



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

MCPB No. 19-081
Adequate Public Facilities Determination APF 2019-03
Audi Bethesda
Date of Hearing: July 11, 2019

JUL 17 2019

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 8-31(b), the Montgomery County Department of Permitting Services (“MCDPS”) may issue a building permit only if the Planning Board has made a timely determination that public facilities will be adequate to serve the proposed development encompassed by the permit application; and

WHEREAS, this provision applies to each applicant for a building permit on a recorded lot for which no valid finding of adequate public facilities (“APF”) has been made, including any recorded lot for which an original finding of adequate public facilities has expired; and

WHEREAS, no preliminary plan approval is required for this development because the Property is a recorded lot, Lot 12, Block F Millers Addition to Bethesda, without a current APF; and

WHEREAS, on May 22, 2019, New Country Bethesda, LLC d/b/a Audi Bethesda (“Applicant”) filed an application for approval of an APF determination for a 19,387 square foot commercial building, serving as a Light Vehicle Sales and Rental (Indoor) use, replacing an existing 6,200 square foot commercial building, serving an Auto Service use, on approximately 0.43 acres zoned CRT-2.25 C-2.25 R-2.25 H-70’, located at 7015 Arlington Road, Bethesda on Lot 12, Block F Millers Addition to Bethesda (“Property”) in the 2017 Bethesda Downtown Sector Plan (“Sector Plan”) area; and

WHEREAS, Applicant’s application for the APF determination was designated Adequate Public Facilities Test No. APF201903 (“Application”); and

WHEREAS, Planning Board staff (“Staff”) issued a memorandum to the Planning Board, dated June 11, 2019, setting forth its analysis and recommendation for approval of the Application subject to certain conditions (“Staff Report”); and

WHEREAS, on July 11, 2019, the Planning Board held a public hearing on the Application at which it received evidence submitted for the record on the Application and at which time the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below.

Matthew Kelly

Approved for legal sufficiency

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board adopts the Staff's recommendation set forth in the Staff Report, and hereby approves the Adequate Public Facilities determination subject to the following conditions¹:

- 1) This APF determination is limited to a maximum of 19,387 square feet of Light Vehicle Sales and Rental (Indoor) use, or similar commercial use, with the same or fewer projected peak hour trips.
- 2) The Adequate Public facility ("APF") review for the Preliminary Plan will remain valid for sixty (60) months from the date of mailing of the Planning Board Resolution.

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

The Project will be developed under the standard method of development because the proposed use is less than 1.0 FAR in the CRT zone. Light Vehicle Sales and Rental (Indoor) is allowed as a limited use in the CRT zone (Section 59.3.1.6) and, in accordance with Section 59.3.5.12.B, "Use Standards," the proposed use is not subject to Site Plan review. Furthermore, the school adequacy test is not applicable as the Property will not contain any residential use and will not impact school capacity.

Adequate Public Facilities

A transportation exemption statement satisfies the Local Area Transportation Review for the Subject Application because the Project generates fewer than 50 net new peak hour person trips. This APF review is required, however, because the Subject Application generates more than 30 peak hour trips (Section 8.30.b.1.A. of the County Code). The proposed development is estimated to generate 31 net new morning peak-hour person trips (12 vehicle trips) and 39 new evening peak-hour person trips (15 vehicle trips) (Table 1).

¹ For the purpose 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.

Table 1: Project Peak Hour Trip Generation

		ITE Vehicle Rates		Adjusted Vehicle Rates		Person Trips	
		AM	PM	AM	PM	AM	PM
Existing							
Auto Service	6,200 SF	14	19	9	12	18	25
Proposed							
Auto Sales (New)	19,387 SF	36	47	21	27	49	64
Net New Trips		22	28	12	15	31	39

Vehicular access to the Property is proposed directly from Arlington Road through an existing full-movement two-way driveway on the northwest corner of the Site. Pedestrian and bicycle access to the Property will be provided along both the Arlington Road sidewalk and at the rear of the building near the parking lot.

BE IT FURTHER RESOLVED, that this Adequate Public Facilities determination will remain valid for sixty-one (61) months from the date of mailing of this Planning Board Resolution and that prior to the expiration of this validity period, a request for an extension must be filed; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUL 17 2019 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Patterson, seconded by Commissioner Fani-González, with Chair Anderson and Commissioners Fani-González, Cichy, and Patterson voting in favor, and Vice Chair Dreyfuss absent at its regular meeting held on Thursday, July 11, 2019, in Silver Spring, Maryland.



Casey Anderson, Chair
 Montgomery County Planning Board