



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item #

6
6/6/02
MCPD



MEMORANDUM

DATE: May 31, 2002
TO: Montgomery County Planning Board
VIA: Joe R. Davis, Chief *JRD*
Development Review Division
FROM: Wynn E. Witthans, RLA, AICP
Planning Department Staff
(301) 495-4584

REVIEW TYPE: Site Plan Review
APPLYING FOR: Approval of 36,921 s.f. of automobile sales on 5.15 acres
PROJECT NAME: EDP East
CASE #: 8-02023
REVIEW BASIS: Sec. 59-D-3, M. C. Zoning Ordinance

ZONE: I-1
LOCATION: On Indianola Drive, 210 feet east of MD Route 355
MASTER PLAN: Upper Rock Creek Watershed
APPLICANT: Eastern Diversified Properties, Mr. Hamid Fallahi
FILING DATE: January 17, 2002
HEARING DATE: June 6, 2002

STAFF RECOMMENDATION: Approval of 36,921 s.f. of automobile sales on 5.15 acres with the following conditions:

1. Standard Conditions dated October 10, 1995, Appendix A.
2. The final Lighting Plan shall reflect the lighting guidance in the Zoning Ordinance, IESNA Guidelines and what has been provided with Planning Board approvals of other auto dealerships and shall be reviewed prior to completion of signature set.

3. The Site Plan Enforcement Agreement shall provide consent to the Historic Preservation Section, M-NCPPC to perform a Phase I Archaeological Investigation of the property prior to construction. The investigation shall not delay the Applicant's construction schedule. The Applicant shall co-operate with M-NCPPC archeological staff regarding any reasonable requests to remove any artifacts found during this survey for use in future public displays.

ISSUES ADDRESSED IN THE COURSE OF SITE PLAN REVIEW

In response to staff comments, the applicant has revised the original submittal to improve the landscape design and function for screening and conformance to the zoning ordinance.

The lighting for the site is subject to Section 59-C-4.367 of the Montgomery County Zoning Ordinance – Special regulations applicable to designated automobile-related uses as follows:

- (c) *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 original submittal had extraordinary light levels of 36.4 average footcandles, a very high light level, above the IESNA guidelines. Staff recommended that the light levels be revised to be more consistent with the Zoning Ordinance, IESNA Guidelines and with Planning Board approvals of other auto dealerships. The applicant is in the process of working out a more acceptable lighting plan and staff will review it and present it at the Planning Board hearing.

Staff received a copy of a letter from a citizen who was concerned that this property had once been the site of a civil war skirmish known as Ricketts Run. Staff reviewed the location of the Ricketts Run with M-NCPPC Historic Preservation Staff and found that this was **not** the location, although it is in the area. Both letters are attached. Staff is recommending that a Phase I archeological study be allowed prior to construction.

An adjoining property owner had sent a letter to staff early in the review process asking the Planning Board to refrain from acting on this site plan review. This was due to a pending lawsuit regarding a boundary line dispute. Staff received a subsequent letter from the adjoining property owner indicating the matter was to be resolved and they no longer desired any disruption to the review of the site plan. Both letter are attached.

PROJECT DESCRIPTION: Surrounding Vicinity

The site is located on the north side of Indianola Drive. The site has a second access drive on Paramount Drive. Opposite the site on Paramount Drive are commercial uses in I-1 zoned land. Paramount Drive is an improved road with sidewalks and street trees that this site will connect to.

Adjacent to the site to the west is an existing automobile dealership, zone C-3, and recently constructed within the City of Rockville. The existing automobile dealership has improved its frontage along Paramount Drive with sidewalks and street trees.

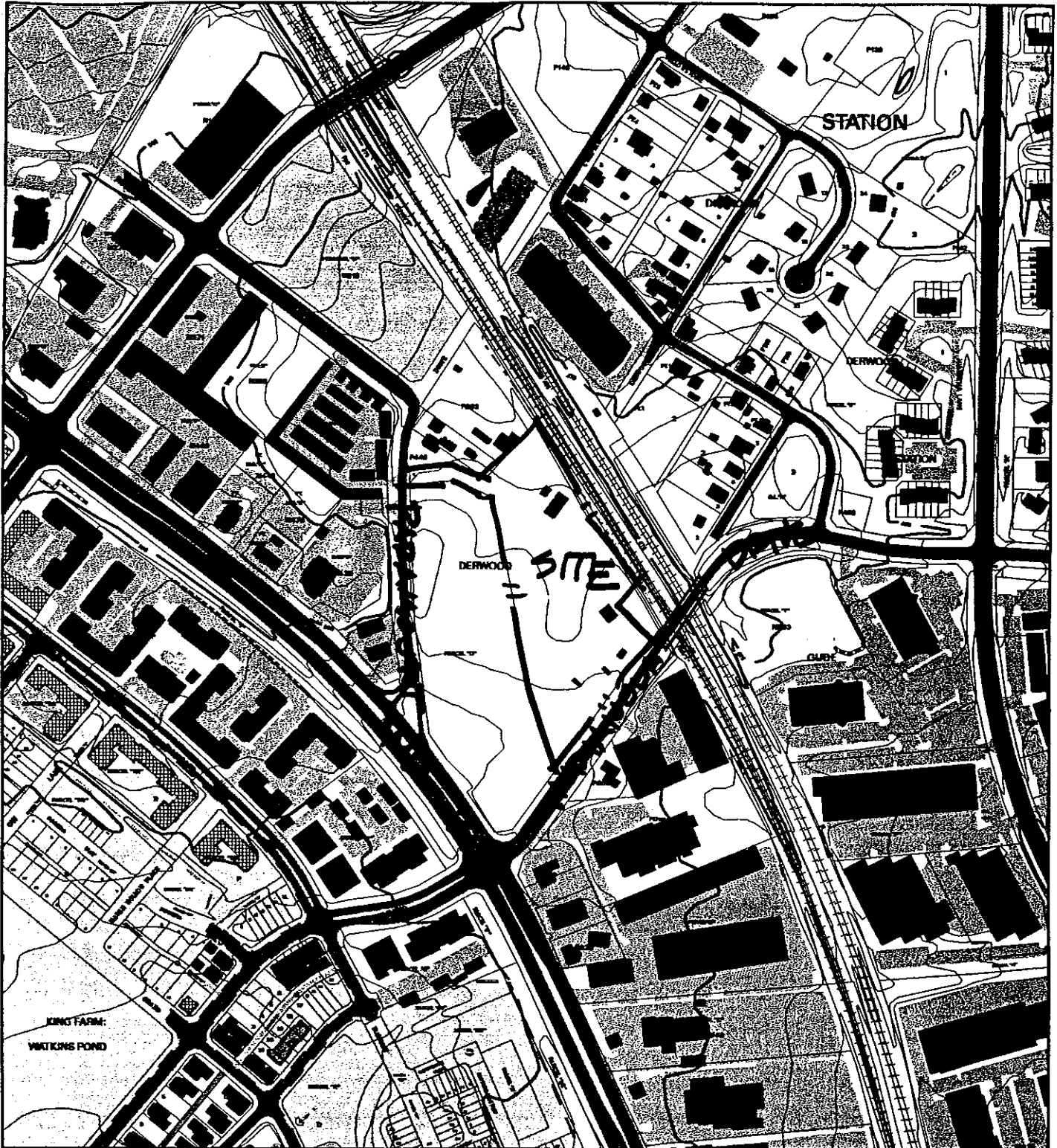
Adjacent to the side to the north are several lots owned by different landowners. The land is zoned I-1 and is partially developed.

East of the site is land owned by WMATA and CSX and is the site of the Metro and MARC train tracks. Further north of the tracks are residential and business park uses.

PROJECT DESCRIPTION: Site Description

The site is partially wooded to the north with open parking areas in the southern half of the site. There are several small buildings on site that will be removed for development.

VICINITY MAP FOR
EDP EAST (8-02023)



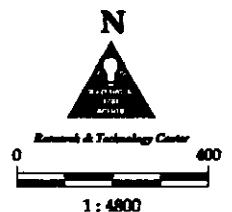
Map compiled on January 30, 2002 at 12:50 PM | Site located on base sheet no - 221NW08

NOTICE

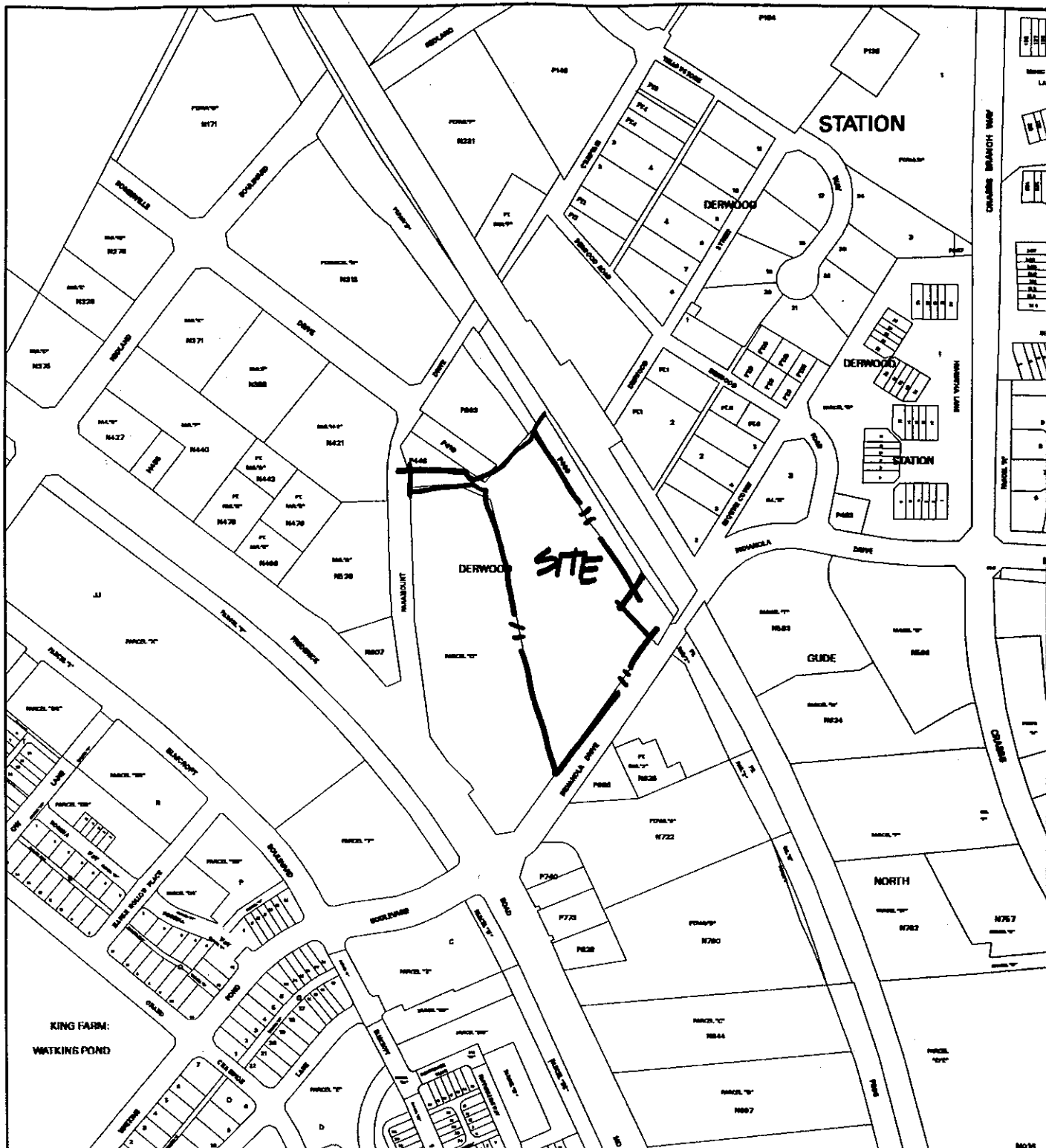
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VICINITY MAP FOR
EDP EAST (8-02023)



Map compiled on January 29, 2002 at 8:48 AM | Site located on base sheet no - 221NW08

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Key Map



Research & Technology Center



1:4800

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

8787 Georgia Avenue - Silver Spring, Maryland 20910-5768

46

PROJECT DESCRIPTION: Proposal

The proposed automobile dealership includes two structures, one show room and overhead canopy near Indianola Drive and one service and parts building with a covered service drive in the center of the property. Customer parking is provided near each building and the remaining spaces are used for storage of new and repaired cars. Each building is one story and they include auxiliary office and employee areas.

Vehicular circulation is provided by internal drives that link the two access points on the adjacent streets and that provide access to the remainder of the parking lot and to each building. Pedestrian circulation is provided via public sidewalks at the street frontages, internal crosswalks and sidewalks that provide continuous onsite connections.

Landscaping for the proposed automobile dealership includes evergreen screening and shade trees at the street frontages; shade trees or evergreen screening along the shared boundaries with adjacent properties; shade trees evenly distributed within the parking areas and accent landscaping at the entrance to the show room. A berm, ornamental grasses and an irrigation system is proposed along the frontage of the property that will substitute for evergreen shrubs, an underground drainage structure prevents shrub planting.

Lighting for the project includes shoebox and spot light type fixtures on 25 foot mounted poles. The building mounted lights are shoebox style lights as well. The first submittal showed light trespass and hot spots of over 66 footcandles. The applicant is working on the overall plan to reduce light levels, glare and off-site spillage and to conform to earlier Planning Board approvals for lighting of automobile parks.

Storm water management is provided by on-site water quantity control via underground detention facilities and on -site water quality control via 2 structural sand filters and one surface sand filter.



ANALYSIS: Conformance to Master Plan

The site is within the Upper Creek Mater Plan area and is zoned I-1 as are the adjacent properties to the north.

ANALYSIS: Conformance to Development Standards

Site Plan review is required per Section 59-C-5.21 (d) as follows:

⁸ *Subject to requirements of section 59-C-4.367. In addition, automobile sale uses are subject to the requirements for site plan review as contained in division 59-D-3.*

PROJECT DATA TABLE

Development Standards

	Permitted/ Required	Proposed
Lot Area (ac.):	n/a	5.14 acres
Gross Floor Area (sq. ft.):		40,220 sf
Floor Area Ratio (FAR):		
Green Space (10% of gross tract area):	22,416 sf	39,975 sf or 17.8 %
Building Coverage (%):	35%	16%
Building Height (ft.):	42 ft/3 stories	42 ft.
Setbacks (ft.):		
To commercial /Industrial Zone	10 ft	52 ft
To Adj. Res. Zone	50 ft	n/a
To Controlled Major hwy	50 ft	n/a
Parking:		
Total	216 for employees and customers <u>247 for vehicle inventory</u> 463 total	
Standard 456/ handicapped 7/ bikes 11/ motorcycles 5		
Auto repair and service (29,980 sf) @ 3.3/1,000 SF		99 sp
1 sp per employee		60 sp
Retail (10,240 sf) @ 5/1,000 sf		<u>57 sp</u>
		216
Additional parking not req'd @ auto repair pkg in bldg		28 sp
Vehicle storage		247 sp

FINDINGS: For Site Plan Review

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required*
2. *The Site Plan meets all of the requirements of the zone in which it is located. See project Data Table above.*
3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

- a. **Buildings**

The sales building maintains a visible relationship to the street, providing direct and easy orientation to the building for visitors to the site. The canopy, which confronts Indianola Drive, provides a high level of visibility for the sales building. The length of the service and parts building is aligned with the adjacent train tracks, thus minimizing the view of the service bays from adjacent roadways. By maintaining the alignment of only one building along the Indianola Drive, the frontage of the site is not overwhelmed by the proposed commercial use. The buildings' locations create a desirable relationship to the adjacent streets and surrounding uses.

- b. **Open Spaces**

Storm water management is provided by on-site water quantity control via underground detention facilities and on -site water quality control via 2 structural sand filters and one surface sand filter.

The applicant has provided open spaces through the parking lot as planting islands.

- c. **Landscaping and Lighting**

Landscaping on the site consists of street trees, shade trees, evergreen screen and accent planting. The landscaping will create an attractive view from the street, it will provide shade and it will create attractive entry areas to the building. The street trees will continue an attractive edge to the improved frontages of both adjacent streets and will provide shade for pedestrians. The landscaping along the side yard boundaries will create an evergreen screen to the train tracks. The shade trees along the western boundary are spaced to allow for views to the sales building from Paramount Drive – a hedge has been added for buffering between the two properties.

The lighting plan has been adjusted to meet levels XXXXXX

d. Recreation

Recreation is not required with a commercial use.

e. Vehicular and Pedestrian Circulation

The street connections to the site are in accordance with the Preliminary Plan currently under review, and the layout provides for direct access to the site from two streets. The internal circulation is continuous and allows for good orientation within the site and easy access to parking and buildings.

The pedestrian system that consists of public sidewalks, cross walks and internal walks are continuous and provide for a highly identifiable pedestrian way.

The vehicular and pedestrian systems are adequate for the site.

A traffic mitigation agreement is required for this site and staff has proposed the following measures:

- The applicant is to reduce trips by running a shuttle to the Shady Grove Metro
- The applicant shall provide a kiosk for Montgomery County Transit Services Division to distribute information in the sales and service building with literature regarding public transit services available in the proximity of the EDP East property.

Their memo is attached.

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

The buildings and their location create an identifiable presence on adjacent roads but due to the separation and scale of the two buildings, the visible impact of the buildings is not overwhelming to the view from the street. The building is comparable to the adjoining automobile dealership and other buildings in the area.

Buffers developed to the streets and adjoining properties are adequate to mitigate the views of the project.

The activity associated with the proposed automobile dealership will not cause any negative effect on adjacent automobile dealerships, transit lines and commercial uses.

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

The site is a forest conservation loophole property – and no forest conservation is required on the site. It received a single lot exemption.

APPENDIX

- A. Standard conditions dated October 10, 1995
- B. Correspondence referenced in report
 - a. SWM Concept Approval from DPS dated July 17, 2001
 - b. Transportation Planning Memo dated May 31, 2002
 - c. Citizen Comment Letters and staff response
 - 1. Mr. Parello 4/22/02 and staff response 4/30/02
 - 2. Mr. Schechtel 1/16/02 and 2/11/02
 - 3.

APPENDIX A: STANDARD CONDITIONS OF APPROVAL DATED 10-10-95:

- 1. Submit a Site Plan Enforcement Agreement and Development Review Program for review and approval prior to approval of the signature set as follows:
 - a. Development Program to include a phasing schedule as follows:
 - 1) Streets tree planting must progress, as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
 - 2) Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development.
 - 3) Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
 - 4) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
 - 5) Clearing and grading to correspond to the construction phasing, to minimize soil erosion.
 - 6) Coordination of each section of the development and roads.
 - 7) Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
 - b. Site Plan Enforcement Agreement to reference the Transportation Planning Division Memo of May 31, 2002 and the Traffic Mitigation Agreement requirements.
- 2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion Control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 - a. Limits of disturbance.
 - b. Methods and locations of tree protection, if applicable.
 - c. Forest Conservation areas, if applicable.

- d. Conditions of DPS Stormwater Management Concept approval letter dated July 17, 2001.
 - e. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading, if applicable.
 - f. The development program inspection schedule.
 - g. Conservation easement boundary, if applicable.
 - h. Streets trees 50 feet on center along all public streets.
- 3. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
 - 4. No clearing or grading prior to M-NCPPC approval of signature set of plans.

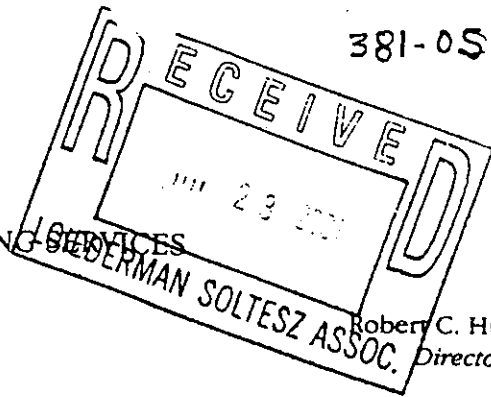


DEPARTMENT OF PERMITTING SERVICES

July 17, 2001

Douglas M. Duncan
County Executive

Mr. Jagdish Mandavia, P.E.
Loiederman Soltesz Associates
1390 Piccard Drive, Suite 100
Rockville, Maryland 20850



Robert C. Hubbard
Director

Re: Stormwater Management **CONCEPT** Request
for EDP Paramount East
SM File #: 203031
Tract Size/Zone: 5.13 Ac/I-1
Total Concept Area: 5.13 Ac
Tax Plate: GS 122
Parcel: Part of K
Montg. Co. Grid: 29A01
Watershed: Upper Rock Creek

Dear Mr Mandavia:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quantity control via two underground detention facilities and on-site water quality control via 2 structural sandfilters and one surface sandfilter.

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

- The design computations and details will need to be revised pursuant to your meeting with Mike Geier of my staff.

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

This letter must appear on the sediment control/stormwater management plan at its initial submittal. 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 Mike Geier at 240-777-6342.

Sincerely,

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

RRB:enm CN203031.mjg.doc
cc: M. Shaneman
S. Federline
SM File # 203031

QN -onsite: Acres: 5.13
QL -onsite: Acres: 5.13



May 31, 2002

MEMORANDUM

TO: Malcolm Shaneman, Supervisor
Wynn Witthans, Site Planner
Development Review Division

VIA: Ronald C. Welke, Supervisor
Transportation Planning

FROM: Ed Axler, Coordinator *EA*
Transportation Planning

SUBJECT: Preliminary Plan No. 1-01085
Site Plan No. 8-02023
EDP East
Shady Grove (Metrorail) Policy Area

This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject preliminary plan and site plan.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the APF test for transportation requirements related to approval of this preliminary plan and site plan:

1. Limit the preliminary plan to a 40,220-square-foot automobile dealership which includes an 10,240-square-foot sales/showroom and a 29,980-square-foot automobile service building.
2. Coordinate with the Montgomery County Department of Public Works and Transportation (DPWT) to provide a mountable curb and pavement marking at the vehicle access from Paramount Drive to discourage left-turns in and left-turns out because of the proximity to the existing EDP West driveway.

(2)

3. Enter into a traffic mitigation agreement with the Planning Board and DPWT to participate with the Greater Shady Grove Transportation Management District (TMD) and pay the Transportation Management District fee, when adopted by the County Council, to encourage increased use of public transit:
 - a. achieve and maintain the commuting mode share goals of the Greater Shady Grove Transportation Management District (TMD) of 12 percent non-auto drivers for workers in the peak hours. DPWT is developing Executive Regulations to implement the Greater Shady Grove TMD and Share-A-Ride District.
 - b. help achieve a desirable overall performance goal and reduce the total peak-hour trips generated by the EDP East property. The following measures have been identified to encourage transit use by employees and patrons:
 - 1) Operate a shuttle for patrons and employees between the site and Shady Grove Metrorail Station or possibly patron's nearby places of employment.
 - 2) Provide a kiosk for the Montgomery County Transit Services Division to distribute information in the sales and service building with literature regarding public transit services available in the proximity of the EDP East property.

The traffic mitigation plan shall substantially reflect the plan proposed to Transportation Planning staff. A traffic-monitoring program may be included to measure the success of the plan on a periodic basis. If the proposed traffic mitigation plan does not achieve and maintain the goals, a revised plan will have to be considered for effectiveness and implemented.

DISCUSSION

Site Location and Access

The site is located on the west side of the CSX railroad between Paramount Drive and Indianola Drive. The two main vehicular access points are from Indianola Drive with an additional vehicular access point from Paramount Drive. Indianola Drive has a four-foot sidewalk on the northwest side of the road from the southeast to the first vehicular access point. The sidewalks stop at this first access vehicular point because of steep grade along the Indianola Drive frontage. Paramount Drive has a five-foot sidewalk along the property 60-foot frontage.

Master Plan Roadways and Bikeways

According to the *Upper Rock Creek Master Plan*, the nearby roadways are classified as follows:

1. Indianola Drive is a primary residential street, P-12, with a 70-foot right-of-way.
2. Paramount Drive is classified as a secondary residential street with a 60-foot right-of-way.
3. Frederick Avenue (MD 355) is classified as a major highway, M-6, with a 120-foot right-of-way.
4. Crabbs Branch Way is classified as an arterial, A-262, with an 80-foot right-of-way.

On-Going Transportation Project

Additional approach lanes are to be built at the intersection of Redland Road and Crabbs Branch Way associated with DPWT's Capital Improvements Program (CIP) Project No. 500010, Redland Road from Crabbs Branch Way to Needwood Road (Refer to the attached CIP page). Besides widening Redland Road for four travel lanes, the CIP Project is to add an eastbound through lane and a westbound left-turn lane on Crabbs Branch Way approaches to Redland Road. The CIP project is scheduled to start construction in April 2003.

In addition, this site was identified as a potential candidate site for a facility related to the proposed and on-going I-270 Corridor Transitway.

Local Area Transportation Review

An automobile dealership of 40,220 square feet generates 82 peak-hour trips during the weekdays morning peak period (7:00 a.m. and 9:00 p.m.) and 97 peak-hour trips during the weekday evening peak period (4:00 to 6:00 p.m.). A traffic study was submitted to satisfy Local Area Transportation Review because the proposed land use generates 50 or more peak-hour trips during the weekdays morning and evening peak periods. For the existing, background, and total traffic conditions, the critical lane volume (CLV) values determined in the submitted traffic study dated August 2001, and supplement dated December 13, 2001, were as follows:

Intersection	Peak Hour	Traffic Condition		
		Existing	Background	Total
Frederick Road and Indianola Drive / Watkins Pond Boulevard	Morning	1,244	1,484	1,492
	Evening	1,315	1,627	1,666
Frederick Road and Redland Road	Morning	1,549	1,696	1,707
	Evening	1,307	1,484	1,495
Crabbs Branch Way and Redland Road	Morning	1,806 ¹	1,846 ^{1,2}	1,846 ^{1,2}
	Evening	1,699 ³	1,383 ³	1,386 ³
Crabbs Branch Way and Indianola Drive	Morning	1,380	1,505	1,514
	Evening	1,059	1,166	1,171

Footnotes:

- No. 1: The CLV values at intersection of Crabbs Branch and Redland Road during the morning peak hours exceed congestion standard of 1,800 for the Shady Grove (Metrorail) Policy Area. The CLV values at the other three intersections are less than 1,800.
- No. 2: At intersection of Crabbs Branch and Redland Road, the site-generated traffic would not occur in the critical-directional movements through the intersection. As a result, the site-generated traffic would not increase the CLV value from the background traffic condition to the total traffic condition.
- No. 3: At intersection of Crabbs Branch and Redland Road, the CLV values during the evening peak hours decrease in the background and total traffic conditions from the higher value in the existing traffic condition. In the background and total traffic conditions, the CLV values were analyzed with the extra approach lanes on Crabbs Branch Way associated with the funded CIP project described above.

Policy Area Review/Staging Ceiling Condition

As of April 30, 2002, the Shady Grove (Metrorail) Policy Area has a remaining capacity of 982 jobs in the transportation staging ceiling under the *FY 2002 Annual Growth Policy*.

EA:cmd
Attachment

cc: Muriel Bowser
John Brundage
Jon Hutchinson
Larry Gordon
Ed Papazian

5

DIVISION OF ENGINEERING SERVICES

PROJECT NAME/ TEAM MEMBERS	MILESTONE ACTIVITIES	PROJECTED	SCHEDULE CURRENT	ACTUAL	COMMENTS
JONES BRIDGE ROAD AT ROCKVILLE PIKE HURST-ROSCHKE PDF 11-79 PROJECT 500140 SCHEDULE ADDED 07/01/00 MITRA PEDOEEM 240-777-7280 JERRY MCCAULEY 240-777-7282 FRANCES MARCUS 240-777-7258 DILIP PANDYA 240-777-7214 ROBERT MICHAEL 240-777-7213	<p>PHASE ONE (EAST LEG)</p> <p>NOTICE-TO-PROCEED</p> <p>30% DESIGN SUBMITTAL</p> <p>90% DESIGN SUBMITTAL</p> <p>AGENCY DISTRIBUTION FOR PERMITS</p> <p>100% DESIGN FOR W/O CONTRACT</p> <p>PHASE TWO (NORTH AND WEST LEGS)</p> <p>NOTICE-TO-PROCEED</p> <p>CONCEPT DESIGN SUBMITTAL</p> <p>30% DESIGN SUBMITTAL</p> <p>UTILITY/CONST ASSESSMENT</p> <p>PREL. R/W PLAT SUBMITTAL</p> <p>MCPB MANDATORY REFERRAL</p> <p>PUBLIC MEETING OR NEWSLETTER</p> <p>FINAL R/W PLAT SUBMITTAL</p> <p>90% DESIGN SUBMITTAL</p> <p>AGENCY DISTRIBUTION FOR PERMITS</p> <p>100% DESIGN FOR W/O CONTRACT</p> <p>R/W CLEAR</p> <p>UTILITY RELOCATION</p> <p>ADVERTISE</p> <p>BID</p> <p>START CONSTRUCTION</p> <p>COMPLETE CONSTRUCTION</p>	04/01 06/01 09/01 10/01 11/01	04/13/01	04/13/01	
MD410 AT MD390 (E-W HWY @ 16TH ST) SILVER SPRING TRAFFIC IMPROVEMENT HURST-ROSCHKE SCHEDULE UPDATED 07/01/00 PDF 11-84 PROJECT 508716 YASAMIN EMAIL 240-777-7226	<p>UTILITY RELOCATION (START)</p> <p>ADVERTISE FOR BIDS</p> <p>START CONSTRUCTION</p> <p>END CONSTRUCTION</p>	10/00 SPRING 01 04/01 12/01	06/01	ongoing 12/05/00	SHA MANAGING CONSTRUCTION. NTP 06/26/01 CONCRETE GENERAL.. COST \$1.1 MILLION.
REDLAND ROAD FROM CRABBS BRANCH WAY TO NEEDWOOD ROAD SCHEDULE ADDED 07/01/00 PDF 11-82 PROJECT 500110 JON HUTCHINGS 240-777-7224 TOM REISE 240-777-7257 JIM LUTZ 240-777-7216	<p>NOTICE-TO-PROCEED</p> <p>SUBMIT CONCEPT DESIGN</p> <p>SEQUENCE OF CONSTRUCTION</p> <p>UTILITY IMPACT ASSESSMENT</p> <p>PUBLIC MEETING</p> <p>COMPL. PRELIMINARY DESIGN (35%)</p> <p>START FINAL DESIGN</p> <p>FINAL PLANS & SPECIFICATIONS</p> <p>FINAL PLATS</p> <p>PLAN APPROVAL AND PERMITS</p> <p>ADVERTISE FOR BIDS</p> <p>R/W CLEAR</p> <p>START CONSTRUCTION</p> <p>COMPLETE CONSTRUCTION</p>	06/00 10/00 11/00 06/00 02/01 02/01 02/01 02/02 03/02 03/02 01/03 05/03 05/03	01/01 07/01 07/01 06/01 05/01 09/01 11/02 11/02 03/03	02/01 06/28/01	PRELIMINARY DESIGN COMPLETE. PUBLIC MEETING SCHEDULED 06/28/01, Master Planned by Rawley, P-S, preliminary with B. Harvey, Recreation Mond. Referral in October

Redland Rd from Crabbs Branch Way to Needwood Rd -- No. 500010

Category Transportation
Agency Public Works & Transportation
Planning Area Gaithersburg Vicinity
Relocation Impact None.

Date Last Modified
Previous PDF Page Number
Required Adequate Public Facility

January 7, 2000
7-21 (00 App)
NO

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY99	Estimate FY00	Total 6 Years	FY01	FY02	FY03	FY04	FY05	FY06	Beyond 6 Years
Planning, Design and Supervision	306	0	50	256	130	126	0	0	0	0	0
Land	100	0	10	90	90	0	0	0	0	0	0
Site Improvements and Utilities	490	0	0	490	90	400	0	0	0	0	0
Construction	1,000	0	0	1,000	220	780	0	0	0	0	0
Other											
Total	1,896	0	60	1,836	530	1,306	0	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	1,496	0	60	1,436	330	1,106	0	0	0	0	0
Development Approval Payment	400	0	0	400	200	200	0	0	0	0	0

ANNUAL OPERATING BUDGET IMPACT (\$000)

DESCRIPTION

This project provides for reconstruction of a segment of Redland Road including the intersections with Crabbs Branch Way and Needwood Road for congestion mitigation. Anticipated improvements include: widening a portion of Redland Road from Crabbs Branch Way to Needwood Road, construction of additional turning lanes, installation of traffic improvement devices, and storm drain modifications as needed.

Service Area

Gaithersburg Vicinity

JUSTIFICATION

After the project is implemented, the a.m. Level of Service (LOS) at the Crabbs Branch Road intersection will be improved from "D" to "C" with a reduction in Critical Lane Volumes (CLV) by 156 vehicles. The p.m. LOS will be improved from "F" to "B" with a reduction in CLV by 527 vehicles. Improvement to the Needwood Road intersection will reduce the a.m. LOS from "F" to "C," with a reduction in CLV by 466 vehicles. The p.m. LOS will be improved from "E" to "B" with a reduction in CLV by 412 vehicles.

Plans and Studies

Accident and Congestion Studies conducted by DPWT Division of Traffic and Parking Services and comprehensive consultant studies indicate significant congestion in this roadway segment. Physical modifications to these intersections will improve the level of service and reduce operational problems.

Cost Change

Not Applicable

STATUS

Conceptual Stage

OTHER

The project scope has remained the same. Project costs will be updated after the 35 percent engineering design is completed. This project is part of a coordinated effort to mitigate congestion at some of the County's most congested intersections.

FISCAL NOTE

Development Approval Projects (DAP) collected through FY99 have been programmed in this project.

APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY00	(\$000)
Initial Cost Estimate		1,896
First Cost Estimate		
Current Scope	FY00	1,896
Last FY's Cost Estimate		1,896
Present Cost Estimate		1,896
Appropriation Request	FY01	1,696
Appropriation Request Est.	FY02	0
Supplemental Appropriation Request	FY00	0
Transfer		0
Cumulative Appropriation		200
Expenditures/Encumbrances		0
Unencumbered Balance		200
Partial Closeout Thru	FY98	0
New Partial Closeout	FY99	0
Total Partial Closeout		0

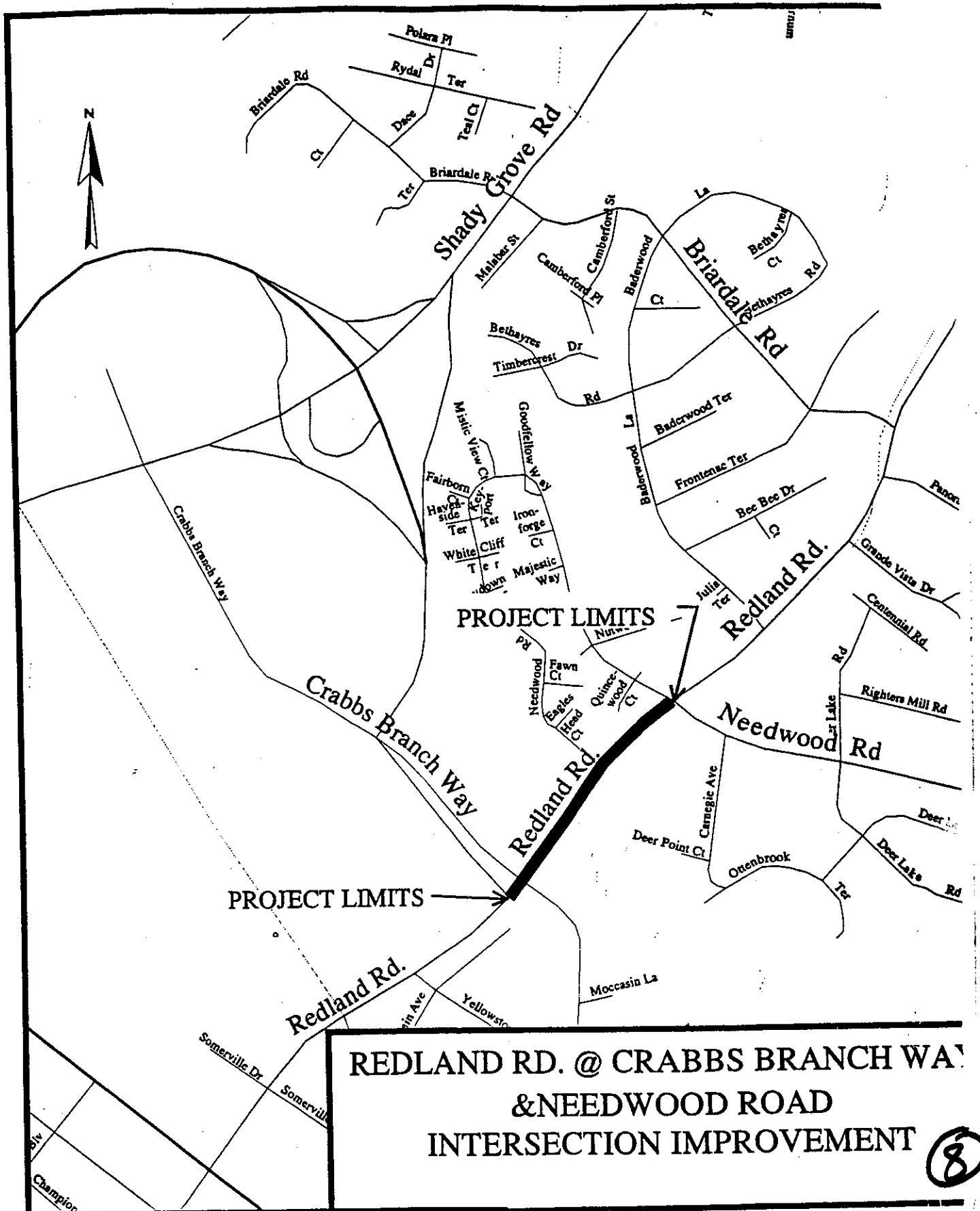
COORDINATION

Intersection and Spot Improvements
M-NCPPC
MSHA
Department of Permitting Services
Department of Environmental Protection
Utilities
Maryland Department of the Environment
Department of Natural Resources

MAP

See Map on Next Page

7



THE LAW OFFICES OF
SHECHTEL & SORRELL, LLC

17 West Jefferson Street, Suite 105
Rockville, Maryland 20850-4214
Phone: 301-309-1440
Facsimile 301-309-1566

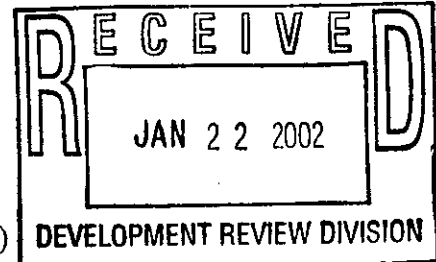
Firm E-Mail: shechtel@erols.com
Shechtel E-Mail: stephen@shechtel-sorrell.com
Sorrell E-Mail: jbsorrell@starpower.net

Stephen A. Shechtel, C.P.A., Esq.*
John B. Sorrell, Esq.*
* Maryland and District of Columbia
† Pennsylvania

Of Counsel:
Chaya Kundra, Esq.

16 January 2002

Park and Planning Commission's
Development Review Division
8787 Georgia Avenue
Silver Spring, Maryland 20910



Re: Eastern Diversified Properties, Inc.
EDP-East, (Parcel N524, Part Parcel "K", Derwood)
Site Plan Application No.: 10-01085

Dear Development Review Division:

Be advised that the undersigned represents Sayed R. Raoofi. Mr. Raoofi is the owner of the realty situated adjacent to Eastern Diversified Properties parcel N524, Part Parcel "K" which is the subject of Site Plan Application No: 1-01085, involving property situated on Paramount Drive on the North, Indianola Drive on the South and Route 355 on the West.

With respect thereto, we are in receipt of the proposed site plan as submitted by Loiderman Soltesz Associates on behalf of Eastern Diversified. Be advised that the above referenced realty is the subject of litigation. Said case being docketed as civil number 224004-V in the Circuit Court of Montgomery County, Maryland. With respect thereto, be advised that the property line which adjoins Mr. Raoofi's property and Eastern Diversified is in serious dispute. Accordingly it is requested that you deny or temporarily hold in abeyance, an approval of the proposed site plan until such time as the Circuit Court of Montgomery County Maryland has entered its Judgment declaring the rights of the respective parties to the litigation.

Should you have any questions regarding this matter, please contact the undersigned.

Very Truly Yours,


Stephen A. Shechtel, Esq.

THE LAW OFFICES OF
SHECHTEL & SORRELL, LLC

17 West Jefferson Street, Suite 105
Rockville, Maryland 20850-4214

Phone: 301-309-1440
Facsimile 301-309-1566

Firm E-Mail: shechtel@serolls.com

Shechtel E-Mail: stephen@shechtel-sorrell.com

Sorrell E-Mail: jsorrell@starpower.net

Stephen A. Shechtel, C.P.A., Esq.*
John B. Sorrell, Esq.*
* Maryland and District of Columbia
* Pennsylvania

Of Counsel:
Chaya Kundra, Esq.

11 February 2002

Brent M. Ahalt, Esq.
McNamee, Hosea, Jernigan, Kimm, Greenan & Walker, P.A.
6411 Ivy Lane #200
Greenbelt, MD 20770

via facsimile only
301-982-9450

Re: Our Client: S. Raoofi
Your Client: Eastern Diversified Properties
Issue: MNCPPC
Realty: Parcel "K"
Indianola Ave and Md Rte 355
Derwood, MD 20855

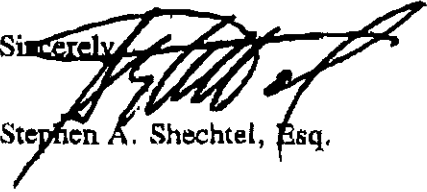
Dear Mr. Ahalt:

This letter is to confirm our earlier conversation of today with respect to Eastern Diversified Properties application to the MNCPPC planning review board.

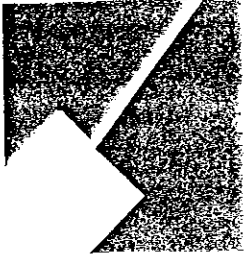
With respect to the same, Mr. Raoofi does not desire to have the pending property line dispute to impede the planning process for the above referenced realty. It is also Mr. Raoofi's desire that the MNCPPC planning review proceed in the normal due course. The pending property line dispute is to be resolved either in the Circuit Court for Montgomery County or via a settlement between the parties.

I trust that this letter clarifies my client's position with respect to "parcel K", "parcel O", his realty, and the pending litigation. Should you require anything further, please phone me.

Sincerely,


Stephen A. Shechtel, Esq.

M-NCPPC

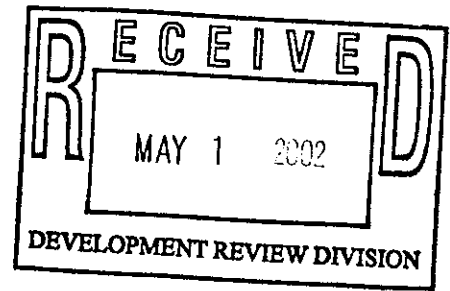


MONTGOMERY COUNTY DEPARTMENT OF PARK & PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

April 30, 2000



Joseph Parello
15821 Derwood Rd.
Derwood, MD 20855

Dear Mr. Parello,

In reference to the location of the "Ricketts Run incident" of the Civil War (October 7, 1864), I met with Montgomery County Civil War historian Charles Jacobs (The Civil War in Montgomery County) and he showed me a map that had been drawn by Civil War historian Edward Steers (Blood on the Moon: The Lincoln Assassination; His Name is still Mudd; etc.) indicating where the incident had occurred when the two had consulted on the matter. Both historians agreed that the incident occurred on a small hill on the east side of where the railroad and Metro now exist.

This is the other side of the railroad from the proposed EPD-East development. The historically significant archeological site of the "Ricketts Run incident" would not be affected by this development.

Sincerely,

Susan Soderberg
Education and Outreach Planner
Historic Preservation Section

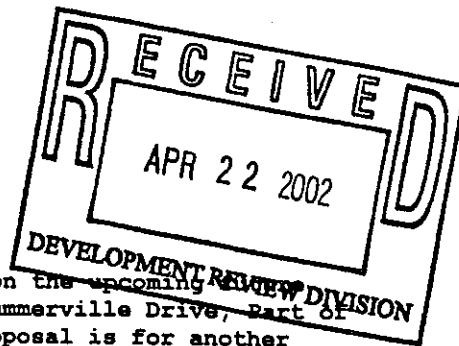
Cc:
Phil Andrews, Montgomery County Council
Wynn Witthans, M-NCPPC Development Review

11

4369
Derwood

Attn: Phil Andrews
Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

W. J. E.
March 2002



PURPOSE

The Derwood Resident community is writing to the Council on the upcoming development of the EDP-EAST site on Indianola Drive and Summerville Drive, Part of Parcel K, "Derwood" (Proposed Parcel Q). The EDP- EAST proposal is for another dealership to be constructed on a constricted site paralleling the railroad tracks.

The site in question might have Archaeological artifacts from Ricketts Run Civil War battle of October 7, 1864 in Montgomery County, which was part of the defenses of Washington. Present location in Derwood Maryland.

We would like the Council to consider the effects of land-use decisions that could destroy this cultural resource.

Also, to inform you of our concerns of the EDP-EAST project effects on vehicular flow and pedestrian traffic.

INTRODUCTION

The existing property was the site of the Ricketts Run skirmish. On October 6 1864, a small band of ten of Mosby's rangers under the command of Walter Bowie. The posse of 17 villagers found the Confederates in the dark of the early morning of October camped and sleeping a creek on the Rickett's Farm. They opened fire and the rudely awakened and confused Confederates returned fire until the civilians retreated. Capt. Walter "watt" Bowie had been mortally wounded in the fight and his comrades left him in the care of his brother, Brune, as they continued west to cross the Potomac River near the mouth of the Monocacy.¹

1

"A Guide to Civil War Sites in Maryland, Blue and Grey in a Border State." 1998
pg. 64
Susan Cooke Soderberg

IMPACT

-The site construction will destroy or damage the artifacts of non-renewable Civil War resources and erase the opportunity to discover our archaeological human past in Montgomery County history.

-The traffic of the dealership cars on Indianola entry and cars heading South-West could be life threatening and will provide congestion at the mouth of the bridge.

COMMUNITY REQUEST

-We are requesting a full archaeological assessment and recovery of artifacts and/or barriels on the battle field site.

- In order to mitigate the impacts of this project on the traveling public and the adjacent business community. We are requesting to have a traffic and engineering study expedited for safety of vehicles heading South West from the hill on Indianola bridge at the Indianola entry of the site.

FUTURE PROPOSAL

Identify site with a Civil War monument as an archaeological heritage parkland.

Sincerely,

Joseph Parelio
Joseph Parelio
Old City of Derwood Resident Representative

15821 Derwood Rd.
Derwood, MD 20855

12