;
- *See* discussion herein at Sec. Nos. 6, 12 and 13; and plans submitted with this Modified Application.
- (4) Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development;
- *See* discussion herein at Sec. Nos. 2, 3, 4 and 6; and plans submitted with this Modified Application.
- (5) The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable laws.
- *See* discussion herein at Sec. Nos. 14 through 16; and plans submitted with this Modified Application.
- (d) The Planning Board must not approve the proposed site plan if it finds that the proposed development would not achieve a maximum of compatibility, safety, efficiency and attractiveness.
- *See* discussion herein at Sec. Nos. 2, 4, 6, 7, 9, 10 and 12; and plans submitted with this Modified Application.

19. Conclusion

In sum, as demonstrated by this Modified Statement of Justification and the plans, reports and other materials filed with this Modified Application, proposed Modified Site Plan No. 820140130 will fully satisfy all applicable Montgomery County Code provisions, and requirements.

Respectfully submitted,

SHULMAN, ROGERS, GANDAL
PORDY AND ECKER, P.A.

By: 

Nancy Regelin, Esquire

Attorneys for the Applicant,
Auto Sites 7 LLC

Previously submitted Attachments:

- "A" Deed from Montgomery Auto Sales Park Acquisition, LLC to Auto Site 7, LLC.
- "B" June 14, 1985 Planning Board Opinion approving Preliminary Plan No. 1-85027.
- "C" June 25, 1985 Planning Board Opinion approving Site Plan No. 8-85029.
- "D" Plat No. 23582 creating Lots 17 and 18.
- "E-1" Zoning Map
- "E-2" Zoning Map

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MODIFIED
APPLICANT'S STATEMENT OF JUSTIFICATION FOR
SITE PLAN APPLICATION NO. 820140140
LOT 18, MONTGOMERY AUTO SALES PARK
3130 AUTOMOBILE BOULEVARD,
SILVER SPRING, MARYLAND
Updated July 20, 2018

This Modified Statement of Justification ("Modified Statement") is filed on behalf of Auto Sites 7 LLC ("Applicant"). The Applicant is the owner of Lot 18 and adjoining Lot 17. As reflected in that certain Deed dated December 1, 2017 and recorded in Liber 55400 at folio 10, Applicant recently acquired Lot 18 (previous submitted Attachment "A").

Preliminary Plan of Subdivision No. 1-85027 (now No. 11985027) was previously approved for the 8.1 +/- acre area consisting of what is now Lots 17 and 18. The subdivision approval was contained in a Planning Board Opinion mailed June 14, 1985, (previously submitted Attachment "B"). Site Plan No. 8-85029 was approved for the same area (former Lot 14 now subdivided as Lots 17 and 18) by Planning Board Opinion mailed June 21, 1985, (previously submitted Attachment "C"). In 2007, Lots 17 and 18 were created by Plat No. 23582, (previously submitted Attachment "D") as recorded in the Montgomery County Land Records. Lot 18 has an address of 3130 Automobile Boulevard.

An amendment to the Preliminary Plan for both Lots 17 and 18 (No. 11985027A) was filed concurrently with this Site Plan. This Application is for a new site plan for just Lot 18. A separate application for a new site plan for Lot 17 (No. 820140130) was filed concurrently with this Site Plan.

At the time the Application and Statement were originally accepted for review on August 11, 2014, Lot 18 was zoned "C-3" (Highway Commercial). Having remained active, the Modified Statement and Application continue to be pursued in accordance

with the provisions and requirements of the prior C-3 zone per Zoning Ordinance Sections Sections 7.7.1.B.1 and 7.7.1.B.3.

1. The Property

Lot 18 contains 3.32+/- acres. It is situated south of Briggs Chaney Road, and is located within the interior of the Montgomery Auto Sales Park ("Auto Park"). Lot 18 is a semi-circular shaped property encircled on 3 sides by Automobile Boulevard, and is bordered to the north by Lot 17. Automobile Boulevard is a two lane, one-way service road that provides access and on-street parking for all of Lot 18 and all other automobile dealerships in the Montgomery Auto Sales Park. Lot 18 slopes slightly from the common property line with Lot 17 to the center of the curve of Automobile Boulevard opposite.

2. Surrounding Properties

All properties surrounding Lot 18 are improved with automobile sales, service and related facilities situated within the Auto Park. Located immediately south of the Auto Park are the Intercounty Connector and a regional stormwater pond. Situated to the west is Columbia Pike (Route 29), and located to the north are Briggs Chaney Road and the Briggs Chaney Shopping Plaza. The closest apartments and townhouse units are located on the far sides of Briggs Chaney Road, Route 200, and Columbia Pike beyond the commercial uses and screened by intervening commercial development.

Because the new surface lot proposed for Lot 18 will replace an existing surface vehicle parking and storage lot, and because Lot 18 is surrounded by car sales and service facilities within the Auto Park, the proposed new use on Lot 18 will be fully compatible with the surrounding properties.

3. Existing Development

Lot 18 is improved with a gravel surface parking and vehicle inventory storage lot. All existing improvements on Lot 18 will be removed in conjunction with the proposed new development.

4. Summary of Proposed Development on Lots 17 and 18

The existing Preliminary Plan approval for Lots 17 and 18 allows for 20,000 square feet of automobile sales and service use, plus 1,800 additional square feet of drive-thru service write-up, all of which improvements have been constructed on Lot 17.

This Modified Site Plan Application proposes development of a new 342 space striped surface vehicle parking lot on Lot 18 which will be used for parking and also as an Automobile Sales Outdoor Lot for display and inventory storage of vehicles for sale.

The Applicant has filed concurrently a separate Site Plan Application (No. 820140130) to construct an 85,000 square foot (excluding above ground structured parking) automobile sales and service building on Lot 17. The parking and outdoor sales lot on Lot 18 will be used in conjunction with the proposed new dealership on Lot 17.

Consistent with the Fairland Master Plan recommendation discussed below, should surplus spaces become available in the surface lot on Lot 18, the Applicant reserves the right to lease some or all of such surplus parking to dealers with facilities in the Auto Park. The Applicant anticipates pursuing any required approvals under then-applicable zoning requirements for a separate future dealership to be located on Lot 18 at a future date.

5. Proposed User

The Applicant, which is affiliated with the DARCARS Automotive Group, proposes to relocate the existing DARCARS Lexus facility located at 2505 Prosperity Terrace (Lot 32) in the Montgomery Industrial Park, Silver Spring, to a new, state-of-the-

art facility to be built on Lot 17. The Lot 18 surface vehicle parking and outdoor sales lot will be used by the Applicant in conjunction with the new Lot 17 Lexus dealership.

6. Lot 18 Site Plan and Design

Lot 18 site improvements will consist of surface paving, landscaping, lighting and stormwater management.

Lot 18 is designed to be a finished parking lot, fully striped, with landscaped medians, lighting and stormwater management facilities. The pedestrian sidewalk and streetscape along the full length of the frontage of Lot 18 with Automobile Boulevard will be upgraded to current standards.

Vehicular circulation has been designed to permit cross access with Lot 17 without the necessity to utilize Automobile Boulevard while the two lots are under common ownership. The shared private driveway along the common property line of Lot 17 and Lot 18 is anticipated to manage the multitude of daily internal movements of vehicles and loading activities, including the offloading of car transport trucks. Access into Lot 18 from the shared private driveway will be security controlled to prevent the general public from parking on Lot 18 or driving through the parking fields of new cars. Lot 18 is proposed to be fenced.

The one existing curb cut on Lot 18 will remain open. This Site Plan Application proposes four (4) total curb cuts on Lot 18, including the existing curb cut, the two shared driveway curb cuts onto Automobile Boulevard, and one additional curb cut. All entrances will be security controlled to prevent general public parking and restrict vehicular access through the lot to authorized users.

Although no Lot 18 Site Plan application is being filed for an auto dealership at this time, the future proposed dealership on Lot 18 is anticipated to be designed in similar fashion to the proposed Lexus dealership on Lot 17 with service uses and any structured parking facility to be located across the shared private driveway on the common property

line, back to back with service uses and structured parking on the Lot 17 dealership. A conceptual footprint for this layout is provided with the plans filed as part of the Amended Preliminary Plan Application No. 11985027A.

7. Master Plan Recommendations and Compliance

Lot 18 is located within the 1997 Approved and Adopted Fairland Master Plan. The 65-acre Auto Park in which Lot 18 is situated is included in the Greencastle/Briggs Chaney portion of the Master Plan, and is discussed therein at pages 63-67.

The master Plan noted that the appearance of the Auto Park was listed as a negative neighborhood attribute. The redevelopment of Lot 18 from a gravel lot to an improved parking lot as well as the perimeter landscape buffer and new sidewalk along the Automobile Boulevard frontage will significantly improve the experience driving and walking through the Auto Park on Automobile Boulevard.

The Master Plan confirms that private design covenants previously applicable to the Auto Park were extinguished in the 1980's (*See*, Master Plan at p. 65). Note that a "Termination of Covenants, Conditions and Restrictions" was recorded in the Montgomery County Land Records at Liber 7451, folio 291 on December 18, 1986.

The Master Plan expressly recommends that, "Consolidation or sharing of parking, possibly structured parking (with a building height greater than 42 feet, if necessary) should be considered to meet parking needs" within the Auto Park. (*See*, Master Plan at p. 67).

The Master Plan does not recommend any changes to the existing auto sales/service uses or C-3 zoning of properties (including Lot 18) in the Auto Park. Accordingly, the proposed Site Plan is fully consistent with the Master Plan.

8. Zoning Uses and Compliance

When the Application and Statement were originally filed and then accepted for review on August 14, 2014, Lot 18 was zoned C-3 (Highway Commercial). This

Modified Application and Modified Statement continue to be pursued under the C-3 zone as allowed under Zoning Ordinance Section 7.7.1.B. Automobile sales indoor, outdoor, and service mall uses are all permitted by-right in the C-3 zone, subject to Sec. 59-C-4.2, Footnote No. 14, and ("Footnote"). The Footnote requires that these uses comply with the special regulations for automobile-related uses found in Sec. 59-C-4.367. The Footnote requirement is in addition to the applicable development standards of the C-3 zone. The site design complies with Section 4.367 that requires that all off-street parking, maneuvering areas, display and storage of motor vehicles must be setback from all property lines ten feet (10') from any adjoining land classified in a commercial zone. A landscape buffer is provided inside the sidewalk along the perimeter frontage along Automobile Boulevard.

Parking of motor vehicles, off-street in connection with any use permitted in the C-3 zone is allowed by-right in the C-3 zone. Automobile sales, outdoors is a permitted use by-right in the C-3 zone. Automobile sales lot is defined in the 2004 Zoning Ordinance as "*A lot arranged, designed, or used for the storage and display for sale of any motor vehicle or any type of trailer; provided, that the trailer is unoccupied; and where no repair work is done except minor incidental repair of automobiles or trailers displayed and sold on the premises.*" No trailer is proposed to be located on Lot 18. Cars will be parked, displayed and stored on Lot 18 for sale.

On October 30, 2014 (2½ months after the original Application and Statement had been accepted for review), a new Comprehensive District Zoning Map Amendment ("ZMA") went into effect. The ZMA rezoned Lot 18 (and Lot 17) from C-3 to the newly created GR (General Retail) zone. Light vehicle sales and rental uses, including vehicle repairs and outdoor vehicle storage, are allowed in the new GR zone. As defined in the new Zoning Ordinance that preceded the ZMA, sales and service of light vehicles are the types of operations that typically occur at automobile dealerships. Additionally, the ZMA for Lot 18 provides that under the GR zone, development is allowed up to a 1.5

FAR and building height is allowed up to 85 feet. (previously submitted Attachments "E-1" and "E-2"). Although not applicable, the proposed development will satisfy these standards.

9. Zoning Purpose Clause and Compliance

The C-3 zone "Purpose Clause" is found at Sec. 59-C-4.360. In pertinent part, this Purpose Clause states,

It is the intent of this zone to provide for the orderly grouping and spacing of development on properties...which are recommended for such zoning on approved and adopted master plans or which are adjacent to properties previously or currently zoned C-3.

As discussed herein at Sec. No. 7 ("Master Plan Recommendations and Compliance"), the 1997 Approved and Adopted Fairland Master Plan recommended no changes to the then-existing C-3 zoning and auto related uses of properties in the Auto Park, including Lot 18. Therefore, the development proposal for Lot 18 satisfies the C-3 zone Purpose Clause.

10. Zoning Development Standards and Compliance

A copy of the Development Standards Chart provided on the Site Plan filed with this Modified Application follows:

SITE PLAN DEVELOPMENT STANDARDS - Lot 18

	<u>Required</u> Zoning Ordinance Development Standards C-3 ¹	<u>Modified</u> Proposal
Site Area:		
Gross Tract Area:	N/A	3.32 ac. (144,745 s.f.)
Zone:	C-3	C-3
Building Coverage:	35%	n/a
Parking:		
Required	0	
Provided		342 sp
Green Area (59-C-4.363)	10% of Lot Area	22%
Setback (59-C-4.367)	10' from adj commercial	10'

1. Development Standard requirements are per previous Montgomery County Zoning Ordinance Sec. 59-C-4.36 Highway Commercial and Sec. 59-C-4.367 Special Regulations applicable to designated automobile-related uses.

The above Chart indicates that, as filed, the Modified Site Plan will satisfy all applicable development standards of the C-3 zone and Sec. 59-C-4.367. Note that additional changes may occur in conjunction with Modified Site Plan review, approval and finalization. All changes that may occur will continue to satisfy all applicable development standards either directly or, if necessary, by waiver or variance approval.

11. Parking and Parking Standard Deviation

Because no building square footage will be constructed on the surface lot on Lot 18, all user and employee trips are accounted for in the dealership on Lot 17, and because no additional trips will be generated by such use on Lot 18, no parking will be required thereon. However, the Applicant proposes to provide 341 parking spaces on Lot 18. While under common ownership, spaces will be utilized in conjunction with the dealership on Lot 17 with surplus spaces possibly being leased to other dealers with

facilities in the Auto Sales Park. It is specifically noted that the spaces on Lot 18 are not needed to satisfy the parking requirements of the Lot 17 dealership which satisfies all of its parking requirements on its own lot.

Applicant requests approval of the parking layout that includes sections striped for 22 contiguous spaces which is longer than the standard. However, this lot is not accessible for public parking so a single extended section is a de-minimus deviation from the standards that will not impact the safety of the use of the parking lot by employees who will be very familiar with the layout.

12. Access and Interior Vehicle and Pedestrian Circulation and Safety

The proposed layout provides adequate and safe pedestrian and vehicular circulation throughout Lot 18 with one (1) operational driveway entrance from Automobile Boulevard to the surface lot on Lot 18, and two (2) on Lot 18 for the shared private driveway with 17. All parking aisles are continuous and allow for two-way through traffic. The Lot 18 frontage on Automobile Boulevard will include upgraded sidewalks to current standards and additional landscaping. An internal pedestrian connection between Lot 17 and Lot 18 is provided.

13. Green Area and Landscaping

The minimum green area required per the Zoning Ordinance Section 59-C-4.363 is 10% of the lot area. The Lot 18 surface lot will provide a minimum of 10% green area. A ten-foot wide landscape strip is also provided adjacent to the right-of-way on Lot 18. Landscape trees and an evergreen hedgerow in this landscape area will line the edge of the parking lot, buffering the parking lot from the street as required by Secs. 59-E-2.71 and 2.72 of the previous Zoning Ordinance. Approximately five percent (5%) of the internal area of the surface parking lot will be shaded with trees meeting the minimum coverage required by Section 59-E-2.73.

14. Stormwater Management

Lot 18 is located within the (4) sub-watershed of Little Paint Branch. The soil on Lot 18 is urban land. As previously noted, Lot 18 is currently improved for surface parking and vehicle storage. Stormwater quality up to one (1) inch of rainfall will be provided through bio-retention areas, grass swales and pervious paving. The remaining required stormwater quality and quantity will be provided by a regional stormwater pond that serves the Auto Park service area. The regional pond is located south of Lot 18, and was recently retrofitted for the Intercounty Connector.

The storm drain system will be sized for a 10-year storm event. Under-drains from the swales and bio-retention areas will be connected to the proposed storm drain structures at the end of each drainage area. Existing storm drain pipes will convey flow from Lot 18 to the storm drain system at three (3) locations on Automobile Boulevard, which will ultimately drain to the existing pond.

15. Sediment and Erosion Control

A Sediment and Erosion Control Plan will be prepared and submitted to MCDPS for approval prior to the commencement of land-disturbing activity on Lot 18. There will be one (1) phase of sediment control for construction on Lot 18 under one (1) sediment control permit. The plan for the surface parking lot on Lot 18 will be submitted concurrently with the proposed building and parking lot on Lot 17.

The sizes of the areas to be disturbed are approximately 4.8 acres for Lot 17 and 3.5 acres for Lot 18, for a total of approximately 8.3 acres. Once Lot 17 is complete, the sediment trap located on Lot 18 will be able to be reduced in size and the parking lot on Lot 18 can be constructed. The existing paved entrances located on Automobile Boulevard will be used as the point of construction access / stabilized construction entrance. Two (2) construction entrances are proposed, One (1) on Lot 17 and one (1) on

Lot 18. Super silt fence will be installed as a perimeter sediment control measure. Sediment-laden runoff from the disturbed area will be received in excavated areas and sediment removed by the use of one or more of the following devices as specified and detailed in the “2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control”: Removable Pumping Station, Sump Pit, Portable Sediment Tank, and/or Filter Bag before it is allowed to leave the site and flow by way of the existing drainage pattern to the existing curb inlet in Automobile Boulevard.

16. Forest Conservation

M-NCPPC approved a simplified NRI-FSD for the entire area included in Lots 17 and 18 on January 16, 2004. A Final Forest Conservation Plan is being submitted with this Modified Site Plan Application. A Preliminary Forest Conservation Plan is being submitted concurrently with Preliminary Plan 11985017A.

17. Existing and Proposed Public Utilities

All existing dry and wet utilities are located on or adjacent to Lot 18. In order to obtain additional service for the proposed development, individual requests will be completed or analyzed separately for each utility. Wet utilities include storm drain, water and sewer. Dry utilities include electric, gas and communications.

Future water service will be provided to Lot 18 via an onsite waterline (to be sized by MEP), connected to the 8-inch public mainline in Automobile Boulevard.

18. Planning Board Findings and Compliance

Former Zoning Ordinance Sections 59-D-3.4(c) and (d) require that the Planning Board make the following findings in approving a Site Plan Application:

- (c) (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;

- Not applicable.
- (2) The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56;
- *See* discussion herein at Sec. Nos. 7 through 10. Lot 18 is not subject to an urban renewal plan.
- (3) The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient;
- See* discussion herein at Sec. Nos. 12 and 13; and plans submitted with this Modified Application. Note that the Modified Site Plan does not include any buildings, structures or recreation facilities.
- (4) Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development; and
- *See* discussion herein at Sec. Nos. 2, 3, 4, and 6; and plans submitted with this Modified Application. Note that the Modified Site Plan does not include any structures.
- (5) The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable laws.
- *See* discussion herein at Sec. Nos. 14 through 16; and plans submitted with this Modified Application.

(d) The Planning Board must not approve the proposed site plan if it finds that the proposed development would not achieve a maximum of compatibility, safety, efficiency and attractiveness.

- See discussion herein at Sec. Nos. 2, 4, 6, 7, 9, 10 and 12; and plans submitted with this Modified Application.

19. Conclusion

In sum, as demonstrated by this Modified Statement of Justification and the plans, reports and other materials filed with this Modified Application, proposed Modified Site Plan No. 820140140 will fully satisfy all applicable Montgomery County Code provisions and requirements.

Respectfully submitted,

SHULMAN, ROGERS, GANDAL
PORDY AND ECKER, P.A.

By: 

Nancy Regelin, Esquire

Attorneys for the Applicant,
Auto Sites 7 LLC

Previously submitted Attachments:

- "A" Deed from Montgomery Auto Sales Park Acquisition, LLC to Auto Site 7, LLC.
- "B" June 14, 1985 Planning Board Opinion approving Preliminary Plan No. 1-85027.
- "C" June 25, 1985 Planning Board Opinion approving Site Plan No. 8-85029.
- "D" Plat No. 23582 creating Lots 17 and 18.
- "E-1" Zoning Map
- "E-2" Zoning Map

42244754v1

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-85027
NAME OF PLAN: MONTGOMERY AUTO SALES PARK

On 01-30-85, FORD LEASING DEV. CO. , submitted an application for the approval of a preliminary plan of subdivision of property in the C3 zone. The application proposed to create 1 lots on 8.10 ACRES of land. The application was designated Preliminary Plan 1-85027. On 06-06-85, Preliminary Plan 1-85027 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing , the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-85027 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-85027, subject to the following conditions:

1. Agreement with Planning Board limiting development to 20,000 square feet automobile dealership (not including 1,800 square feet drive through service write-up area) without further APF review by Planning Board
2. Conditions of DEP stormwater management waiver
3. DOT approval of driveway locations
4. No clearing, grading or recording of lots prior to site plan approval by Montgomery County Planning Board
5. Necessary easements

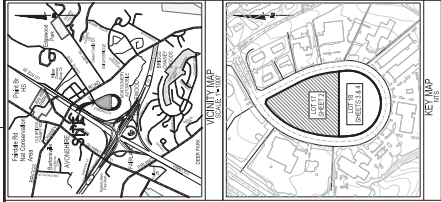
1-85027

MAILED TO:

Vorelco, Inc.
Rudolf Fischer
Herb Gordon
Crystal Ford
Sarosa, Inc.
John J. Allen Associates, Inc.
Ford Leasing Dev. Co.
Perrywood CA
White Oak Civic Coalition
Columbia Road CA
Burtonsville/Spencerville

Date of Mailing: June 14, 1985

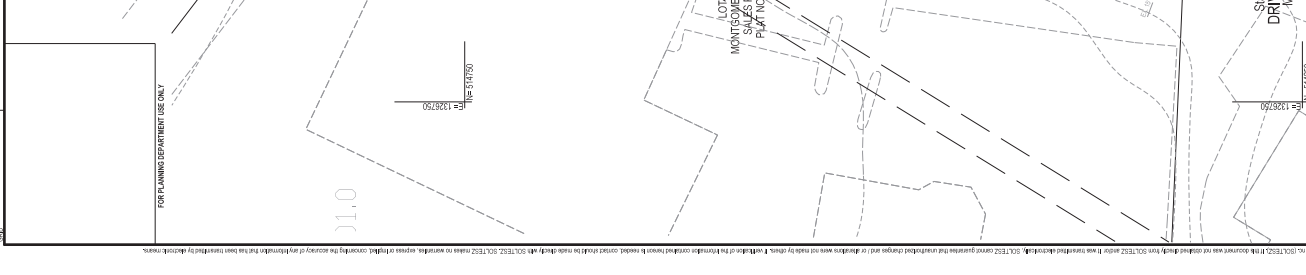
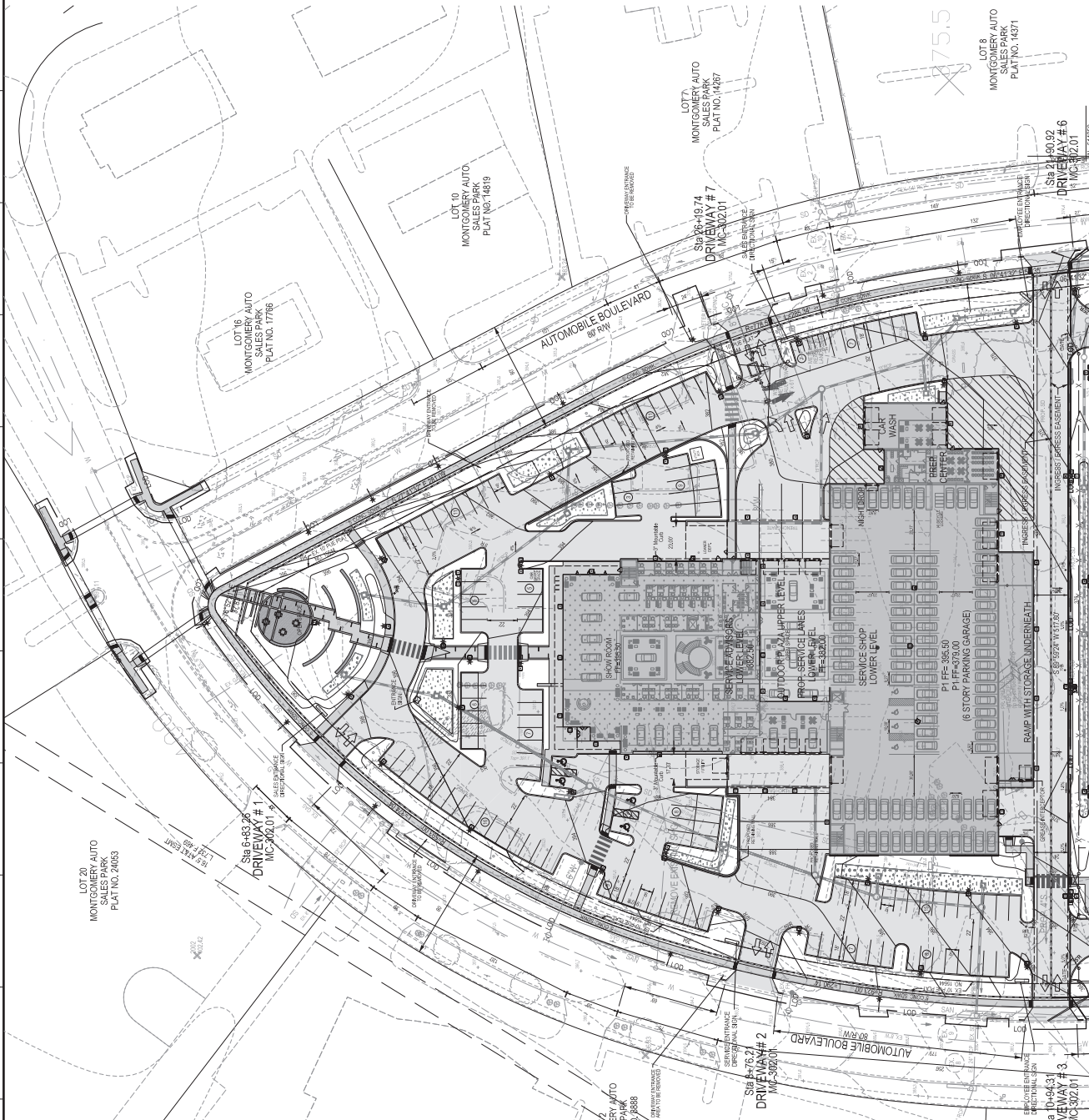
Attachment 5



PRELIMINARY PLAN DEVELOPMENT STANDARDS - Lot 17

Standard	Minimum	Maximum	Proposed
Site Area	4.78 ac	285,257 sq ft	CS
Standard Zoning Ordinance Development Standards (C-3)	NA	NA	CS
Building Gross Floor Area (B.G.F.)	23,500	23,500	23,500
Maximum Building Height (feet)	35	35	35
Maximum Lot Coverage (Total B.G.F.)	85,000	85,000	85,000
Building Coverage (Max.) (B.G.F.)	(2,877 ±) 1.5%	(71,086 ±) 3.4%	(71,086 ±) 3.4%

1. Building Gross Square Footage excludes structured parking areas.
 2. Development Standard requirements are per the Montgomery County Zoning Ordinance §§C-4.36 (Highway, Commercial) and §§C-4.38 (Special Regulations) applicable to designated subordinated uses.



DEVELOPER'S CERTIFICATE
 I hereby certify that the information contained in the above-mentioned documents is true and correct to the best of my knowledge and belief.
 Developer's Name: **ALDO SILVES Z, LLC**
 Contact Person or Owner: **Steve Hoffman**
 Address: **2459 Peachtree Avenue, West Chester, MD 20854**
 Phone and Email: **301-582-5330 / shoffm@aldriloves.com**
 Signature: _____

PRELIMINARY PLAN #11985027A

AMENDED PRELIMINARY PLAN
MONTGOMERY AUTO SALES PARK
3110 AND 3130 AUTOMOBILE BLVD., SILVER SPRING, MD 20904
MONTGOMERY AUTO SALES PARK
LOTS 17 AND 18

PROFESSIONAL CERTIFICATION
 I hereby certify that I am a duly licensed Professional Engineer in the State of Maryland and that I am the author of the above-mentioned drawings and specifications.
 License No.: **11985027A**
 Signature: _____
 Title: **Professional Engineer**

OWNER/DEVELOPER/APPLICANT
 ALDO SILVES Z, LLC
 2459 Peachtree Avenue
 West Chester, MD 20854
 Phone: 301-582-5330
 Email: shoffm@aldriloves.com

MIS UTILITY NOTE
 THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF ACCURACY OR COMPLETENESS. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY AND COMPLETENESS OF THE INFORMATION CONTAINED HEREIN.

FOR PLANNING DEPARTMENT USE ONLY

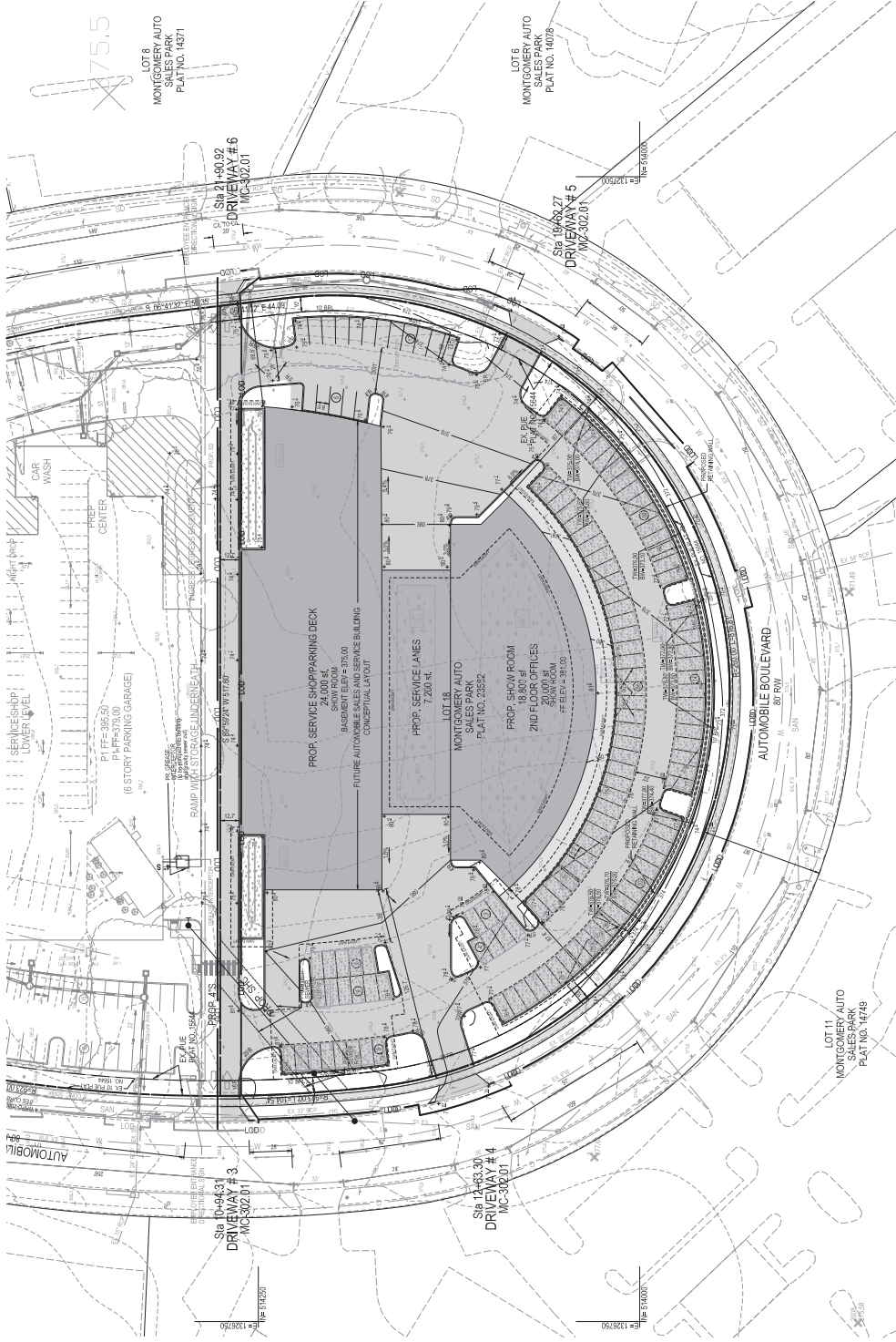
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3	05/20/2024	PRELIMINARY PLAN #11985027A
4	05/20/2024	PRELIMINARY PLAN #11985027A
5	05/20/2024	PRELIMINARY PLAN #11985027A
6	05/20/2024	PRELIMINARY PLAN #11985027A
7	05/20/2024	PRELIMINARY PLAN #11985027A
8	05/20/2024	PRELIMINARY PLAN #11985027A
9	05/20/2024	PRELIMINARY PLAN #11985027A
10	05/20/2024	PRELIMINARY PLAN #11985027A

RECORDS
 Maryland Department of Transportation
 Planning Division
 2400 East-West Parkway
 Rockville, MD 20850
 P: 301-386-2759 F: 301-348-9667
 www.mdot.gov

SOLTESZ
 ROCKVILLE OFFICE
 2 Research Plaza, Suite 100
 Rockville, MD 20850
 P: 301-386-2759 F: 301-348-9667
 www.soltesz.com

Attachment 6

FOR PLANNING DEPARTMENT USE ONLY



DEVELOPER'S CERTIFICATE
 I hereby certify that the information contained herein is true and correct to the best of my knowledge and belief, and that I am the owner of the property described herein.
 Developer's Name: **Auto Sales 7, LLC**
 Contact Person or Owner: **Steve Hoffman**
 Address: **2889 Peachtree Avenue, West Grafton, MD 20684**
 Phone and Email: **301.526.5030 / SteveHoffman@AutoSales7.com**
 Signature: _____

PROFESSIONAL CERTIFICATION
 I hereby certify that I am a duly licensed Professional Engineer in the State of Maryland, License No. 11189, and that I am the author of the design shown on this plan.
 License No. 11189
 State of Maryland
 Signature: _____

PRELIMINARY PLAN LOT 18 PHASE 2
AMENDED PRELIMINARY PLAN
MONTGOMERY AUTO SALES PARK
3110 AND 3130 AUTOMOBILE BLVD., SILVER SPRING, MD 20904
MONTGOMERY AUTO SALES PARK
LOTS 17 AND 18

OWNER/DEVELOPER/APPLICANT
 AUTO SALES 7, LLC
 2889 Peachtree Avenue, West Grafton, MD 20684
 Steve Hoffman
 301.526.5030

MIS UTILITY NOTE
 THIS PLAN IS SUBMITTED FOR REVIEW AND APPROVAL BY THE PLANNING DEPARTMENT OF THE COUNTY OF MONTGOMERY. THE PLANNING DEPARTMENT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE APPLICANT IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.

NO.	DESCRIPTION	DATE
1	PRELIMINARY PLAN LOT 18 PHASE 2	08/11/2020
2	AMENDED PRELIMINARY PLAN	08/11/2020
3	REVISIONS	08/11/2020
4	REVISIONS	08/11/2020
5	REVISIONS	08/11/2020

REVISION	DATE	DESCRIPTION
1	08/11/2020	ISSUE FOR REVIEW
2	08/11/2020	ISSUE FOR REVIEW
3	08/11/2020	ISSUE FOR REVIEW
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5	08/11/2020	ISSUE FOR REVIEW

LEGEND

- EXISTING LIGHT
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EXISTING VEGETATION
- BUILDING RESTRICTION LINE (BRL)
- EXISTING TREE
- LIMIT OF DISTURBANCE
- FINAL BOUNDARY
- SEWER LINES
- STORM DRAIN LINES
- EXISTING VEGETATION
- BUILDING RESTRICTION LINE (BRL)
- REMOVAL PAVEMENT
- SEWER LINES
- STORM DRAIN LINES
- GREEN ROOF

PRELIMINARY PLAN LOT 18 PHASE 2
AMENDED PRELIMINARY PLAN
MONTGOMERY AUTO SALES PARK
3110 AND 3130 AUTOMOBILE BLVD., SILVER SPRING, MD 20904
MONTGOMERY AUTO SALES PARK
LOTS 17 AND 18

OWNER/DEVELOPER/APPLICANT
 AUTO SALES 7, LLC
 2889 Peachtree Avenue, West Grafton, MD 20684
 Steve Hoffman
 301.526.5030

MIS UTILITY NOTE
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5	08/11/2020	ISSUE FOR REVIEW

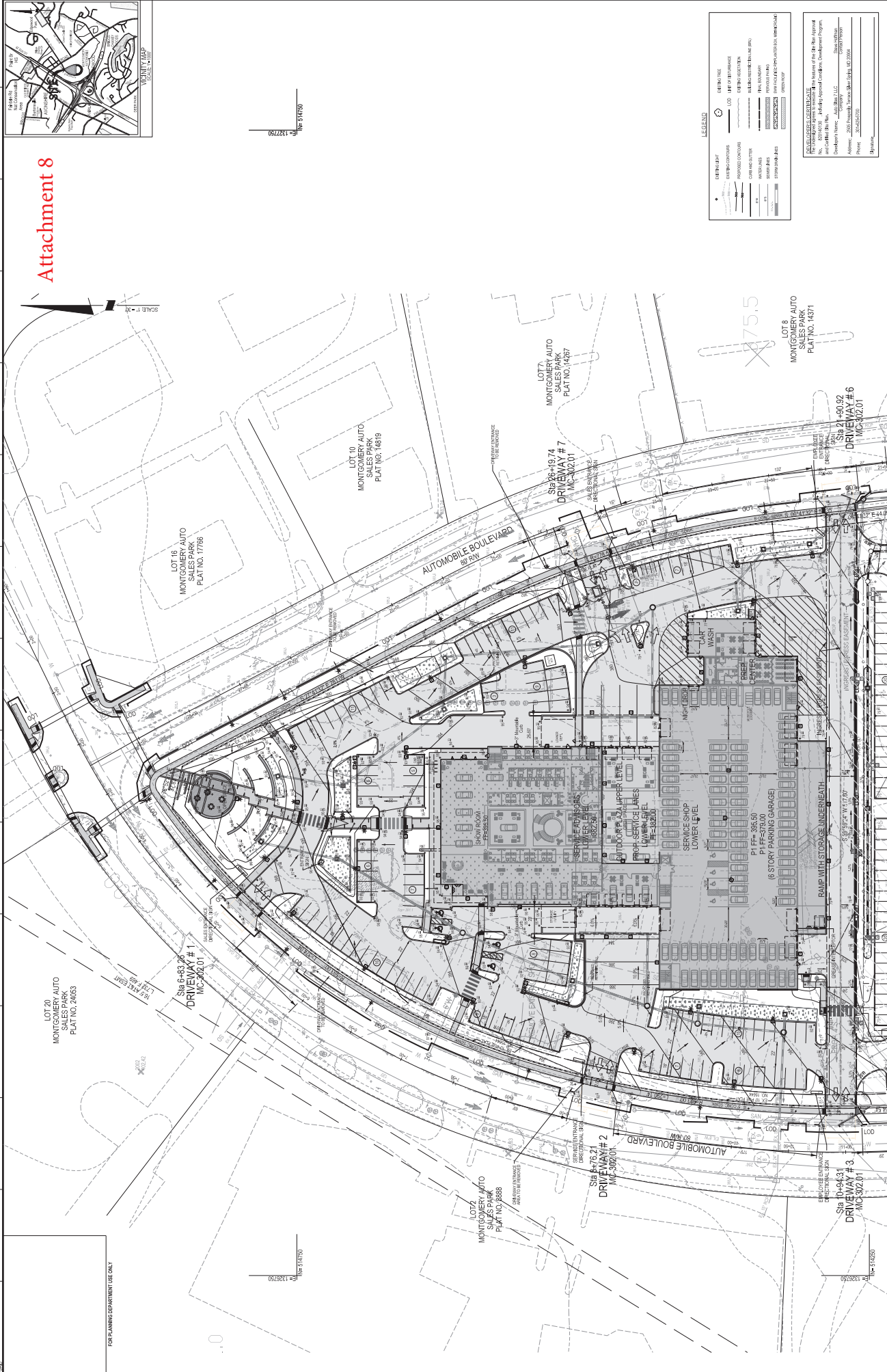
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- PROPOSED CONTOURS
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- REMOVAL PAVEMENT
- SEWER LINES
- STORM DRAIN LINES
- GREEN ROOF

PRELIMINARY PLAN DEVELOPMENT STANDARDS - Lot 18 Phase 1

REVISION	DATE	DESCRIPTION
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2	08/11/2020	ISSUE FOR REVIEW
3	08/11/2020	ISSUE FOR REVIEW
4	08/11/2020	ISSUE FOR REVIEW
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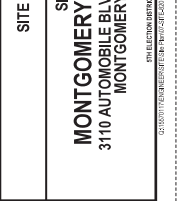
Attachment 8



SITE PLAN LOT 17

SITE PLAN
MONTGOMERY AUTO SALES PARK
3110 AUTOMOBILE BLVD., SILVER SPRING, MD 20904
MONTGOMERY AUTO SALES PARK,
LOT 17

PROJECT NO. 15031117
 SHEET NO. 2 OF 2



NO.	DESCRIPTION	DATE
1	PRELIMINARY	11/11/2014
2	AS SHOWN	03/23/2015

OWNER/DEVELOPER/APPLICANT	
OWNER	AMT DESIGN LLC
DEVELOPER	AMT DESIGN LLC
ADDRESS	3110 AUTOMOBILE BLVD., SILVER SPRING, MD 20904
CONTACT	DAVID E. LEE, ENGINEER
PHONE	301-266-8500
FAX	301-266-8500
EMAIL	lee@amtdesign.com

MIS UTILITY NOTE	
1	SEE CIVIL PLAN FOR UTILITY LOCATIONS AND DEPT. APPROVALS.
2	SEE ELECTRICAL PLAN FOR UTILITY LOCATIONS AND DEPT. APPROVALS.
3	SEE MECHANICAL PLAN FOR UTILITY LOCATIONS AND DEPT. APPROVALS.
4	SEE PLUMBING PLAN FOR UTILITY LOCATIONS AND DEPT. APPROVALS.
5	SEE SANITARY PLAN FOR UTILITY LOCATIONS AND DEPT. APPROVALS.
6	SEE GEOTECHNICAL REPORT FOR UTILITY LOCATIONS AND DEPT. APPROVALS.

NO.	DESCRIPTION	DATE
1	PRELIMINARY	11/11/2014
2	AS SHOWN	03/23/2015

DATE	11/11/2014
SCALE	AS SHOWN
PROJECT NO.	15031117
SHEET NO.	2 OF 2

FOR PLANNING DEPARTMENT USE ONLY	
DATE	
SCALE	
PROJECT NO.	
SHEET NO.	

SOLTESZ

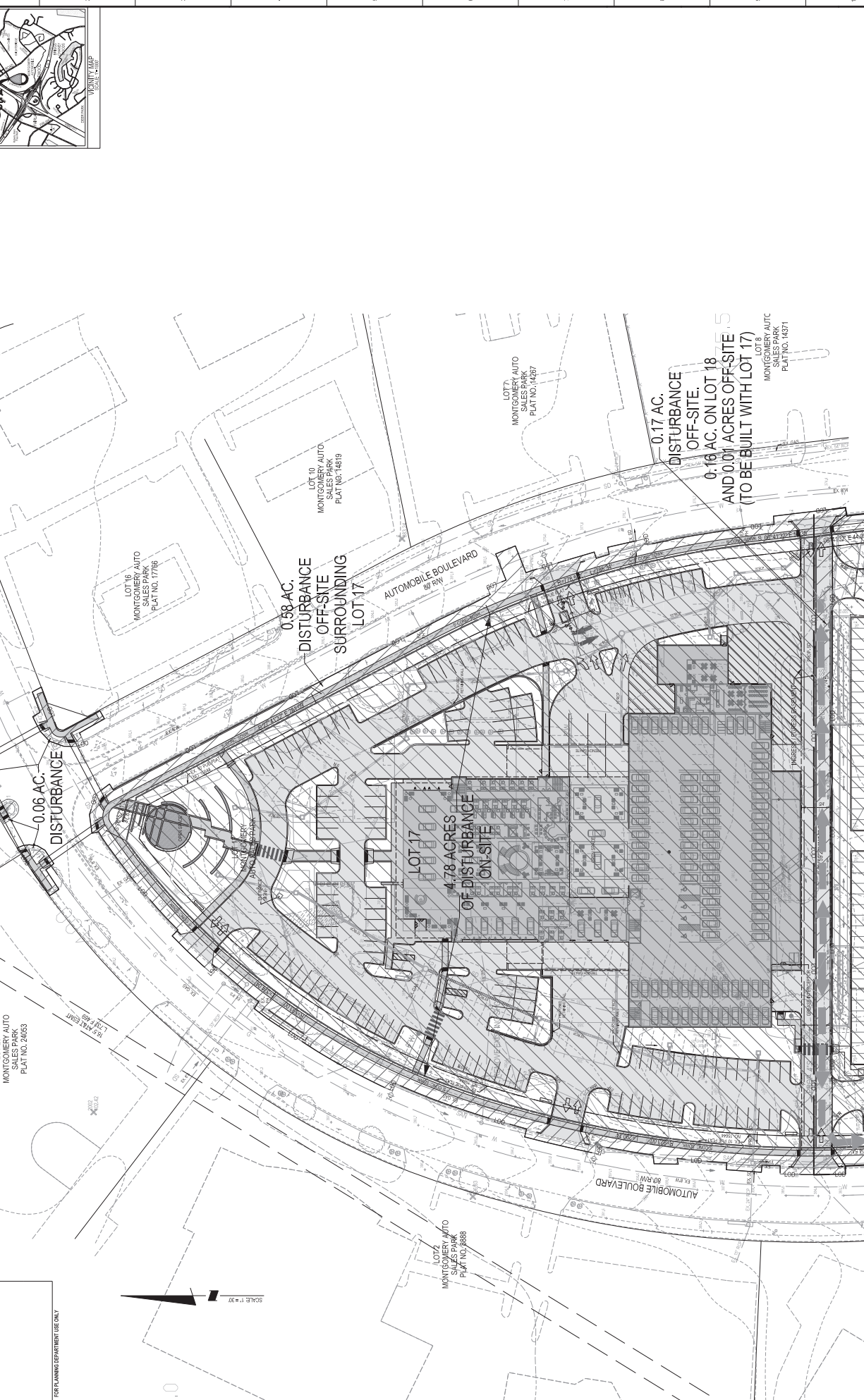
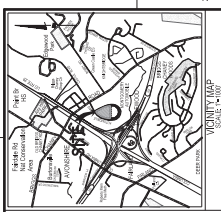
ROCKVILLE OFFICE
 2 Research Plaza, Suite 100
 Rockville, MD 20850
 P: 301-386-2759 F: 301-386-9657
 www.soltesz.com

Project No. 15031117
 Sheet No. 2 of 2

REFERENCE: SEE ATTACHED SHEETS FOR COMPLETE SITE PLAN. SEE CIVIL, MECHANICAL, ELECTRICAL, AND PLUMBING PLANS FOR UTILITY LOCATIONS AND DEPT. APPROVALS.

THE CITY OF ROCKVILLE, MARYLAND, HAS REVIEWED THIS SITE PLAN AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF ROCKVILLE, MARYLAND, ZONING REGULATIONS. THIS REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE SITE PLAN AND DOES NOT CONSTITUTE AN ENDORSEMENT OF THE PROJECT OR A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

Attachment 10



FOR PLANNING DEPARTMENT USE ONLY

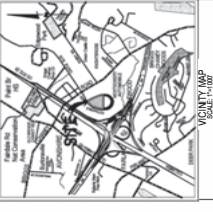
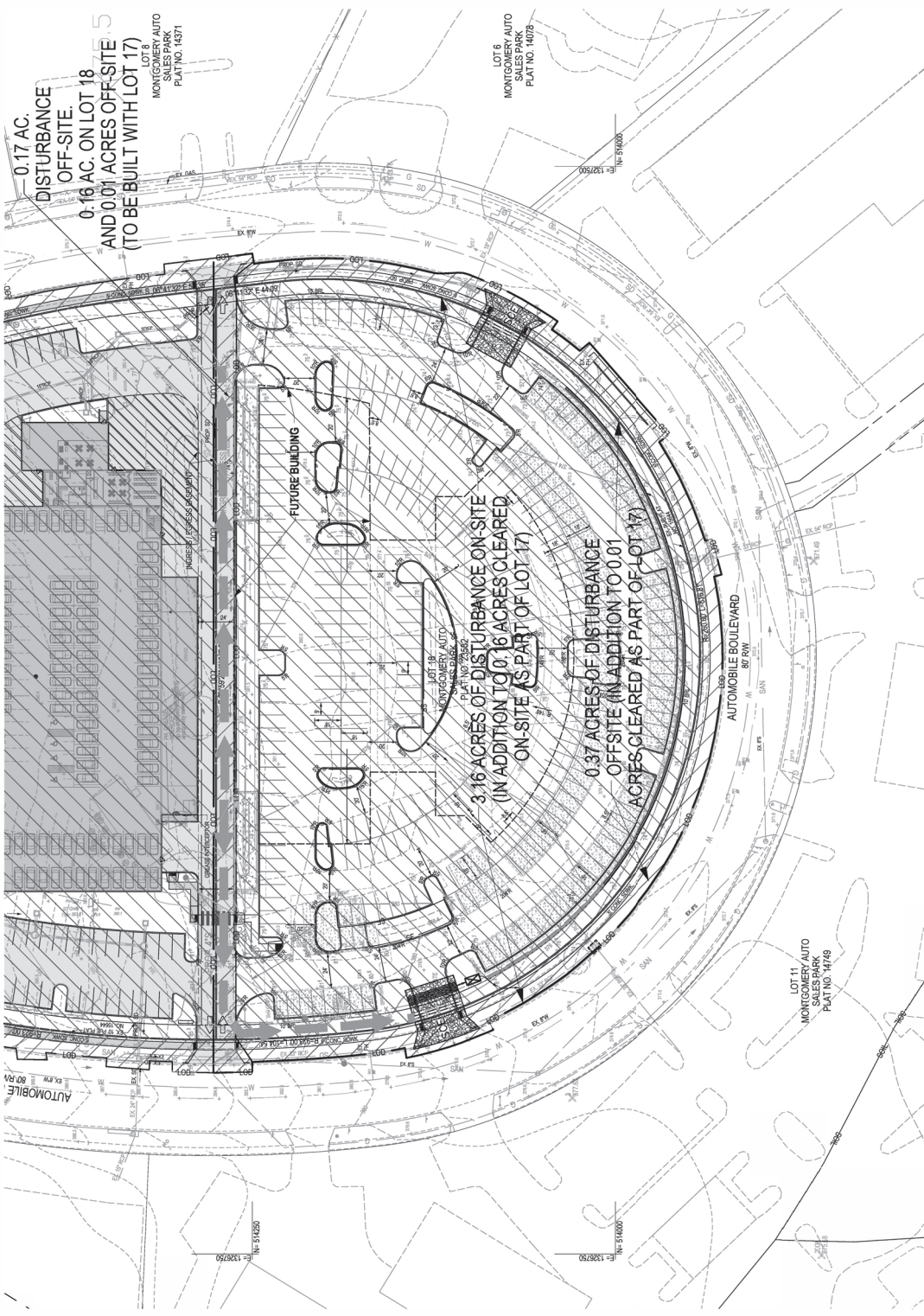
SCALE: 1" = 50'

		<p>PRELIMINARY FOREST CONSERVATION PLAN LOT 17</p>																
<p>PRELIMINARY FOREST CONSERVATION PLAN MONTGOMERY AUTO SALES PARK 3110 AND 3130 AUTOMOBILE BLVD., SILVER SPRING, MD 20904 MONTGOMERY AUTO SALES PARK LOTS 17 AND 18</p>																		
<p>OWNER/DEVELOPER/APPLICANT</p> <p>AMTDC LLC 3110 AUTOMOBILE BLVD. SILVER SPRING, MD 20904 PH: 301-448-9667 WWW.AMTCDC.COM</p>		<p>MIS UTILITY NOTE</p> <p>NO UTILITIES SHOWN ON THIS PLAN. ALL UTILITIES ARE TO BE LOCATED AND DEPTH DETERMINED BY THE UTILITY COMPANIES. THE APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND AGREEMENTS FROM THE UTILITY COMPANIES. THE APPLICANT IS RESPONSIBLE FOR PROTECTING ALL UTILITIES DURING CONSTRUCTION.</p>																
<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>05/11/2023</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>2</td> <td>05/11/2023</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>3</td> <td>05/11/2023</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>4</td> <td>05/11/2023</td> <td>ISSUE FOR PERMIT</td> </tr> </tbody> </table>		NO.	DATE	DESCRIPTION	1	05/11/2023	ISSUE FOR PERMIT	2	05/11/2023	ISSUE FOR PERMIT	3	05/11/2023	ISSUE FOR PERMIT	4	05/11/2023	ISSUE FOR PERMIT	<p>PROJECT NO. 2023-001</p> <p>DATE: 05/11/2023</p>	
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4	05/11/2023	ISSUE FOR PERMIT																
<p>ROCKVILLE OFFICE 2 Research Plaza, Suite 100 Rockville, MD 20850 P: 301-386-2750 F: 301-348-9667 www.soltesz.com</p>		<p>PROJECT NO. 2023-001</p> <p>DATE: 05/11/2023</p>																

REFERENCE: 0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

This plan was prepared by Soltesz Environmental Services, Inc. (SES) for the use of the Applicant. SES is not responsible for the accuracy of the information provided by the Applicant. SES is not responsible for the accuracy of the information provided by the Applicant. SES is not responsible for the accuracy of the information provided by the Applicant.

Attachment II



SCALE: 1" = 30'

PROJECT NO.	1800011-A-18-0114
SHEET	3 OF 4

PRELIMINARY FOREST CONSERVATION PLAN LOT 18
PRELIMINARY FOREST CONSERVATION PLAN
MONTGOMERY AUTO SALES PARK
3110 AND 3130 AUTOMOBILE B. VD., SILVER SPRING, MD 20904
MONTGOMERY AUTO SALES PARK
LOTS 17 AND 18
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OWNER	LOT 18
OWNER'S REPRESENTATIVE	C-3
DATE	05/26/15
PROJECT NAME	214323
DATE	05/26/15

OWNER'S REPRESENTATIVE
 AUTO BEER LLC
 2000 W. WOODBURN RD., SUITE 200
 SILVER SPRING, MD 20910
 PH: 301-574-3100
 FAX: 301-574-3100
 EMAIL: info@autobeer.com

MISS UTILITY NOTE
 THE INFORMATION CONTAINED HEREIN IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF ACCURACY. THE INFORMATION CONTAINED HEREIN IS SUBJECT TO CHANGE WITHOUT NOTICE. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSES. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSES. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSES.

NO.	DESCRIPTION	DATE	BY	CHECKED
1	PRELIMINARY FOREST CONSERVATION PLAN	05/26/15	[Signature]	[Signature]
2	REVISION TO LOT 18	05/26/15	[Signature]	[Signature]
3	REVISION TO LOT 18	05/26/15	[Signature]	[Signature]
4	REVISION TO LOT 18	05/26/15	[Signature]	[Signature]

SOLTEZ
 ROCKVILLE OFFICE
 2 Research Plaza, Suite 100
 Rockville, MD 20850
 P: 301-345-2790 F: 301-345-9367
 www.soltez.com

FOR PLANNING DEPARTMENT USE ONLY



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

October 26, 2015

Mr. M. Taghi Behzadi
Soltesz
2 Research Place, Suite 100
Rockville, MD 20850

Re: Stormwater Management **CONCEPT/SITE DEVELOPMENT PLAN APPROVAL** Request for Montgomery Auto Sales Park
Preliminary Plan #: not available
SM File #: 264015
Tract Size/Zone: 8.1 acres/C-3
Total Concept Area: 8.4 acres
Lots/Block: 17 and 18
Parcel(s): Plat # 15644
Watershed: Little Paint Branch

Dear Mr. Behzadi:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept/site development plan for the above mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via bio swales, micro bioretention, permeable concrete, planter boxes, green roofs and a waiver to the Montgomery Auto Park Regional SWM pond.

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

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review. Currently the recalculation to determine the additional treatment volume after using ESD to the MEP has not been done in accordance with the 2000 MDE Stormwater Manual and all subsequent revisions and addendums.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Landscaping shown on the approved Landscape Plan as part of the approved Site Plan are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.

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

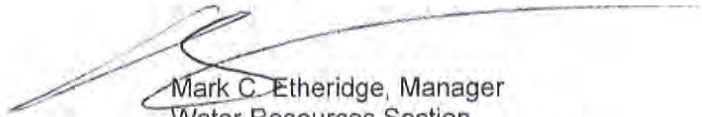
Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is required**.

Mr. M. Taghi Behzadi
October 26, 2015
Page 2 of 2

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

If you have any questions regarding these actions, please feel free to contact William Campbell at 240-777-6345.

Sincerely,



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

MCE: wrc

cc: C. Conlon
SM File # 264015

ESD Acres:	8.1
STRUCTURAL Acres:	0
WAIVED Acres:	8.1



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

April 2, 2018

Mr. Brandon Fritz
Soltesz
2 Research Place, Suite 100
Rockville, MD 20850

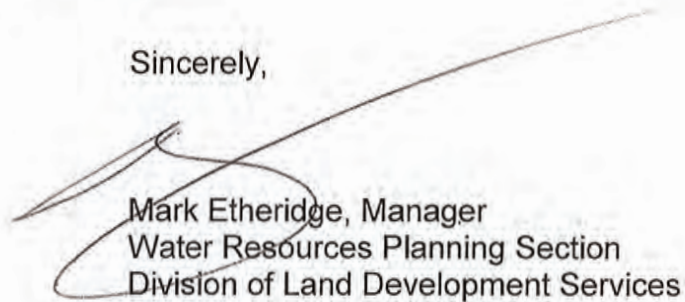
Re: Stormwater Management
CONCEPT RECONFIRMATION
Montgomery Auto Sales Park
SWM Concept #: 264015

Dear Mr. Fritz:

Your request for a stormwater management reconfirmation for the above site has been evaluated. The original approved SWM concept dated October 26, 2015 is hereby reconfirmed. Please adhere to all conditions required as part of that approval. This reconfirmation is for the revised layout of lot # 17.

If you have any questions regarding these actions, please feel free to contact Thomas Weadon at 240-777-6309.

Sincerely,



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

Cc: SM File #: 264015



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Al R. Roshdieh
Director

October 4, 2018

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

RE: **REVISED** Preliminary Plan No. 11985027A
Montgomery Auto Park Lot 17 & 18
Design Exception & Preliminary Plan
Letter

Dear Mr. Sigworth:

We have completed our review of the revised Design Exception Package dated March 9, 2018 and the revised Preliminary Plan uploaded to eplans on August 17, 2018. This plan was reviewed by the Development Review Committee at its meeting on May 8, 2018. **This letter shall supersede the previous preliminary plan letters dated September 12, 2014, and April 1, 2016.** We recommend approval for the plan based to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

DESIGN EXCEPTION COMMENTS:

1. **Applicant's request:** The project is proposing exceptions to the 100-foot minimum tangent between driveways and an allowance for small offsets between driveway centerlines. In the previously approved design exception, 3 driveways (#1, #3, and #7) did not align with a driveway

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

on the opposite side of the street. However, the revised design of lot 17 has allowed for driveway #1 to align with an existing driveway on the opposite side of the street. The remaining two driveways (#3 and #7) cannot align with existing driveways because of the constraint of the building and alley function and the existing driveway spacing. Automobile Boulevard is a one-way street and the queuing analysis submitted with this package shows no adverse impact on the traffic operations on Automobile Boulevard due to the proposed driveways of #3 and #7 being not aligned with the existing driveways. Also, due to the close proximity of the existing driveways on Automobile Boulevard, it would be impractical to provide a 100-foot separation (not including the curb returns) between proposed driveways and opposite driveways.

MCDOT Response: The revised design exception request dated March 09, 2018, for less than 100-foot separation (not including the curb returns) between adjacent and opposite driveways and the proposed driveways not aligned with existing driveways was **approved** based on the following considerations:

- a. Automobile Boulevard is a one-way street and the queuing analysis submitted with the package on January 27, 2016, shows no severe impact on the traffic operations on Automobile Boulevard due to the proposed driveways being not aligned with the existing driveways.
- b. Due to the close proximity of the existing driveways on Automobile Boulevard, it would be impractical to provide a 100-ft separation (not including the curb returns) between proposed driveways and opposite driveways.

PRELIMINARY PLAN SIGNIFICANT COMMENTS:

1. Storm Drain Study: The revised storm drain study dated September 19, 2018 was accepted by MCDOT. Based on the response letter dated March 25, 2016 (revised per DOT comments), the inlet spread for all the existing inlets, including the sump inlet met the spread requirement per the Montgomery County Drainage Design Manual. The applicant is not responsible for any downstream storm drain outfall improvements.
2. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
3. Provide a 10-foot-wide Public Utility Easement along the entire street frontage of the property.
4. The revised Traffic Impact Study (TIS) letter was issued on September 20, 2018.

STANDARD COMMENTS:

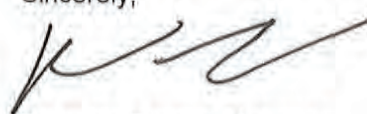
5. The owner will be required to submit a recorded covenant for the operation and maintenance of any private storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
6. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
7. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.
8. At or before the permit stage, please coordinate with Ms. NikKia Carver of our Division of Transit Services to coordinate improvements to the RideOn bus facilities in the vicinity of this project. Ms. Carver may be contacted at nikkia.carver@montgomerycountymd.gov or at 240 777-5800.
9. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
10. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - a. Sidewalks, handicap ramps, and street trees along Automobile Boulevard.
 - * **NOTE: The Public Utilities Easement is to be graded on a side slope not to exceed 4:1.**
 - b. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - c. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
 - d. Developer shall provide street lights on all public street frontages in accordance with the specifications, requirements, and standards prescribed by the Division of Traffic Engineering and Operations.

Mr. Ryan Sigworth
Preliminary Plan No. 11985027A
October 4, 2018
Page 4

- e. Developer shall ensure final and proper completion and installation of all utility lines underground, for all new road construction.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. Deepak Somarajan, our Development Review Team Engineer for this project, at deepak.somarajan@montgomerycountymd.gov or (240) 777-7170.

Sincerely,



Rebecca Torma, Manager
Development Review
Office of Transportation Policy

SharePoint\teams\DOT\Director's Office\Development Review\Deepak\Preliminary Plan\ Montgomery Auto Park Lot 17 &18\ Letter \ 11985027A-Montgomery Auto Park Lot 17 &18-Prelim Plan ltr

Attachments: Sight Distance Forms & Plans (10)

cc: Hamid Fallahi Auto Sites 7, LLC
Howard Castleman Montgomery Auto Sales Pk Acq
Keely Lauretti Soltesz
Larry Gordon Shulman Rodgers
Kwesi Woodroffe MDSHA District 3
Preliminary Plan letters notebook

cc-e: Atiq Panjshiri MCDPS RWPR
Sam Farhadi MCDPS RWPR
Marie LaBaw MCDPS Fire
Khursheed Bilgrami MCDOT DTEO
Devang Dave MCDOT DTEO
Dan Sanayi MCDOT DTEO
NikKia Carver MCDOT DTS
Christopher Conklin MCDOT OTP
Deepak Somarajan MCDOT OTP



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Montgomery County Sales Park Site Preliminary Plan Number: 1-820140130

Street Name: Automobile Blvd. Master Plan Road Classification: Business/ Industrial

Posted Speed Limit: 25 mph

Street/Driveway #1 (Driveway # 1) Street/Driveway #2 (Driveway # 7)

Sight Distance (feet) OK?
 Right 200 yes
 Left N/A _____

Sight Distance (feet) OK?
 Right 200 yes
 Left N/A _____

Comments: Since Automobile Blvd. is a one way street, the sight distance to the left is not applicable. The sight distance to the right meets the required minimum distance if parking is restricted on the east side of road from the entrance to the intersection (110').

Comments: Since Automobile Blvd. is a one way street, the sight distance to the left is not applicable. The sight distance to the right meets the required minimum distance if parking is restricted or the west side from the entrance to 110' south.

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Thomas M. Chisca

6/1/2018

Signature

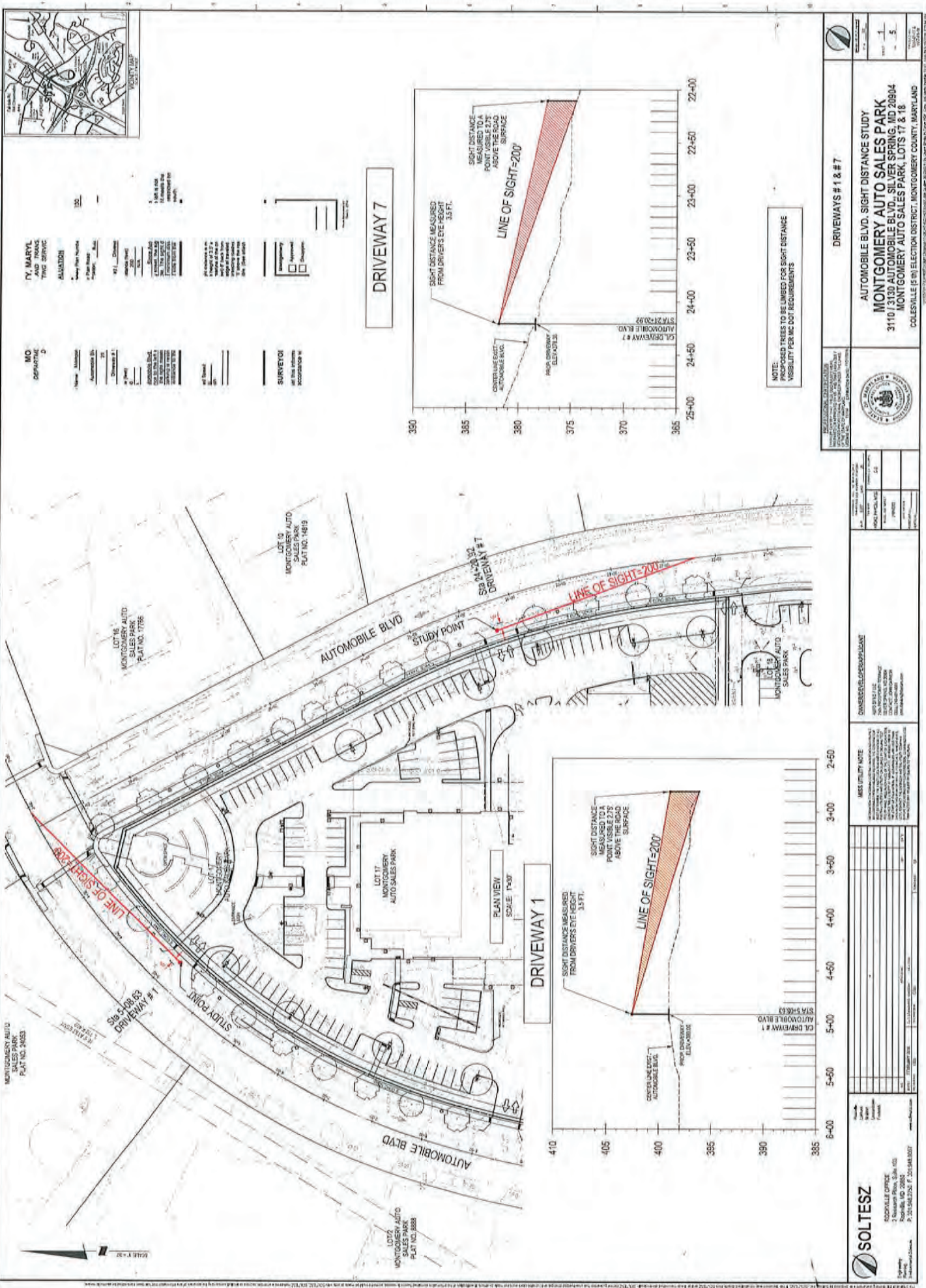
Date

11194

PLS/P.E. MD Reg. No.



Montgomery County Review:	
<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved:
By:	<u><i>Deeple</i></u>
Date:	<u>10/4/18</u>



PROJECT INFORMATION
CLIENT: MONTGOMERY AUTO SALES PARK
PROJECT: SIGHT DISTANCE STUDY
DATE: 10/15/2023

PROJECT LOCATION
 3110 1310 AUTOMOBILE BLVD, SUITE 20904
 MONTGOMERY AUTO SALES PARK, LOTS 17 & 18
 COLESVILLE (5th) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SCALE
 1" = 50'

LEGEND

[Symbol]	Proposed
[Symbol]	Existing
[Symbol]	Utility

NOTES

1. SEE ALL NOTES ON SHEETS 101, 102, 103, AND 104.
2. THIS PLAN IS A PART OF A LARGER PROJECT. SEE SHEETS 101, 102, 103, AND 104 FOR COMPLETE INFORMATION.
3. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
4. THE SURVEYOR HAS VERIFIED THE EXISTING CONDITIONS AND THE PROPOSED CONDITIONS.
5. THE SIGHT DISTANCE STUDY IS BASED ON THE ASSUMPTIONS LISTED BELOW.
6. THE SIGHT DISTANCE STUDY IS BASED ON A DRIVER'S EYE HEIGHT OF 3.5 FEET.
7. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD WIDTH OF 20 FEET.
8. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD CURVE RADIUS OF 200 FEET.
9. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD GRADE OF 0.5%.
10. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD SURFACE CONDITION OF GOOD.
11. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD SURFACE WIDTH OF 16 FEET.
12. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD SURFACE CROSS-SLOPE OF 2%.
13. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD SURFACE LONGITUDINAL SLOPE OF 0.5%.
14. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD SURFACE TRANSVERSE SLOPE OF 2%.
15. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD SURFACE CURVE SLOPE OF 0.5%.
16. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD SURFACE CURVE RADIUS OF 200 FEET.
17. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD SURFACE CURVE SPEED OF 30 MPH.
18. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD SURFACE CURVE LENGTH OF 100 FEET.
19. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD SURFACE CURVE OFFSET OF 5 FEET.
20. THE SIGHT DISTANCE STUDY IS BASED ON A ROAD SURFACE CURVE CLEARANCE OF 10 FEET.

DRIVEWAY # 1
 SCALE 1"=50'

PLAN VIEW

DRIVEWAY # 1

CL. DRIVEWAY # 1
 AUTOMOBILE BLVD
 STA 5+00.00
 PAVK. FINISH ELEV. 400.00

CONTROL LINE (EXIST.) AUTOMOBILE BLVD.
 PAVK. FINISH ELEV. 400.00

SIGHT DISTANCE MEASURED FROM DRIVERS EYE HEIGHT 3.5 FT.

LINE OF SIGHT=200'

SIGHT DISTANCE MEASURED TO A POINT USABLE 2.75' ABOVE THE ROAD SURFACE

6+00 5+50 5+00 4+50 4+00 3+50 3+00 2+50 2+00

DRIVEWAY # 7

CL. DRIVEWAY # 7
 AUTOMOBILE BLVD
 STA 24+25.00
 PAVK. FINISH ELEV. 375.00

CONTROL LINE (EXIST.) AUTOMOBILE BLVD.
 PAVK. FINISH ELEV. 375.00

SIGHT DISTANCE MEASURED FROM DRIVERS EYE HEIGHT 3.5 FT.

LINE OF SIGHT=200'

SIGHT DISTANCE MEASURED TO A POINT USABLE 2.75' ABOVE THE ROAD SURFACE

25+00 24+50 24+00 23+50 23+00 22+50 22+00

DRIVEWAY # 1

CL. DRIVEWAY # 1
 AUTOMOBILE BLVD
 STA 5+00.00
 PAVK. FINISH ELEV. 400.00

CONTROL LINE (EXIST.) AUTOMOBILE BLVD.
 PAVK. FINISH ELEV. 400.00

SIGHT DISTANCE MEASURED FROM DRIVERS EYE HEIGHT 3.5 FT.

LINE OF SIGHT=200'

SIGHT DISTANCE MEASURED TO A POINT USABLE 2.75' ABOVE THE ROAD SURFACE

6+00 5+50 5+00 4+50 4+00 3+50 3+00 2+50 2+00

DRIVEWAY # 7

CL. DRIVEWAY # 7
 AUTOMOBILE BLVD
 STA 24+25.00
 PAVK. FINISH ELEV. 375.00

CONTROL LINE (EXIST.) AUTOMOBILE BLVD.
 PAVK. FINISH ELEV. 375.00

SIGHT DISTANCE MEASURED FROM DRIVERS EYE HEIGHT 3.5 FT.

LINE OF SIGHT=200'

SIGHT DISTANCE MEASURED TO A POINT USABLE 2.75' ABOVE THE ROAD SURFACE

25+00 24+50 24+00 23+50 23+00 22+50 22+00

NOTE:
 PROPOSED TREES TO BE LIMBED FOR SIGHT DISTANCE VISIBILITY PER MD DOT REQUIREMENTS

SOLTESZ
 RODEVALE OFFICE
 1 RODEVALE PIKE, SUITE 402
 COLESVILLE, MD 21046
 P: 301.584.0200 F: 301.584.0207

DESIGNER/RESPONSIBLE ENGINEER
 NAME: [Redacted]
 LICENSE NO.: [Redacted]

DATE
 10/15/2023

PROJECT NO.
 230101

SCALE
 1" = 50'

DRIVEWAYS # 1 & 7

AUTOMOBILE BLVD. SIGHT DISTANCE STUDY
MONTGOMERY AUTO SALES PARK
 3110 1310 AUTOMOBILE BLVD, SUITE 20904
 MONTGOMERY AUTO SALES PARK, LOTS 17 & 18
 COLESVILLE (5th) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

MD DOT REQUIREMENTS
 MDOT 2020 TRAFFIC ENGINEERING HANDBOOK, CHAPTER 8, SECTION 8.05

MDOT PROJECT NO.
 [Redacted]

PROJECT NO.
 230101

SCALE
 1" = 50'

DATE
 10/15/2023



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Montgomery County Sales Park Site Preliminary Plan Number: 1-820140130

Street Name: Automobile Blvd. Master Plan Road Classification: Business/ Industrial

Posted Speed Limit: 25 mph

Street/Driveway #1 (Driveway # 2) Street/Driveway #2 (_____)

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>200</u>	<u>yes</u>	Right _____	_____
Left <u>N/A</u>	_____	Left _____	_____

Comments: Since Automobile Blvd. is a one way street, the sight distance to the left is not applicable. The sight distance to the right meets the required minimum distance if parking is restricted on the east side from the entrance to 120' north.

Comments: _____

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Thomas M. Chica

 Signature

6/11/2018

 Date

11194

 PLS/P.E. MD Reg. No.

Montgomery County Review:

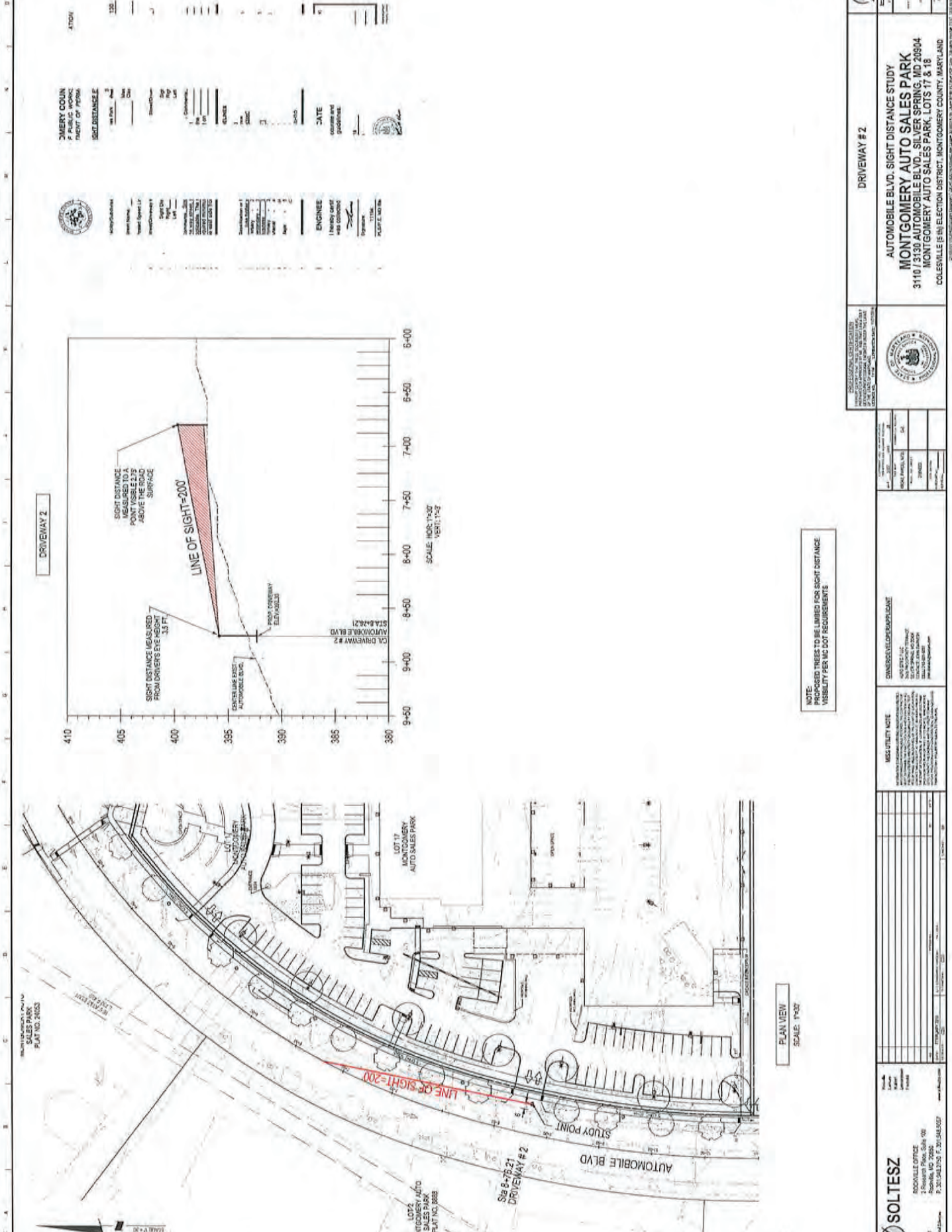
Approved

Disapproved:

By: [Signature]

Date: 10/4/18





NOTE: DIMENSIONS REFER TO THE LINES FOR SIGHT DISTANCE VISIBILITY PER MD DOT REQUIREMENTS.

PLAN VIEW
SCALE: 1"=40'

EMERY COLIN
P. PUBLIC WORKS
TARRANT OF PRISM

DATE
08/15/2024

PROJECT
AUTOMOBILE BLVD. SIGHT DISTANCE STUDY

CLIENT
MONTGOMERY AUTO SALES PARK

SCALE
VERT. 1"=4' HORIZ. 1"=40'



<p>DRIVEWAY # 2</p> <p>AUTOMOBILE BLVD. SIGHT DISTANCE STUDY</p> <p>MONTGOMERY AUTO SALES PARK</p> <p>3110 / 3130 AUTOMOBILE BLVD., SILVER SPRING, MD 20904</p> <p>MONTGOMERY AUTO SALES PARK, LOTS 17 & 18</p> <p>COLESVILLE IS AN ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND</p>							
<p>PROJECT NO. 24-001</p> <p>DATE: 08/15/2024</p> <p>SCALE: 1"=40'</p> <p>VERT. 1"=4'</p>							
<p>DESIGNER/ENGINEER/APPLICANT</p> <p>SOLTESZ ENGINEERING, INC.</p> <p>10000 WOODBURN ROAD, SUITE 100</p> <p>ROCKVILLE, MD 20850</p> <p>TEL: 301.483.5037 FAX: 301.483.5037</p>							
<p>CONSULTANT NOTE</p> <p>THIS STUDY WAS PERFORMED IN ACCORDANCE WITH THE MARYLAND DOT REQUIREMENTS FOR SIGHT DISTANCE STUDIES. THE STUDY WAS PERFORMED USING THE FOLLOWING ASSUMPTIONS: 1. THE STUDY WAS PERFORMED USING THE MARYLAND DOT REQUIREMENTS FOR SIGHT DISTANCE STUDIES. 2. THE STUDY WAS PERFORMED USING THE MARYLAND DOT REQUIREMENTS FOR SIGHT DISTANCE STUDIES. 3. THE STUDY WAS PERFORMED USING THE MARYLAND DOT REQUIREMENTS FOR SIGHT DISTANCE STUDIES.</p>							
<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>08/15/2024</td> <td>ISSUED FOR PERMIT</td> </tr> </tbody> </table>		NO.	DATE	DESCRIPTION	1	08/15/2024	ISSUED FOR PERMIT
NO.	DATE	DESCRIPTION					
1	08/15/2024	ISSUED FOR PERMIT					
<p>SOLTESZ</p> <p>ROCKVILLE OFFICE</p> <p>10000 WOODBURN ROAD, SUITE 100</p> <p>ROCKVILLE, MD 20850</p> <p>P: 301.483.5037 F: 301.483.5037</p>							



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Montgomery County Sales Park Site Preliminary Plan Number: 1-820140130

Street Name: Automobile Blvd. Master Plan Road Classification: Business/ Industrial

Posted Speed Limit: 25 mph

Street/Driveway #1 (Driveway # 3) Street/Driveway #2 (_____)

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>300</u>	<u>yes</u>	Right _____	_____
Left <u>N/A</u>	_____	Left _____	_____

Comments: Since Automobile Blvd. is a one way street, the sight distance to the left is not applicable. The sight distance to the right meets the required minimum distance if parking is restricted on the east side from the entrance to 120' north.

Comments: _____

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
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Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
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(55)	550'

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*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

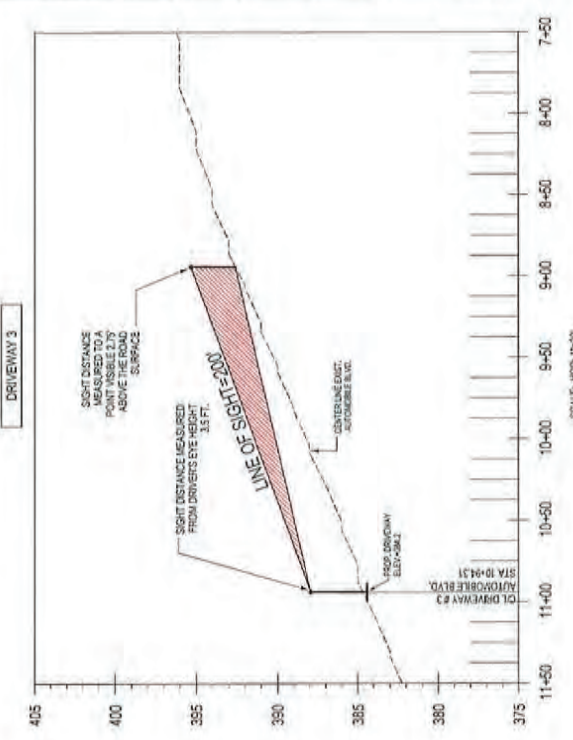
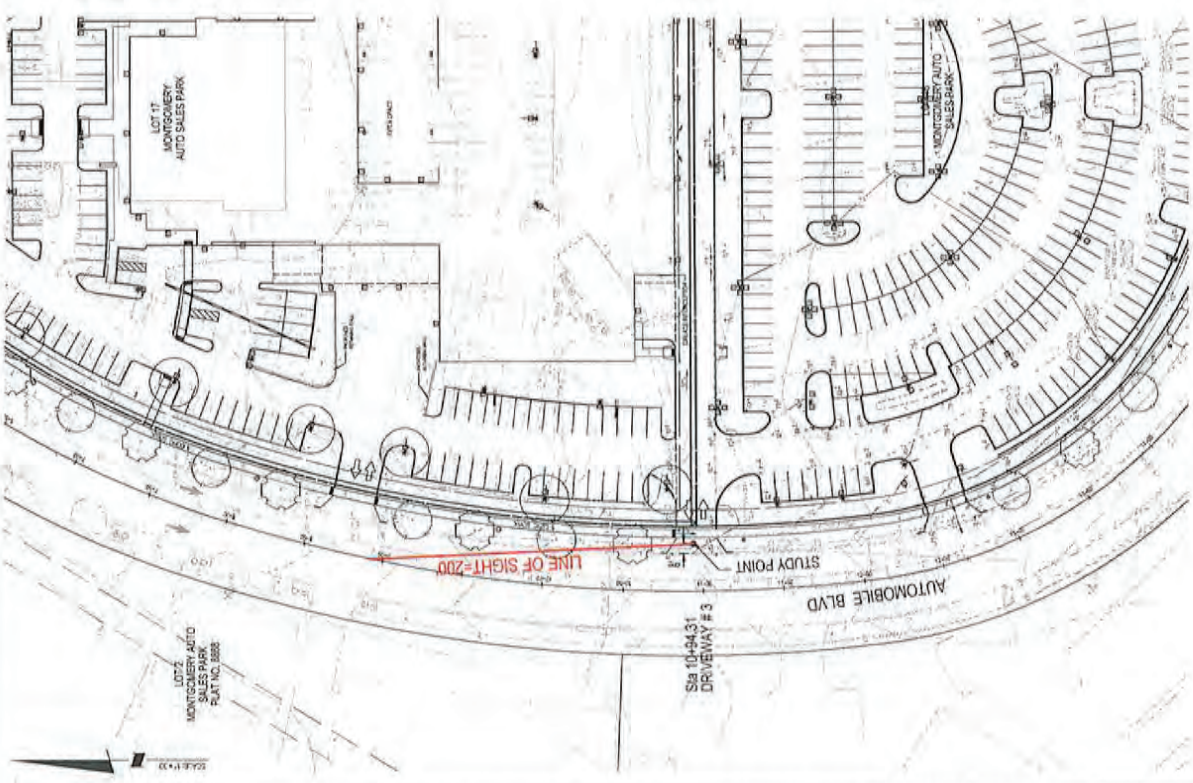
Thomas M. Chirca
 Signature

6/1/2018
 Date

11194
 PLS/P.E. MD Reg. No.



Montgomery County Review:	
<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved:
By:	<u>[Signature]</u>
Date:	<u>10/4/18</u>



SCALE: HORIZ. 1"=40'

SCALE: VERT. 1"=8'

MON	MARYLA
DEPARTMENT	NO. TRANSF.
DE	40 SERVICE
MON	MARYLA
DEPARTMENT	NO. TRANSF.
DE	40 SERVICE
MON	MARYLA
DEPARTMENT	NO. TRANSF.
DE	40 SERVICE

NOTE:
PROPOSED TREES TO BE LIMBED FOR SIGHT DISTANCE
VISIBILITY PER MC DOT REQUIREMENTS

PLAN VIEW
SCALE: 1"=40'

<p>PROFESSIONAL SEAL</p> <p>STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION DIVISION OF STATE PLANNING AND DESIGN</p>		<p>ENTRANCE # 3</p>									
<p>PROJECT INFORMATION</p> <p>PROJECT NO. 10-9431 PROJECT NAME: LOT 17, MONTGOMERY AUTO SALES PARK PLAT NO. 2888</p>		<p>CLIENT INFORMATION</p> <p>CLIENT NAME: MONTGOMERY AUTO SALES PARK CLIENT ADDRESS: 3110 AUTOMOBILE BLVD., SILVER SPRING, MD 20904 CLIENT PHONE: (301) 441-2700</p>									
<p>DESIGNER INFORMATION</p> <p>DESIGNER NAME: SOLTESZ DESIGNER ADDRESS: 10000 RIVERDALE RD., SUITE 100, ROCKVILLE, MD 20850 DESIGNER PHONE: (301) 441-2700</p>		<p>DATE</p> <p>DATE: 10/15/2010</p>									
<p>APPROVALS</p> <p>DESIGNER: [Signature] DATE: 10/15/2010</p>		<p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>3</td> <td>ISSUED FOR PERMIT</td> </tr> </table>		NO.	DESCRIPTION	1	ISSUED FOR PERMIT	2	ISSUED FOR PERMIT	3	ISSUED FOR PERMIT
NO.	DESCRIPTION										
1	ISSUED FOR PERMIT										
2	ISSUED FOR PERMIT										
3	ISSUED FOR PERMIT										
<p>PROJECT LOCATION</p> <p>PROJECT LOCATION: 3110 AUTOMOBILE BLVD., SILVER SPRING, MD 20904</p>											



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Montgomery County Sales Park Site Preliminary Plan Number: 1-820140130

Street Name: Automobile Blvd. Master Plan Road Classification: Business/ Industrial

Posted Speed Limit: 25 mph

Street/Driveway #1 (Driveway # 4) Street/Driveway #2 (Driveway # 6)

Sight Distance (feet) OK?
 Right 300 yes
 Left N/A _____

Sight Distance (feet) OK?
 Right 200 yes
 Left N/A _____

Comments: Since Automobile Blvd. is a one way street, the sight distance to the left is not applicable. The sight distance to the right meets the required minimum distance if parking is restricted on the east side from the entrance to 125' north.

Comments: Since Automobile Blvd. is a one way street, the sight distance to the left is not applicable. The sight distance to the right meets the required minimum distance if parking is restricted on the west side from the entrance to 150' south.

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Thomas M. Chicea
 Signature

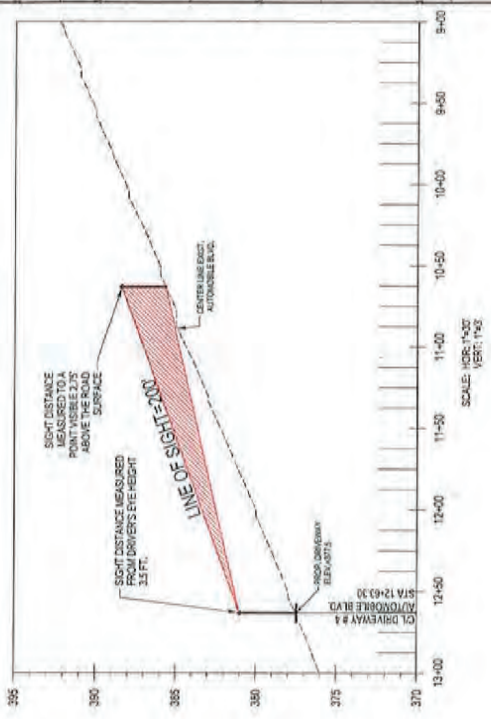
6/1/2018
 Date

11194
 PLS/P.E. MD Reg. No.



Montgomery County Review:	
<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved:
By:	<u><i>[Signature]</i></u>
Date:	<u>10/4/18</u>

DRIVEWAY 4



PROPERTY INFORMATION

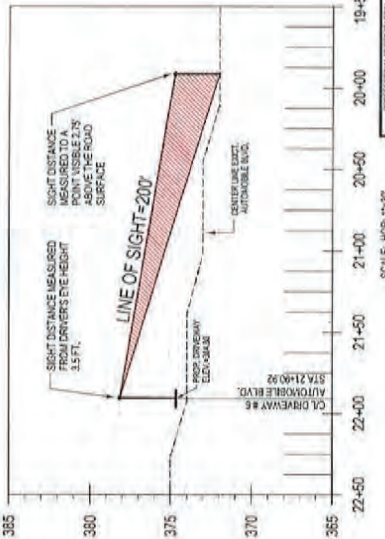
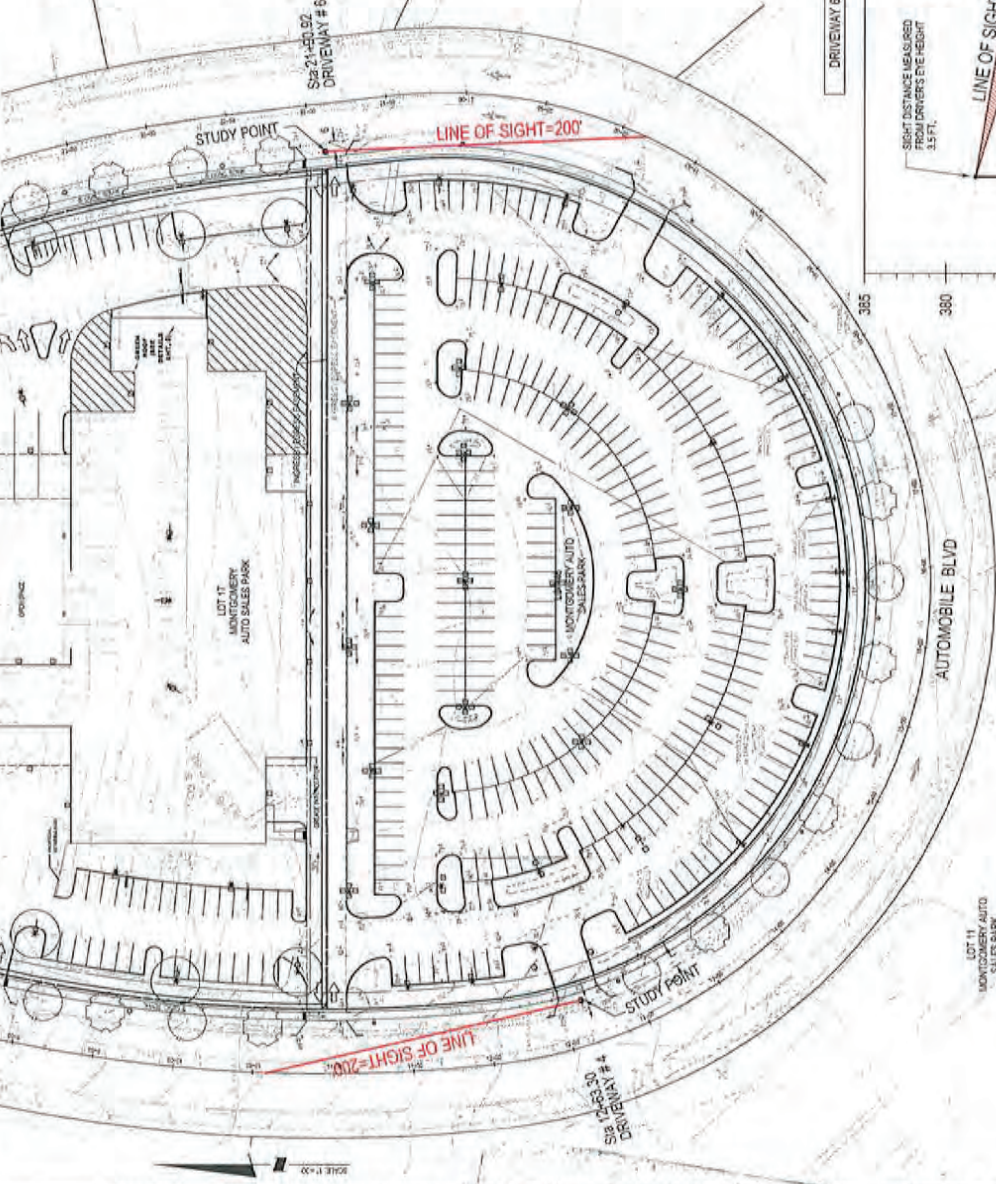
OWNER: MONTGOMERY AUTO SALES PARK

PROJECT: DRIVEWAY #4

DATE: 10/15/2024

SCALE: HOR: 1"=50', VERT: 1"=5'

ENGINEER: [Signature]



NOTE: DIMENSIONS TO BE USED FOR SIGHT DISTANCE VISIBILITY PER MD DOT REQUIREMENTS

SOLTESZ

ROCKVILLE OFFICE
 10000 Rockville Pike, Suite 100
 Rockville, MD 20850
 P: 301.484.2300 E: 301.484.2327

DRIVEWAYS # 4 & 6

AUTOMOBILE BLVD. SIGHT DISTANCE STUDY
MONTGOMERY AUTO SALES PARK
 3110 / 3130 AUTOMOBILE BLVD., SILVER SPRING, MD 20904
 MONTGOMERY AUTO SALES PARK, LOTS 17 & 18
 COLESVILLE IS IN ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

DATE	10/15/2024	SCALE	1"=50'	SHEET NO.	4	TOTAL SHEETS	5
PROJECT	AUTOMOBILE BLVD. SIGHT DISTANCE STUDY						
CLIENT	MONTGOMERY AUTO SALES PARK						
LOCATION	3110 / 3130 AUTOMOBILE BLVD., SILVER SPRING, MD 20904						
DESIGNER	SOLTESZ ENGINEERING, INC.						
CHECKER	[Signature]						
APPROVER	[Signature]						



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Montgomery County Sales Park Site Preliminary Plan Number: 1-820140130

Street Name: Automobile Blvd. Master Plan Road Classification: Business/ Industrial

Posted Speed Limit: 25 mph

Street/Driveway #1 (Driveway # 5) Street/Driveway #2 (_____)

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>200</u>	<u>yes</u>	Right _____	<u>yes</u>
Left <u>N/A</u>	_____	Left _____	_____

Comments: Since Automobile Blvd. is a one way street, the sight distance to the left is not applicable. The sight distance to the right meets the required minimum distance if parking is restricted on the west side from the entrance to 150' south.

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Louise M. Chizea 6/1/2018
 Signature Date

11194
 PLS/P.E. MD Reg. No.



Montgomery County Review:

Approved

Disapproved:

By: *[Signature]*

Date: 10/4/18

COUNTY OF MONTGOMERY
 PUBLIC WORKS
 ENGINEERING

PROJECT: DRIVEWAY #5
 DATE: 11/15/11

DESIGNED BY: [Name]
 CHECKED BY: [Name]
 DATE: 11/15/11

SCALE: 1"=30'
 NORTH

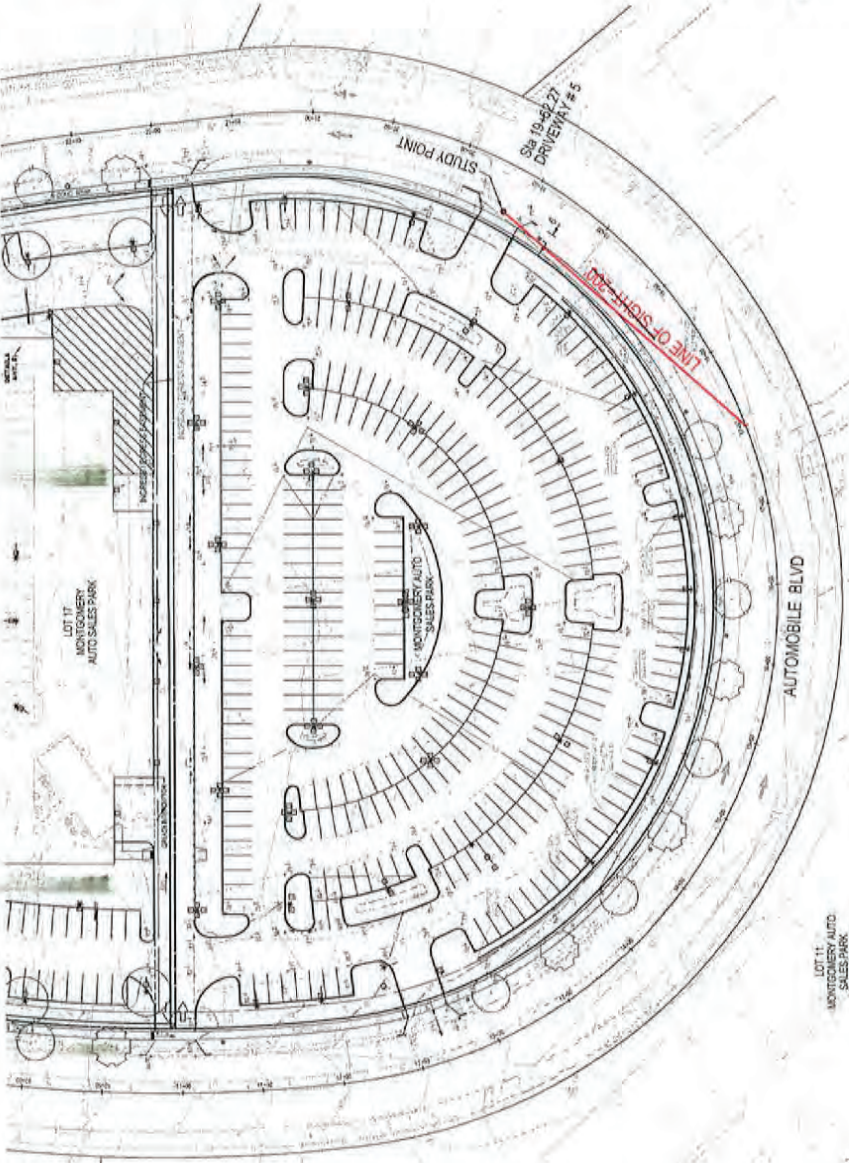
DRIVEWAY #5

LINE OF SIGHT = 200'

SIGHT DISTANCE MEASURED FROM DRIVER'S EYE HEIGHT
 3.5 FT.

SIGHT DISTANCE MEASURED TO A POINT VISIBLE TO A DRIVER'S ADVERSE VIEW SURFACE

SCALE: HORIZ: 1"=30'
 VERT: 1"=3'



PLAN VIEW
 SCALE: 1"=30'

NOTE: UNPLANTED TREES TO BE LIMITED FOR SIGHT DISTANCE VISIBILITY PER MD DOT REQUIREMENTS

DRIVEWAY #5

AUTOMOBILE BLVD. SIGHT DISTANCE STUDY
MONTGOMERY AUTO SALES PARK
 3110 / 3130 AUTOMOBILE BLVD., SILVER SPRING, MD 20904
 MONTGOMERY AUTO SALES PARK, LOTS 17 & 18
 COLESVILLE (S IN) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SCALE: HORIZ: 1"=30'
 VERT: 1"=3'

DATE	11/15/11
BY	[Name]
CHECKED BY	[Name]
DATE	11/15/11

DESIGNER/DEVELOPER/APPPLICANT

MONTGOMERY AUTO SALES PARK
 3110 / 3130 AUTOMOBILE BLVD.
 SILVER SPRING, MD 20904

MISC UTILITY NOTE

NO UTILITIES SHOWN OR KNOWN TO CROSS THE PROJECT AREA. ANY UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. ANY UTILITIES NOT SHOWN ARE THE RESPONSIBILITY OF THE CLIENT.

NO.	DATE	DESCRIPTION
1	11/15/11	ISSUED FOR PERMIT

SOLTESZ

ENGINEERING

3000 WOODBURN AVENUE
 SUITE 100
 ROCKVILLE, MD 20850
 P: 301.984.3700 F: 301.984.8507



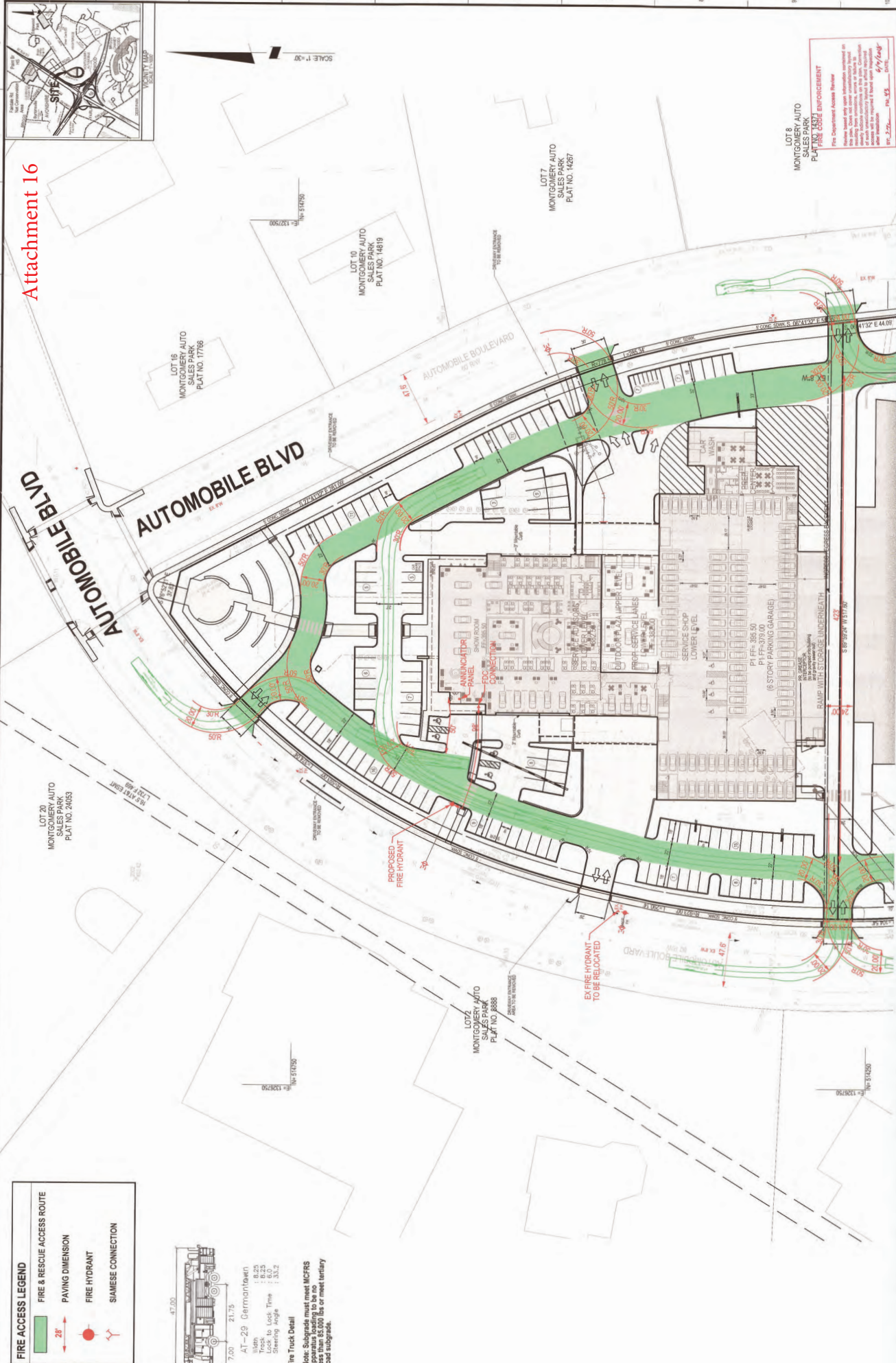
Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 07-Jun-18
TO: Keely Lauretti
Loiederman Soltesz Associates, Inc
FROM: Marie LaBaw
RE: Montgomery Auto Sales Park - North (Ownership Lot 17)
820140130 11985027A

PLAN APPROVED

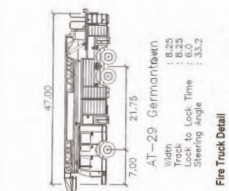
1. Review based only upon information contained on the plan submitted **07-Jun-18** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

Attachment 16



FIRE ACCESS LEGEND

- FIRE & RESCUE ACCESS ROUTE
- PAVING DIMENSION
- FIRE HYDRANT
- SIAMESE CONNECTION



Fire Truck Detail
 Note: Subgrade must meet MCPS apparatus loading to be no less than 85,000 lbs or meet tertiary road subgrade.

LOT 8 MONTGOMERY AUTO SALES PARK PLAT NO. 14267

LOT 7 MONTGOMERY AUTO SALES PARK PLAT NO. 14267

LOT 10 MONTGOMERY AUTO SALES PARK PLAT NO. 14819

LOT 16 MONTGOMERY AUTO SALES PARK PLAT NO. 17766

LOT 20 MONTGOMERY AUTO SALES PARK PLAT NO. 24053

LOT 7 MONTGOMERY AUTO SALES PARK PLAT NO. 14267

LOT 8 MONTGOMERY AUTO SALES PARK PLAT NO. 14267

LOT 10 MONTGOMERY AUTO SALES PARK PLAT NO. 14819

LOT 16 MONTGOMERY AUTO SALES PARK PLAT NO. 17766

LOT 20 MONTGOMERY AUTO SALES PARK PLAT NO. 24053

EMERGENCY ACCESS PLAN LOT 17

MONTGOMERY AUTO SALES PARK
 3110 AUTOMOBILE BLVD., SILVER SPRING, MD 20904
 MONTGOMERY AUTO SALES PARK, LOT 18

OWNER/DEVELOPER/APPLICANT
 MONTGOMERY AUTO SALES PARK, INC.
 3110 AUTOMOBILE BLVD., SILVER SPRING, MD 20904
 CONTACT: JAMES DAVISON
 j.davison@montgomeryautosales.com

MISC UTILITY NOTE
 INFORMATION CONCERNING UTILITY LOCATIONS AND DEPT. CONTACTS IS PROVIDED FOR INFORMATION ONLY. THE APPLICANT IS RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL UTILITY INFORMATION. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE APPLICANT SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND STRUCTURES DURING CONSTRUCTION. THE APPLICANT SHALL BE RESPONSIBLE FOR RESTORING ALL UTILITIES AND STRUCTURES TO ORIGINAL OR BETTER CONDITION AFTER CONSTRUCTION IS COMPLETE.

ROCKVILLE OFFICE
 2 Research Plaza, Suite 100
 Rockville, MD 20850
 P: 301.588.2700 F: 301.548.6967
 www.soltesz.com

SOLTESZ

REVISIONS

NO.	DATE	DESCRIPTION
1	11/15/2011	Submittal to MOCTE
2	01/23/2012	Final

SCALE 1" = 40'

DATE 11/15/2011

DRAWN BY J.D.

CHECKED BY J.D.

APPROVED BY J.D.



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

DATE: 07-Jun-18
TO: Keely Lauretti
Loiederman Soltesz Associates, Inc
FROM: Marie LaBaw
RE: Montgomery Auto Sales Park - South (Ownership Lot 18)
820140140 11985027A

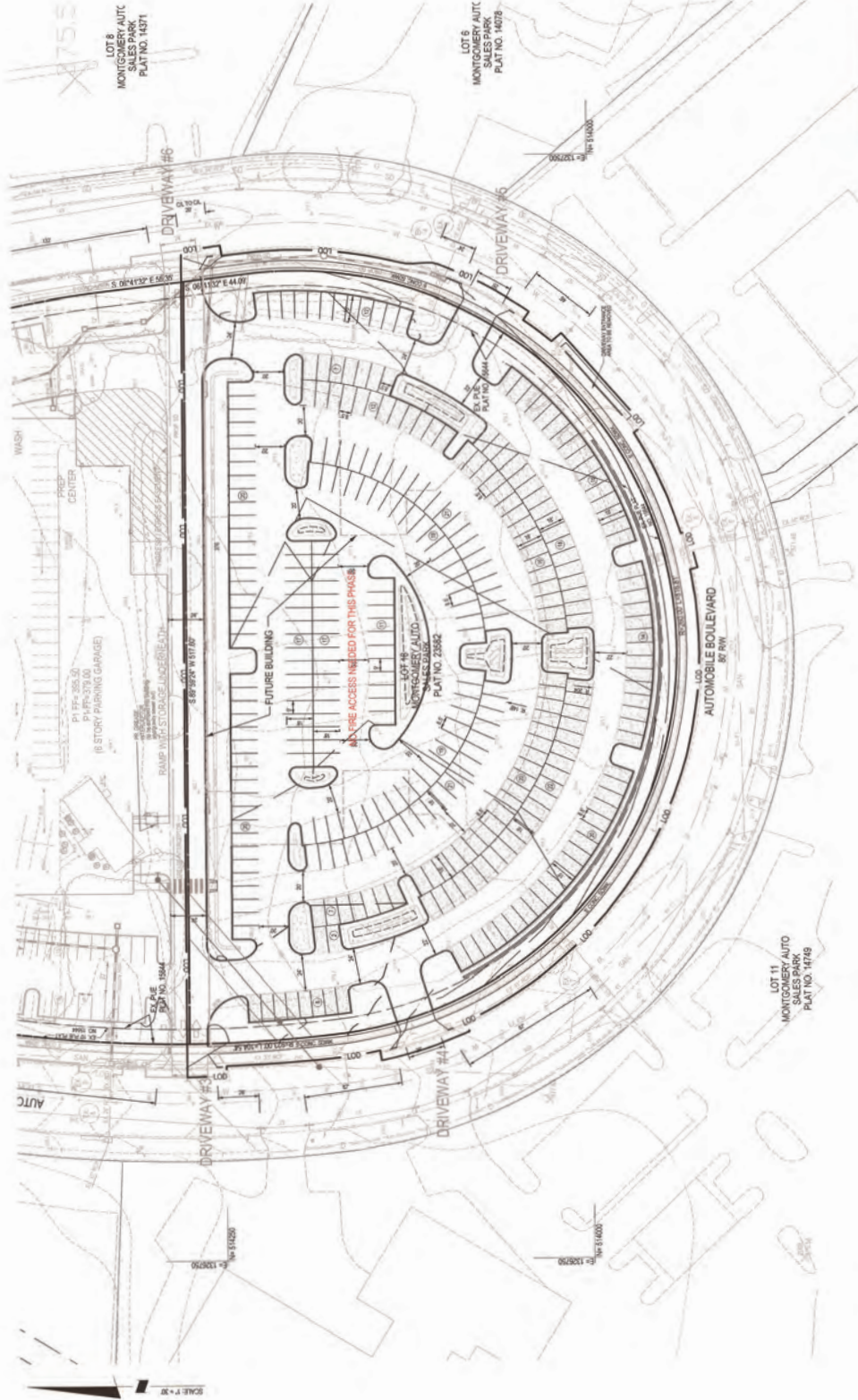
PLAN APPROVED

1. Review based only upon information contained on the plan submitted **07-Jun-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.

***** Phase 1 Does not propose any building construction - Does not require FD access *****

***** Phase two must meet FD access and water supply *****

Attachment 18

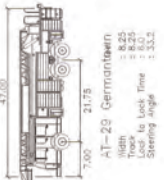


FIRE CODE ENFORCEMENT
 Fire Department Access Route
 Notes: Subgrade must meet MCFRS specifications for fire apparatus landing to be no less than 85,000 lbs or meet tertiary road subgrade.
 4/1/2024
 4/1/2024

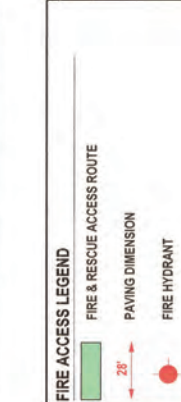
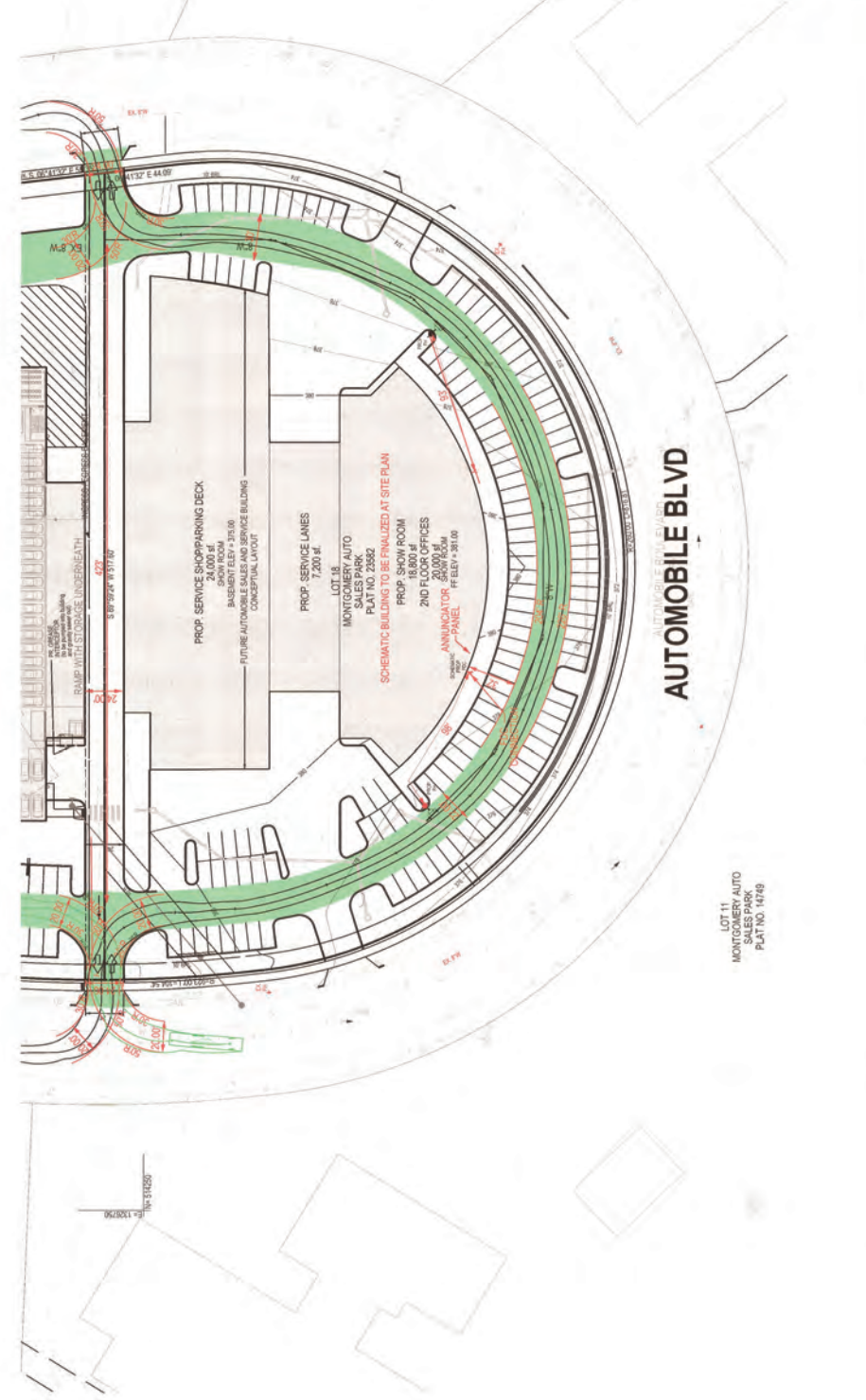
SCALE: 1" = 20'

<p>ROCKVILLE OFFICE 2 Research Plaza, Suite 100 Rockville, MD 20850 P: 301.884.2700 F: 301.884.8567</p>		<p>DATE: 04/11/2024 TIME: 10:00 AM PROJECT: MONTGOMERY AUTO SALES PARK SHEET: 18 OF 18</p>	<p>EMERGENCY PLAN LOT 18 PHASE 1</p>
<p>DESIGNED BY: SOLTESZ CHECKED BY: SOLTESZ APPROVED BY: SOLTESZ</p>		<p>OWNER: DEVELOPER/ARCHITECT NAME: MONTGOMERY AUTO SALES PARK ADDRESS: 3110 AUTOMOBILE BLVD., SILVER SPRING, MD 20904 PHONE: (301) 884-2700 FAX: (301) 884-8567 PROJECT NO.: 2024-001</p>	<p>MONTGOMERY AUTO SALES PARK 3110 AUTOMOBILE BLVD., SILVER SPRING, MD 20904 MONTGOMERY AUTO SALES PARK LOT 18</p>
<p>MIS UTILITY NOTE THE INFORMATION ON THIS SHEET IS FOR GENERAL INFORMATION ONLY. IT IS NOT TO BE USED AS A BASIS FOR DESIGN OR CONSTRUCTION. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION AND FOR OBTAINING NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.</p>		<p>DESIGNED BY: SOLTESZ CHECKED BY: SOLTESZ APPROVED BY: SOLTESZ</p>	<p>EMERGENCY PLAN LOT 18 PHASE 1</p>

Attachment 19



Fire Truck Detail
 Note: Sitings must meet MFRS apparatus loading to be no less than 10,000 lbs or meet tertiary road ratings.



LOT 8
 MONTGOMERY AUTO SALES PARK
 PLAT NO. 14371

LOT 6
 MONTGOMERY AUTO SALES PARK
 PLAT NO. 14078

LOT 11
 MONTGOMERY AUTO SALES PARK
 PLAT NO. 14749

FIRE CODE ENFORCEMENT
 Fire Department Access Route
 This site has been reviewed and approved for fire department access. The fire department access route is shown in green on the site plan. The fire department access route is 28 feet wide and is paved. The fire department access route is shown in green on the site plan. The fire department access route is shown in green on the site plan. The fire department access route is shown in green on the site plan.

EMERGENCY ACCESS PLAN LOT 18

MONTGOMERY AUTO SALES PARK
 3110 AUTOMOBILE BLVD., SILVER SPRING, MD 20904
 LOT 18

DESIGNED BY: SOLTESZ ENGINEERS, INC.
 PROJECT NO.: 2023-018

SOLTESZ ENGINEERS, INC.
 ROCKVILLE OFFICE
 190 ROCKVILLE PIKE
 ROCKVILLE, MD 20850
 P. 301.948.2700 F. 301.948.9997

OWNER/DEVELOPER/APPLICANT
 MONTGOMERY AUTO SALES PARK
 3110 AUTOMOBILE BLVD., SILVER SPRING, MD 20904
 CONTACT: JAMES D. MONTGOMERY
 jmontgomery@masp.com

MSS UTILITY NOTE
 THE INFORMATION CONTAINED ON THIS PLAN IS BASED ON THE RECORD DRAWINGS AND FIELD SURVEY DATA PROVIDED TO SOLTESZ ENGINEERS, INC. BY THE APPLICANT AND/OR OTHER SOURCES. SOLTESZ ENGINEERS, INC. HAS CONDUCTED VISUAL VERIFICATION OF THE UTILITY LOCATIONS SHOWN ON THIS PLAN. SOLTESZ ENGINEERS, INC. HAS CONDUCTED VISUAL VERIFICATION OF THE UTILITY LOCATIONS SHOWN ON THIS PLAN. SOLTESZ ENGINEERS, INC. HAS CONDUCTED VISUAL VERIFICATION OF THE UTILITY LOCATIONS SHOWN ON THIS PLAN. SOLTESZ ENGINEERS, INC. HAS CONDUCTED VISUAL VERIFICATION OF THE UTILITY LOCATIONS SHOWN ON THIS PLAN.