



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item # 2

MEMORANDUM

DATE: April 25, 2003
TO: Montgomery County Planning Board
VIA: Joseph R. Davis, Chief
Michael Ma, Supervisor *ma*
Development Review Division *JRD*
FROM: Robert A. Kronenberg, RLA *RAK*
Planning Department Staff
(301) 495-4587
(301) 495-1322



REVIEW TYPE: Site Plan
APPLYING FOR: 12,296 sf of auto sales use and 55,936 sf of commercial office space
PROJECT NAME: Middlebrook Industrial Park
CASE #: 8-03021
REVIEW BASIS: Site Plan Review required for Auto Sales in this zone [59-C-5.21]
Additional requirements per 59-C-4.367
ZONE: I-1
LOCATION: Southeast intersection of Amaranth Drive and Middlebrook Road,
Germantown
MASTER PLAN: Germantown Master Plan, 1989
APPLICANT: Kensington Realty Inc.
FILING DATE: January 27, 2003
HEARING DATE: May 1, 2003

STAFF RECOMMENDATION FOR SITE PLAN: Approval of an 1,890 sf trailer for auto sales and storage for Phase I, 18,232 sf facility for auto sales and service and office for Phase II, and 55, 936 sf of commercial office in Phase III, with the following conditions:

1. **Stormwater Management**
Conditions of MCDPS stormwater management concept approval for Phase I dated January 27, 2003 [Appendix A]. The stormwater management concept was reconfirmed on March

11, 2003 [Appendix A] for construction of the proposed building and to modify the existing stormwater management facility to remove portions of it from the proposed transit right-of-way (including setback areas). The conditions are as follows:

- a. The roof drain from the proposed canopy for the vehicle display area must drain to the stormwater management facilities;
- b. The existing stormfilters must be disassembled according the manufacturer recommendations. The design engineer must certify that the re-assembled stormfilters are structurally sound and function according to the manufacturer specifications. Otherwise, they will have to be replaced;
- c. The total amount of pipe storage in need of relocation will determined at the sediment control design stage. New CMP elbows, tees, manifolds and pipe are required to reconfigure the system as you have proposed. Any damage to the existing facilities must be repaired to the satisfaction of MCDPS or be replaced.

2. Site Plan Enforcement Agreement

Submit a Site Plan Enforcement Agreement, Development Review Program for review and approval prior to approval of the signature set as follows:

- a. Development Program to include phasing as follows:
 - i. Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
 - ii. Coordination of each section of the development of roads;
 - iii. Street tree planting must progress as street construction is completed, but no later than six months after completion of the building and parking facilities;
 - iv. Phasing of dedications, stormwater management, sediment and erosion control, or other features.
 - v. No permit shall be issued for Phase II before July 1, 2005 to allow the County to conduct further studies of the planned transit station and associated right-of-way on the subject property. Permits may be issued for the second phase before July 1, 2005, if the studies are completed and do not recommend acquisition of the subject property for the transit station.
 - vi. Prior to issuance of any building permits for Phase II, the applicant shall submit a reservation plat for the future transit right-of-way along Middlebrook Road. The right-of-way shall be 70' wide, per recommendation of the Approved and Adopted Germantown Master Plan. The plat of reservation shall be recorded in the month of July of the year closest to the issuance of the building permit. The term of reservation shall not exceed three (3) years.
- b. No clearing or grading prior to M-NCPPC approval of signature set of plans.

3. Signature Set

Prior to signature set approval of site/landscape plans, the following revisions shall be made, subject to staff review and approval:

a. Site Plan

Phase I-Interim Sales Trailer

- i. Show north arrow, LODs, road dedications, road centerlines and dimensions, PUE, PIE, storm water parcel boundary; placement and dimensions of sidewalks, storm drain outlets, oil/grit separators; show all road ROW

variations across site frontage;

- ii. Provide statement on plan for site plan requirement.
- iii. Prior to issuance of any building permits for Phase II, the applicant shall submit a reservation plat for the future transit right-of-way along Middlebrook Road. The right-of-way shall be 70' wide, per recommendation of the Approved and Adopted Germantown Master Plan. The plat of reservation shall be recorded in the month of July of the year closest to the issuance of the building permit. The term of reservation shall not exceed three (3) years.
- iv. Relable the "sidewalk ramp detail" on the detail sheet to the appropriate heading.

Phase II-Automobile Showroom

- i. Remove the stormwater management facility from within the transit right-of-way, consistent with conditional approval from MCDPS;
- ii. Relocate the trash dumpster to a more appropriate area, not as visible to Middlebrook Road;

Phase III-Office and Parking Garage

- i. Provide signs and markings for vehicles entering and existing the parking garage and office building;
- ii. Note on the site plan the number of parking spaces to be specifically reserved for sales and office. Spaces to be identified.

b. Landscape and Lighting Plan

Phase I-Interim Sales Trailer

- i. Obtain approvals for planting within the MDSHA right-of-way;
- ii. Provide photometric layout. Lighting fixtures to be full cut-off, not adjustable or angled.
- iii. Lighting for all phases to conform to IENSA lighting standards for parking lots. Lighting summary not to exceed Maximum level of 10 footcandles and Max./Min. ratio of 5:1.
- iv. Show all existing streetlights, including those on Middlebrook Road and Amaranth Drive.
- v. Provide details for lights mounted on the proposed trailer.
- vi. Poles not to exceed a mounting height of 24 feet as provided in the adjacent site, (Criswell Honda, Site Plan #8-01011) adjacent to the public roads.
- vii. Place shields on all fixtures directly abutting Middlebrook Road and Amaranth Drive, and on any fixtures causing any negative glare or reflection onto both public roads.
- viii. Light levels shall not exceed 0.5 footcandles past the boundary line from the proposed development.

Phase II-Automobile Showroom

- ii. Place shields on all light fixtures, which directly shine onto Middlebrook Road;
- iii. Reduce the height of the light fixtures to a maximum of 24 feet, including mounting height.

Phase III-Office and Parking Garage

- i. Provide landscape planters with smaller ornamental or shade trees appropriate for parking garage structures. Provide details of modified planters, including soil mixture on the Landscape Plans.
- ii. Provide planting on all levels of the parking garage. Include terrace boxes and planters on the perimeter of the lower levels.
- iii. Reduce the height of the light fixtures on the top of the parking garage to 12 feet. Provide shields on all of the light fixtures.
- iv. Provide revised photometric and lighting distribution plan.

RELATED ISSUES PERTINENT TO SITE PLAN REVIEW:

Corridor Cities Transitway Station

The Germantown Master Plan contains reference to the Corridor Cities Transit Easement as a proposed 70-foot wide right-of-way connecting the Shady Grove Metro Stations through Gaithersburg, Germantown and up north to Clarksburg. The Master Plan identifies future studies that would be needed to assist in analyzing potential stations and alignments as indicated in the following text:

“It is important to assure that the right-of-way for future transit service be protected. The Corridor Cities Transit Easement Study began in spring 1988. It will identify and review alternatives in land use patterns, various transit types and specific alignments, ridership estimates, environmental impacts, **station** and storage yard **locations, and site analysis associated with the transit easement** (page 126, emphasis added).

A continuation of this study, Final Report: Shady Grove-Clarksburg Study 2, was issued by the Montgomery County Department of Public Works and Transportation in 1996. This document identified the Middlebrook future transit station shown on Figure 3. The facilities associated with the station include: 2 bus bays; 50 surface parking spaces; 50 spaces within a three-story parking structure; 8 kiss-and-ride spaces. The total acreage required by these facilities is estimated to be 1.3 acres.

In establishing the need for the station, the Final Report responded to Issue #S-3 as-follows:

“Since the station on the Montouri Property is not recommended, is there a need and a potential for a station between Metropolitan Grove and the Germantown Town Center?”

...The [Final Report] Review Team directed the [project] consultants to examine the positive and negative impact of locating a station on Middlebrook Road. It was found that the Middlebrook Road station could offer better relationships with bus routes, residential properties, and employees. A station has been recommended for this area (Final Report, page 37)”.

The Montouri property is the location of the large church off Waring Station Road visible from I-270 north.

In a letter from the Maryland Transit Administration (MTA) to Mr. Perry Berman dated April 18, 2003 [Attached hereto], MTA has not ruled out the possibility of a station in this location. The letter also emphasizes the need for the Final Environmental Impact Statement (FEIS), whereby additional mapping of the site will assist in determining the ultimate alignment along Middlebrook Road and location of the transit station. The letter also points out the coordination efforts between the County

and the adjacent Department of Energy (DOE) for the possibility of a station on their property. The letter states that *“coordination between Montgomery County and DOE during the early phase of the transitway development indicates that DOE prefers a station close to their primary entrance off MD 118, but ruled out a station on their own property due to security concerns which have since been heightened. DOE representatives felt that a closer, larger station in the Germantown Town Center and a secondary station on Middlebrook Road to the south were preferable to a station on DOE property.”*

Applicant Position

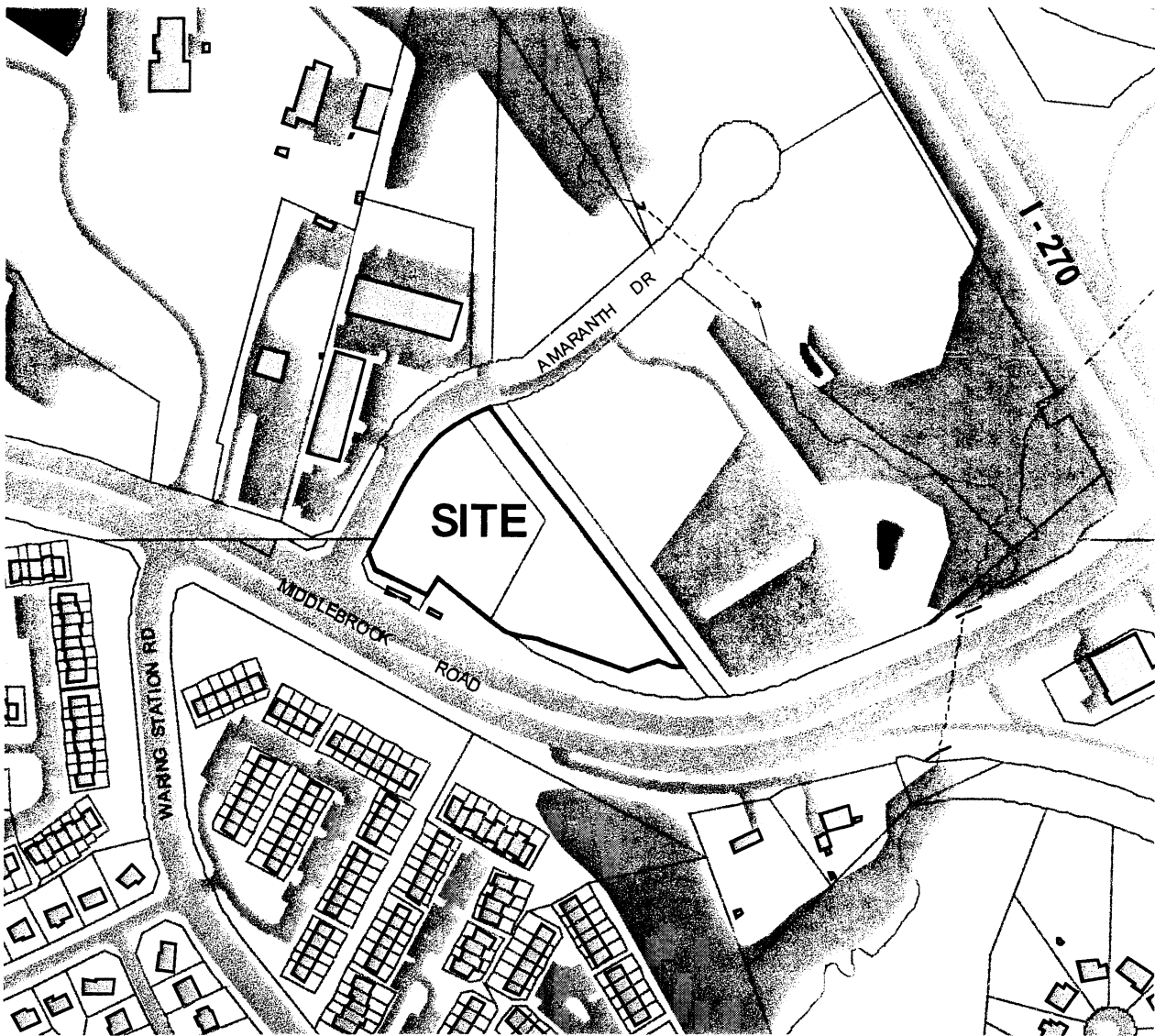
The applicant maintains that this site is not suitable for a transit station location due to access issues. The applicant does not agree with the condition to preclude development on Phase II until future studies have been completed. The applicant has agreed to place the future 70-foot transit right-of-way in reservation with the development of phase II. The original preliminary plan for the two lots was approved for subdivision in 1983, prior to the 1989 Germantown Master Plan, and without dedication of a right-of-way for the future transit. The applicant wants to be able to proceed with Phase II upon approval of the site plan.

Staff Recommendation

M-NCPPC is proceeding with negotiations to acquire the entire property for a future transit station. Staff recommends approval of the interim development for Phase I-Auto Sales, but places a condition on construction activity for Phases II until July 1, 2005 to address the need for future studies of the transit station on this property by County and State agencies. The applicant agrees to place the future right-of-way into reservation for a period of three years upon development of phase II. There is no other location accessible between Germantown Town Center and Metropolitan Grove for the vast amount of residential properties, which need a form of public transit. Staff feels that this site is the most appropriate location for a transit station and believes that the future studies, including the FEIS will support this location for a transit location.

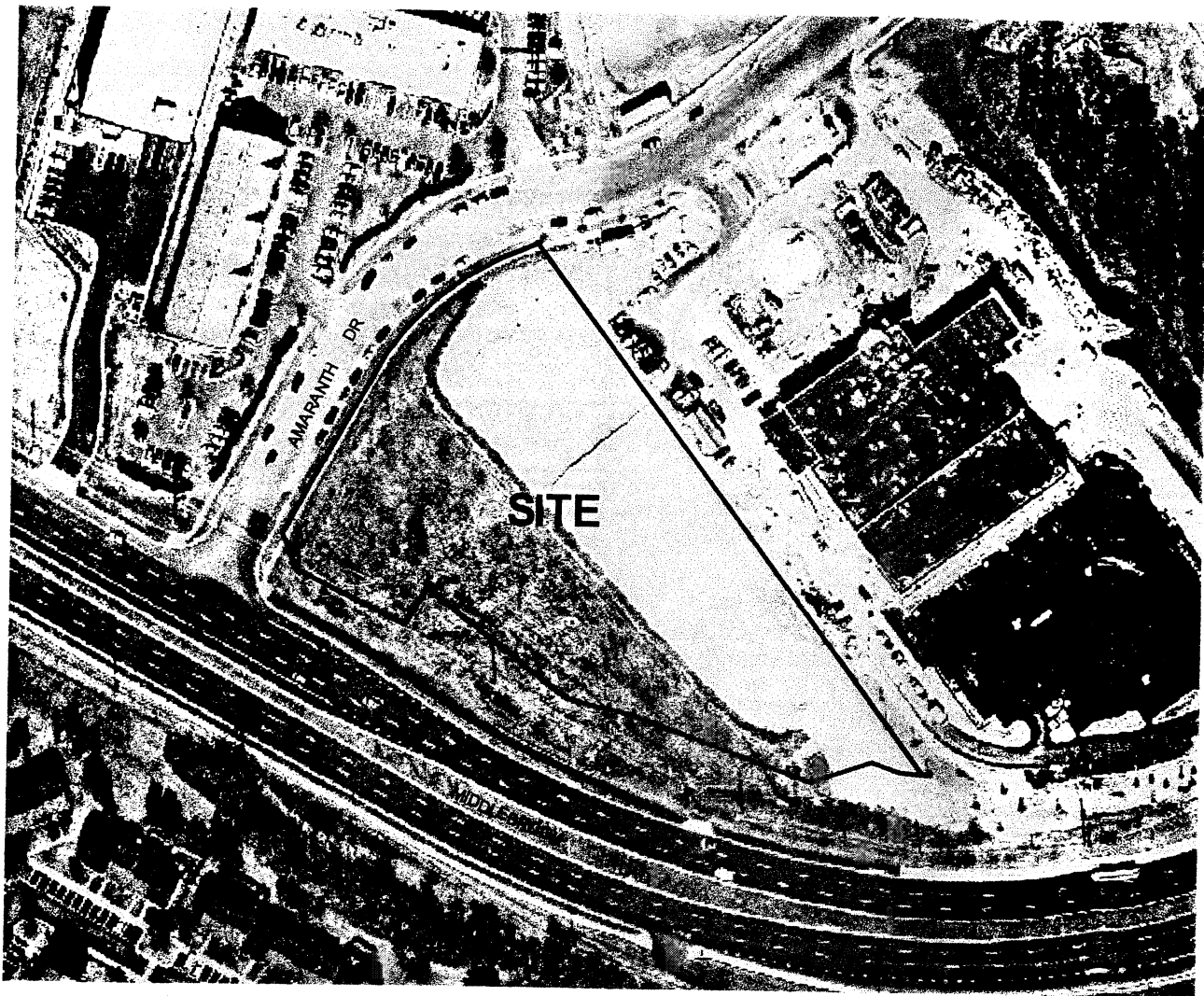
PROJECT DESCRIPTION: Surrounding Vicinity

The site is located at the intersection of Amaranth Drive and Middlebrook Road, approximately ½ mile west of Interstate 270-Middlebrook overpass in Germantown. The Gunner’s Lake Village lies across Middlebrook road to the south and includes the residential neighborhoods of Middlebrook Commons and Gunners View. Germantown Square Shopping Center is located west of Gunners Lake. The area immediately across Amaranth Drive to the north is designated as the Middlebrook Tech Park. The land north west of the Tech Park site is controlled by the Department of Energy, with an entrance to site directly off of Middlebrook Road at Waring Station Road. The adjacent property to the east of the site is a newly constructed Honda Dealership (Site Plan #8-02013) with access directly on Amaranth Drive.



PROJECT DESCRIPTION: Site Description

The 2.93 acre site slopes approximately 18 feet from the northwest corner of Amaranth Drive towards Middlebrook Road. The site has been improved with paving, lighting and stormwater management to accommodate the storage of automobiles for the owner. One access point exists from Amaranth Drive, an improved public road, into the site. Amaranth Drive is a right-in, right-out access from Middlebrook Road. The nearest intersection to the site is Middlebrook Road and Waring Station Road, with no median break on Middlebrook Road for south bound traffic into the site. A varying 35-foot wide green strip buffers the subject site to the adjacent Honda dealership. Steep slopes adjacent to Middlebrook Road prohibit direct vehicular or pedestrian access to the site.



PROJECT DESCRIPTION: Proposal

The applicant proposes to develop the property in three phases. The first phase is intended to function as an interim use for automobile sales. Presently, the site is improved with existing paving, lighting and stormwater management for the storage of automobiles, a permitted use in the I-1 zone. The sale of automobiles in the I-1 zone requires site plan approval. The interim use will include the existing improvements and the addition of a temporary sales trailer. The Phase I use will provide only one access point into the site from Amaranth Drive. Phase II will include an automobile showroom and service center that features two entrances from Amaranth Drive. The design orients the showroom at the intersection of Amaranth Drive and Middlebrook Road to take full advantage of northbound traffic on Middlebrook Road. Phase III consists of the showroom, with the addition of a three-story office building and three-level parking garage to accommodate the office patrons and additional vehicles for the automobile showroom.

All three phases incorporate the 70-foot transit right-of-way parallel to Middlebrook Road to provide future service for the Corridor Cities Transitway. M-NCPPC is proceeding with negotiations to acquire the entire property for a future transit station. Staff recommends approval of the interim development for Phase I-Auto Sales, but places a condition on construction activity for Phases II until June 1, 2005 to address the need for future studies of the transit station on this property by County and State agencies.

Parking will be screened from both public roads in all three phases. Landscaping has been integrated into the design to take into account the transit right-of-way. Interior landscaped islands are proposed in to accommodate the 5% interior green space requirements. The islands will include a mixture of trees and shrubs. The temporary trailer for the Phase I use will include planter boxes for screening from Middlebrook Road. Street trees will be installed along the property frontage on Amaranth Drive. Existing street trees on Middlebrook Road will enhance the north bound entrance to the site. Separate landscape plans have been submitted for all three phases to address each phase of development. The automobile showroom will consist of amenity planting around the building in addition to the landscaped interior islands. The final phase will include foundation planting for the office building and screening for the parking garage from Middlebrook Road.

Staff has requested that the existing lighting on the site be modified to provide light poles that are lower in height to conform to IENSA standards for commercial parking facilities. Conditions in this staff report also direct the applicant to place shields on all fixtures directly and negatively impacting vehicles driving on Middlebrook Road. Excessive illumination and glare from the site can negatively impact vehicular circulation.

This property has an approved stormwater management concept by MCDPS for Phase I dated January 27, 2003. The concept was reconfirmed on March 11, 2003 for the additional phases with conditions regarding the facility within the proposed 70-foot transit right-of-way.

PRIOR APPROVALS

Preliminary Plan 1-81122 was approved June 9, 1983 for two lots on 2.93 acres of land

DISCUSSION OF ISSUES

ANALYSIS: Conformance to Master Plan

The subject property is located in analysis area EC-5 of the 1989 Germantown Master Plan. The Master Plan describes this area as being "located in the northwest quadrant of Middlebrook Road and I-270. It contains 40 acres and is zoned I-1 in accordance with the recommendations of the 1974 Germantown Master Plan. This area is located south of the existing Department of Energy facility and across Middlebrook Road from a single-family detached subdivision [sic townhouses] (page 48)".

"This Analysis Area contains five recorded lots and an approved preliminary plan of subdivision in the I-1 Zone. Because of these development approvals, this Master Plan recommends retaining the I-1 zoning classification. In order to assure that excessive traffic congestion is not created, development in this area should be limited to a total of 700,000 square feet of building area, including existing and future construction (2,800 employees) at an overall floor area ratio of 0.4 (page 48)".

TRANSIT RECOMMENDATIONS

The Master Plan contained reference to the Corridor Cities Easement as a proposed right-of-way 70 feet wide extending from the Shady Grove Metro station north through the corridor cities of Gaithersburg, Germantown and Clarksburg (see Figure 2 from Master Plan).

The Master Plan addresses future studies that would analyze potential alignments by means of the following text:

"It is important to assure that the right-of-way for future transit service be protected. The Corridor Cities Transit Easement Study began in spring 1988. It will identify and review alternatives in land use patterns, various transit types and specific alignments, ridership estimates, environmental impacts, station and storage yard locations, and site analysis associated with the transit easement (page 126, emphasis added).

A continuation of this study, Final Report: Shady Grove-Clarksburg Study 2, was issued by the Montgomery County Department of Public Works and Transportation in 1996. This document identified the Middlebrook future transit station shown on Figure 3. The facilities associated with the station include: 2 bus bays; 50 surface parking spaces; 50 spaces within a three-story parking structure; 8 kiss-and-ride spaces. The total acreage required by these facilities is estimated to be 1.3 acres.

In establishing the need for the station, the Final Report responded to Issue #S-3 as-follows:

“Since the station on the Montouri Property is not recommended, is there a need and a potential for a station between Metropolitan Grove and the Germantown Town Center?”

...The [Final Report] Review Team directed the [project] consultants to examine the positive and negative impact of locating a station on Middlebrook Road. It was found that the Middlebrook Road station could offer better relationships with bus routes, residential properties, and employees. A station has been recommended for this area (Final Report, page 37)”.

The Montouri property is the location of the large church off Waring Station Road visible from I-270 north.

ANALYSIS: Conformance to Development Standards

PROJECT DATA TABLE

Zoning:	I-1	I-1
Proposed Use:		
Phase I	Auto Sales (Requires Site Plan Approval)	
Phase II	Auto Sales and Service	
Phase III	Office/Parking Garage	
Total Site Area:	2.93 acres	
Lot 1	1.37 acres	
Lot 2	1.56 acres	

<u>Development Standard</u>	<u>Permitted or Required</u>	<u>Proposed</u>
Building Coverage (59-C-4.367(b))		
Phase I	35%	0.2%
Phase II		11%
Phase III		18%
Green Space		
Phase I	10%	24%
Phase II		30%
Phase III		35%
Internal Green Space:		
Phase I	5%	6%
(Parking compound @8,700 sf)		
Phase II		13%
(Parking compound @27,000 sf)		
Phase III		8%
(Parking compound @28,845 sf)		
Building Height (59-C-5.31):		
Phase I (trailer)	42' (3 stories)	20'
Phase II (Showroom)		30' (2 stories)
Phase III (Office/Garage)		42' (3 stories)
Parking Setbacks (59-C-4.367):		
From Middlebrook Rd Automobile dealership abutting roadway	50' BRL	50' BRL
From Amaranth Drive (59-C-5.33)	10' BRL	180' BRL
From adjacent property	10' BRL	10' BRL

From transit right-of-way

10' BRL

10' BRL

Parking:

Phase I
(1,890 sf x 5.0/1000 sf=9.5) 10 spaces
Phase II
(Sales 4,700 sf x 5.0/1000 sf=23.5)
(Office 5,936 sf x 2.9/1000 sf=17.2) 51 spaces
(Repair/Service 10 employees x 1 sp/employee=10)
Phase III
(Sales 4,700 sf x 5.0/1000 sf=23.5)
(Office 55,936 sf x 2.9/1000 sf=162.2)
(Repair/Service 10 employees x 1 sp/employee=10)

13 spaces
(incl. 1 HC)
53 spaces
(incl. 4 HC)

196 spaces
(incl. 6 HC)

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. Not Applicable*
2. *The site plan meets all of the requirements of the zone in which it is located. See Project Data Table above.*
3. *The locations of the buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

a. Location of Buildings and Structures

The interim sales trailer is sited in the most logical location and orientation with respect to pedestrian and vehicular safety and efficiency near the entrance to the site. The automobile showroom in Phase II is also sited in the most appropriate location with respect to visibility from Middlebrook Road. The showroom location offers the safest and most efficient use of the site for sales display, service, and employee access. The location of the showroom and associated site features has been set back from the future Corridor Cities Transit right-of-way to address safety concerns and future construction activity within the right-of-way. Phase III is the ultimate build-out of the site and includes a three-story office building and a three-level garage, in addition to the showroom. The location of the buildings in the final phase allow for a mix of uses and compliment the adjacent office park as well as the respective auto dealership.

b. Open Spaces

Open space for all three phases consists of landscaped perimeters for the entire site, and parking area landscaping and screening. The stormwater management concept consists of water quality and quantity, as per DPS reconfirmation March 11, 2003. Consistent with the request from DPS, the applicant shall modify the facility within the 70-foot transit right-of-way.

c. Landscaping and Lighting

The landscaping proposed is adequate and efficient. The landscaped setback along Amaranth Drive and Middlebrook Road is attractively designed with a mix of evergreen and hardwood trees and shrubs. Minimal landscaping is proposed for the internal parking lot area in Phase I for the storage of the vehicles, however, the proposed trailer will be adequately screened from Middlebrook Road with evergreen trees in planter boxes. The existing street trees along the sidewalk on Middlebrook Road and in the median will enhance the appearance for pedestrians and drivers. The street trees on Amaranth Drive will provide an attractive complement to the shade and ornamental trees in the internal parking area and showroom display plaza.

Amenity landscaping to highlight the showroom from within the site and from Middlebrook Road has been designed for enjoyment by pedestrian and vehicular circulation. Staff recommends landscaping to be incorporated with the design of the parking garage with planting on the roof and the perimeter edges of the facility adjacent to Middlebrook Road.

Existing lighting for Phase I presently exceeds accepted standards for auto service sales centers. The applicant must change the height of the existing lighting levels, especially along Amaranth Drive and Middlebrook Road. Excessive light levels is unnecessary to achieve adequate, safe, and efficient illumination and may even create hazardous and unsafe conditions from storage vehicle windshield reflection and temporary contrast blindness. The proposed lighting for Phases I and II should be designed more appropriately and efficiently for the location to a major public road.

Staff recommends the following action by the applicant:

- a. Provide photometric layout. Lighting fixtures to be full cut-off, not adjustable or angled.
- b. Lighting for all phases to conform to IENSA lighting standards for parking lots. Lighting summary not to exceed Maximum level of 10 footcandles and Max./Min. ratio of 5:1.
- c. Remove existing lighting fixtures from within the 70-foot right-of-way and associated setbacks for phase II of development.
- d. Show all existing streetlights, including those on Middlebrook Road and Amaranth Drive.
- e. Provide details for lights mounted on the proposed trailer.
- f. Poles not to exceed a mounting height of 24 feet as provided in the adjacent site, (Criswell Honda, Site Plan #8-01011) adjacent to the public roads.
- g. Place shields on all fixtures directly abutting Middlebrook Road and Amaranth Drive, and on any fixtures causing any negative glare or reflection onto both public roads.
- h. Light levels shall not exceed 0.5 footcandles past the boundary line from the proposed development.

d. Recreation

The proposed commercial development is not required to provide recreational facilities.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is adequate, safe, and efficient, providing pedestrian connections and crossings from the street and within the display and service areas. Phase III will include proper signage for pedestrians and vehicles using

the parking garage.

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

The structure proposed is compatible with existing uses and adjacent development.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The proposal is exempt from forest conservation requirements.

APPENDIX

- A. Memorandums from other agencies
- B. M-NCPPC-CBP memorandum for the future transit station
- C. Correspondence referenced in report