

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

DATE MAILED:

September 11, 2025

MCPB No. 25-096
Preliminary Plan No. 120240130
Bergfield Tract
Date of Hearing: July 31, 2025

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on September 11, 2024, Donohoe Development Co. (“Applicant”) filed an application for approval of a preliminary plan of subdivision of property that would create one (1) lot on approximately 9.93 acres of land located at 8800 Brookville Road, Silver Spring (“Subject Property”) in the Lyttonsville Policy Area and 2017 *Greater Lyttonsville Sector Plan* (“Sector Plan”) area; and

WHEREAS, Applicant’s preliminary plan application was designated Preliminary Plan No. 120240130 Bergfield Tract (“Preliminary Plan” or “Application”); and

WHEREAS, the Application was submitted for concurrent review and approval with Forest Conservation Plan No. F20241050; and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated July 21, 2025, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on July 31, 2025, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, with a vote of 4-0; Chair Harris, Vice Chair Pedoeem, and Commissioners Hedrick and Linden voting in favor. Commissioner Bartley being necessarily absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120240130 to create one (1) lot for up to 412,000 square feet of industrial

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Approved as to

Legal Sufficiency: /s/ Allison Myers
M-NCPPC Legal Department

uses, zoned IM-2.5, H-50 on the Subject Property, subject to the following conditions:¹

General Approval

1. This Preliminary Plan is limited to one (1) lot for up to 412,000 square feet of industrial uses and three (3) existing radio/cellular towers with associated infrastructure.

Adequate Public Facilities

2. The Adequate Public Facilities (“APF”) review for the Preliminary Plan will remain valid for ten (10) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5). The Applicant must obtain building permits for all buildings in Phase 1, as shown on the Certified Preliminary Plan, within five (5) years of the initiation date unless an extension is obtained. The remaining building permits must be issued prior to the expiration of the 10-year APF Validity Period unless an extension is obtained.

Plan Validity Period

3. The Preliminary Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and before the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

Outside Agencies

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated January 17, 2025, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Water Resources Section in its stormwater management concept letter dated June 25, 2025, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
7. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its letter dated January 9, 2025 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in

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.

the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

Other Approvals

8. Before approval of a record plat or any clearing or grading for the Subject Property, the Applicant must receive Staff certification of this Preliminary Plan.

Transportation

Frontage Improvements on Existing Roads

9. The Applicant must provide the following dedications and show them on the record plat for the following existing road:
 - a) All land necessary to accommodate 40 feet from the master planned centerline along the Subject Property frontage for Brookville Road, as shown on the certified Preliminary Plan.
10. Before the recordation of plat, the Applicant must satisfy all necessary requirements of MCDPS to ensure construction of a ten-foot-wide (10 ft) shared use path for pedestrians and bicyclists with an eight-foot (8 ft) buffer along the property frontage on Brookville Road, except as modified by MCDOT and/or MCDPS.

Off-Site Improvements/LATR

11. Before the issuance of the first certificate of occupancy permit the following off-site improvements must be permitted and bonded (to ensure construction) pursuant to MCDOT requirements, unless modified by MCDOT:
 - a. Project 1: The Applicant will install a five-foot (5 ft) painted striped street buffer on east side Brookville Road, across from property's frontage. A sidewalk is already associated with MDOT's Purple Line Project.
 - b. Project 3: The Applicant will install a five-foot-wide painted striped (5 ft) street buffer on Brookville Road, north of the Project and south of Lyttonsville Place (east side). A sidewalk is already associated with MDOT's Purple Line Project.
 - c. Project 4: The Applicant will relocate the crosswalk on Brookville Road, south of the Site near the stop bar, with a new ramp.
 - d. Project 5: The Applicant will improve ramps to ADA design standards and install crosswalk pavement marking at Brookville Road & Lyttonsville Place/Pittman Drive, N-S crossing (west side).
 - e. Project 6: The Applicant will remove the existing free-right turn and reconstruct the pedestrian crossing at Brookville Road & Lyttonsville Place/Pittman Drive, N-S crossing (east side).
 - f. Project 9: The Applicant will reconstruct a new crossing on Brookville Road, southeast of the Project Site (related to Project 4).

- g. Project 11: The Applicant will install an ADA curb ramp at the southern curb cut of Project.
- h. Project 12-17: The Applicant will install six curb ramps at shopping plaza, north of project.
- i. Project 18 and 19: The Applicant will install a new ADA curb ramp on the northern and southern corner of Pittman Drive & Brookville Road (related to Project 5).
- j. Project 20: The Applicant will install a new ADA curb ramp at the northeast corner of Brookville Road and Lyttonsville Place (related to Project 6).
- k. Project 22: The Applicant will install one street lamp on the existing pole located at Brookville Road, north of the Project and south of Lyttonsville Place (east side).
- l. Project 24: The Applicant will install a bus shelter and RTI (Real-time Transit Information) sign at bus stop 23746 (Lyttonsville Road & Claridge House Driveway) but is not responsible for bringing power to site or making final connections.

If, at the time the Applicant submits for permits to construct one of the required LATR Off-Site Improvements, the improvement is no longer necessary or desirable, because: i) it has been constructed or is under construction by another applicant or as part of a capital improvement project by a government agency, or, ii) the applicable sector plan has changed and no longer requires or suggests the improvement, the Applicant can propose an alternative LATR Off-Site Improvement and this alternative improvement, if reviewed and approved by Planning Staff, can be substituted and shown on a revised Certified Preliminary Plan.

Surety

12. Before issuance of any building permit or sediment control permit for the applicable phase, whichever comes first, the Applicant must enter into a 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 or other form of surety, 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 plant material on-site lighting, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and streetlights.
 - c) Completion of all improvements covered by the surety will be followed by inspection and potential reduction of the surety.

- d) The bond or surety for each item shall be clearly described within the Surety & Maintenance Agreement, including all relevant conditions.

Record Plats

- 13. There shall be no building permits issued before recordation of plat.
- 14. The record plat must show necessary easements.

Certified Preliminary Plan

- 15. The certified Preliminary Plan must contain the following notes:

- a) *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 issuance of building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.*
- b) *The Applicant must schedule an on-site preconstruction meeting with M-NCPPC inspection staff before any demolition, clearing, or grading occurs on-site. The Applicant, along with their representatives, must attend the pre-construction meeting with the M-NCPPC inspector. A copy of the approved Certified Preliminary Plan is required to be on-site at all times.*

- 16. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:

- a) Show resolutions and approval letters on the certified set.
- b) Include the approved Fire Department Access Plan.
- c) Update plans and exhibits to reflect updated LOD and stormwater management concept plan.
- d) Coordinate with Planning Staff to determine the feasibility of including solar panels and/or making the buildings solar ready.

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or 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:

- 1. *The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable*

requirements of Chapter 59.

a) The block design is appropriate for the development or use contemplated

The block design is existing and appropriate for the proposed development and use. The length, width, and shape of the block are compatible with the development patterns in this industrial area.

b) The lot design is appropriate for the development or use contemplated

The Preliminary Plan reflects that the size, width, shape and orientation of the proposed lot will be appropriate for the location of the proposed subdivision and in compliance with Section 50.4.3.C of the Subdivision Regulations. The proposed one-lot subdivision is suitable for the proposed industrial uses and has adequate provisions for pedestrians, vehicular circulation, parking, deliveries, and truck maneuvering. Furthermore, the dimensions of the proposed subdivision accommodate the proposed buildings and other infrastructure deemed necessary to serve the lot. As shown in Table 1 below, the proposed lot will comply with the applicable development standards for the IM-2.5 zone.

c) The Preliminary Plan provides for required public sites and adequate open areas

i. Master Planned Sites

The Subject Property is not specifically identified in the 2017 *Greater Lyttonsville Sector Plan* ("Sector Plan") for a site-specific recommendation. However, as described more fully below, the proposed Application complies with all applicable Sector Plan recommendations.

ii. Local Recreation

Pursuant to Section 59-4.8.3.A.1 of the Zoning Ordinance, the Applicant is required to provide 42,362 square feet of amenity open space. The Applicant will meet, and exceed, the required 42,362 square feet of amenity open space onsite by providing 15% (63,902 square feet). While the Application meets the area requirements for open space onsite, the Applicant is unable to meet the design requirements under Sections 59-4.8.3.A.1 and 59-6.3.7 due to site constraints.

Specifically, the design requirements state that the "minimum width for any required amenity open space is 15 feet except for a sidewalk, pathway, or trail." The Applicant is unable to meet the dimensional requirements because the existing radio/cellular towers, which are required to remain, paired with the circulatory needs of vehicles servicing the proposed industrial uses create

pinch-points at areas that would otherwise meet the requirements of open space; while these points are minimized, their presence necessitates granting alternative compliance in this case. In addition, the design requirements state that “Amenity open space must provide space for pedestrian circulation, landscaping, seating, shade, water features, artwork, or recreation.”

Due to the inherent operational nature of the proposed industrial and self-storage uses, which require extensive paved drive areas for loading, parking, and circulation of large vehicles, the Property presents unique challenges that significantly impact its ability to meet the standard method amenity open space requirements; these challenges largely relate to the existing, and required, radio towers and associated guy wires onsite and environmental/grading constraints which limit the developable area.

The Applicant requests approval for alternative compliance to satisfy the design elements of the minimum 10% amenity open space requirement (42,362 square feet).

Pursuant to Section 59-6.8.1 of the Zoning Ordinance, the Planning Board may approve an alternative compliance with any requirement of Division 6.1 and Division 6.3 through Division 6.6 of the Zoning Ordinance if it determines that there is a unique site, a use characteristic, or a development constraint, such as grade, visibility, an existing building or structure, an easement, or a utility line. The Planning Board must also determine that the unique site, use characteristic, or development constraint precludes safe or efficient development under the requirements of the applicable Division, and the alternative design will:

1. Satisfy the intent of the applicable Division;

The Project and proposed alternative compliance satisfy the intent of the development standards. Pursuant to Section 59-6.3.7.A.2, amenity open space is defined as “an outdoor area providing recreational and natural amenities for the use and enjoyment of employees and visitors.” Due to the Project’s proposed self-storage and industrial nature, its location within the larger Brookville Road Industrial District, and significant site constraints such as topography and existing development, the proposed outdoor seating areas, canopy, landscaping and new streetscape satisfy the intent of the Code. Since the majority of the area will be improved as self-storage, the employee counts are anticipated to be relatively low at any one time. Moreover, customers/patrons of both uses generally make infrequent visits to the Property that are limited in duration (i.e. site visits exclusively for the purpose of drop-offs and/or pick-ups at self-storage or the industrial space).

Considering the limited on-site activity, challenging topography, and existing radio towers and associated guywires, granting the request for alternative compliance would maximize available open space for landscaping and improved stormwater management on-site while also providing amenities in the areas which are most central to the proposed buildings and unencumbered by the existing telecommunications towers.

2. *Modify the applicable functional results or performance standards the minimal amount necessary to accommodate the constraints;*

The Project proposes to utilize limited on-site open space with landscaping and Environmental Site Design to maximize the functional results as it relates to the development's sustainability and environmental impacts. These improvements, which are located within the larger areas of open space around the perimeter of the site are more suited for such environmental enhancements given the proximity to slopes adjacent to the property and the overall spatial constraints found elsewhere throughout the Property. Within the central areas of the site, the Applicant proposes to provide site furnishings to meet the requirements of amenity open space, however the Applicant must reduce the dimensional requirements of areas being 15 feet in width due to the circulatory requirements of the proposed uses and the spatial constraints created by topography, and existing infrastructure which must remain. As detailed in the submitted Open Space plan, the amenity open space largely meets the dimensional requirements, however some areas, the number of which have been minimized, provide approximately 10 feet of Open Space near areas of spatial constraints; the Applicant will coordinate with MNCPPC Inspectors to ensure that the functional use of all areas of Amenity Open Space remains unimpacted by the proposed modifications to the performance standards.

3. *Provide necessary mitigation alleviating any adverse impacts; and*

The Project mitigates potential adverse impacts by providing greater than the minimum amount of open space, incorporating Environmental Site Design and improved stormwater management systems, to the extent practicable, to compensate for impermeable surface within the larger Brookville Road Industrial District, and providing site furnishings within proximity to the proposed buildings. As conditioned, the Application will also explore the implementation of solar panels to provide additional environmental benefit. Further, strategic landscaping proposed within surface parking areas and along the site perimeter will also aid providing shade to create a comfortable environment and mitigating urban heat island effects at this inner-beltway Property.

4. *Be in the public interest.*

There is a significant need for industrial development in Montgomery County and this “inside the beltway” location, given the very limited amount of industrially zoned land in this area the County. As noted, the Applicant proposes to provide tree canopy, address stormwater management through an MCDPS-approved stormwater management concept plan and install streetscape improvements along Brookville Road to maximize the utility of limited open space opportunities on-site.

The unique conditions of the Property—specifically the challenging topography, grading requirements, and existing Radio Towers and encumbrances like perpetual easements—necessitate an alternative approach to meeting the amenity open space requirement. Through improved stormwater management and tree canopy that improves the overall sustainability of the site, the Project and proposed Alternative Compliance adhere closely to the intent and standards of the applicable requirements, provide necessary mitigation, and serve the public interest. As such, the intent of the amenity open space requirements is met and the proposed alternative compliance of modifying the minimum dimensional requirements while providing a greater amount of overall open space is acceptable.

iii. Transportation and Utilities

As conditioned, the proposed streetscape improvements along the Site frontage comply with the transportation recommendations of functional Master Plans including the 2024 *Complete Streets Design Guide* and the 2023 *Pedestrian Master Plan*.

d) *The Lot(s) and Use comply with the basic requirements of Chapter 59.*

The Preliminary Plan meets all applicable sections of the Subdivision Regulations. The size, width, shape, and orientation of the proposed lot are appropriate for the zone, location and industrial use proposed for the Site. As shown in Table 1 below, the proposed lot will comply with the applicable development standards for the IM-2.5 zone.

Table 1: Bergfield Tract Preliminary Plan Data Table for IM-2.5, H-50 Zone, Standard Method, Section 59-4.8.3

Development Standard	Permitted/ Required	Proposed – Phase 1	Proposed – Phase 2 (Total)
Tract Area	n/a	432,376 sf	432,376 sf
Site Area	n/a	423,624 sf	423,624 sf
Density (maximum FAR)	2.5 FAR (1,080,940 sf)	0.51 FAR (218,567 sf)	0.96 FAR (412,000 sf)
Principle Building setbacks			
Front	10 ft.	10 ft.	10 ft.
Side	0 ft.	0 ft.	0 ft.
Sum of Side	0 ft.	0 ft.	0 ft.
Rear	0 ft.	0 ft.	0 ft.
Amenity Open Space	10% (42,362 sf)	10%	10%
Parking Setbacks			
Front	6 ft.	6 ft.	6 ft.
Side	6 ft.	6 ft.	6 ft.
Rear	6 ft.	6 ft.	6 ft.
Building Height	50 ft.	50 ft.	50 ft.
Parking Lot Internal Landscaped Area	5%	5%	5%
Parking Lot Tree Canopy	25%	25%	25%
Vehicle Parking Requirements			
Flex Industrial	264 spaces (1.5 per 1k sf)	151 spaces	206 spaces
Self-Storage	25 spaces (1 per 10k sf + 1 per employee)	13 spaces	32 spaces
Bicycle Parking Spaces (min)s	0	0	0
Loading Spaces (min)	4 spaces	24 spaces	32 spaces

2. *The Preliminary Plan substantially conforms to the Master Plan.*

a) Land Use

The Project substantially conforms with the goals and recommendations of the Sector Plan. The Property is specifically located within the Plan's "Brookville Road Industrial District" and, although the Plan does not provide any property-specific recommendations, the Sector Plan and Sectional Map Amendment designate the Subject Property as IM zoning, which the proposal adheres to. The Project conforms with and advances several Sector Plan goals and recommendations regarding industrial uses, economic development, and stormwater management.

i. **Continue to make the industrial district affordable, accessible, and practical for traditionally industrial enterprises. (Economic Development 4.4.2 Goals and Objectives)**

The Project will improve the Property to continue to make the overall Brookville Road Industrial District more accessible and practical for industrial users located within or close to the County's urban core. The Project will provide new industrial space, in accordance with Sector Plan recommendations for the Brookville Road Industrial District. This additional supply, in conjunction with the site improvements, will help make the Industrial District more accessible and practical to traditional industrial enterprises. To this end, the Applicant anticipates serving "small bay" industrial users who have a need for industrial space within the beltway.

ii. **Preserve the industrial community along Brookville Road, Warren Street and Linden Lane, and the Moderate Industrial (IM) zoning of these areas where appropriate. (Land Use and Zoning 2.2.1 Goals).**

The Project proposes to redevelop the existing industrial site with high-quality, improved industrial uses in the Brookville Road Industrial District. There are approximately 115 acres of industrially zoned land inside the beltway in Montgomery County. The Project is improving the approximately 10-acre site – approximately 9% of Montgomery's industrially-zoned land inside the beltway - to provide necessary, community-serving industrial uses. Both the proposed industrial and self-storage uses are permitted by-right in the IM Zone. Accordingly, the Project is preserving the industrial community at this location by improving the site beyond its existing conditions while continuing to meet demand for these much-needed industrial uses.

b) Environment

i. Reduce quantity and improve quality of stormwater runoff. (Water Quality 2.4.1 Goals)

The Project will both reduce quantity and improve quality of stormwater runoff. Environmental Site Design is employed on-site to address stormwater impacts through the use of micro-bioretenion, modular wetland systems, and underground structural facilities. No stormwater management facilities are currently provided on-site. As such, the Site does not presently treat either water quality or water quantity beyond the passive stormwater benefits provided by the wooded areas onsite. The proposed stormwater management concept provides on-site treatment of all stormwater management requirements in Phase 1 through Phase 2 of the project and includes limited waivers due to the impact of site constraints as described. Overall, the development balances the applicable Sector Plan water quality goals with the Sector Plan goals related to the continued provision of industrial uses in the area.

ii. Prioritize street tree planting along connecting streets with proposed bicycle lanes, sidewalks and stormwater management facilities. (Ecology 2.4.2 Recommendations)

The Applicant is proposing streetscape improvements along Brookville Road that includes street trees, pedestrian infrastructure, and implementation of stormwater management facilities. Specifically, the Project is providing a 10-foot-wide sidewalk and up to an eight-foot-wide tree panel/street buffer along the Property's frontage on Brookville Road, exceeding the Sector Plan recommendations.

iii. Strive to achieve a minimum canopy cover per zone as follows: "10-15 percent canopy cover within industrial zones." (Ecology 2.4.2 Recommendations)

The Project complies with the Sector Plan recommendation to provide between 10-15% tree canopy cover for the overall site area within the industrial IM Zone by providing 10% canopy. The Project also provides the required 25% tree canopy cover for proposed surface parking.

c) Transportation

While Brookville Road along the Site frontage is not a master-planned road in the Sector Plan, the Plan does call for connectivity and accessibility within the Brookville Road Industrial District that will "contribute to the functionality of successful industrial properties." The Applicant will dedicate right-of-way and construct a

shared-use path on Brookville Road in compliance with the 2023 Complete Street Design Guide. Further discussion of the improved streetscapes on the Site's frontage is provided in Finding 3.

3. *Public facilities will be adequate to support and service the area of the subdivision.*

a) Roads and other Transportation Facilities

- i. **Existing Facilities:** There is no existing right-of-way dedication along the Site frontage on Brookville Road. There are no sidewalks along the Site's frontage and, on the opposite side of the street, there is an incomplete sidewalk where a Ride On bus stop is located. There are four Ride On bus stops in close proximity to the Site that operate between the Brookville Maintenance Facility and Silver Spring Transit Center. There are also no designated bicycle facilities along this section of Brookville Road.
- ii. **Proposed public transportation infrastructure:** As conditioned, the Applicant will dedicate right-of-way along its frontage on Brookville Road. The Applicant will construct a ten-foot-wide (10 ft) shared use path for pedestrians and bicyclists with an eight-foot (8 ft) street buffer along the Property frontage on Brookville Road.
- iii. **Proposed private transportation infrastructure:** No private roadways or trails are proposed in the Subject Application.

As a proposed development with 412,000 square feet, the Project is estimated to generate 102 total peak hour person trips in the morning and 120 total peak hour person trips in the evening. After accounting for peak hour person trips currently associated with the existing 22,323 square feet on the Property, (46 morning peak hour person trips and 55 evening peak hour person trips), the Project is estimated to generate 56 net new morning peak hour person trips and 65 net new evening peak hour person trips. Since the Project is estimated to generate more than 50 net new peak hour person trips, a Transportation Impact Study (TIS) was submitted to satisfy the Local Area Transportation Review (LATR).

Table 2 – 8800 Brookville Road Estimated Person Trip Generation

Land Use	Morning Peak Hour	Evening Peak Hour
Existing (credit)		
Specialty Trade Contractor	46	55
Proposed		
Self-Storage	28	46
Industrial Park	74	74
Total	102	120
Net New Person Trips	56	65

Source: Transportation Impact study by Gorove Slade dated August 28, 2024, revised on December 2, 2024

Travel Mode Adequacy Test

The 2020-2024 *Growth and Infrastructure Policy* requires evaluation of all transportation modes, including: auto-driver, transit, walking and biking. Mode-specific adequacy tests are required for any project estimated to generate 50 or more net new peak hour person trips. The only exception is projects within Red Policy Areas, such as the Lyttonsville Policy Area. Bergfield Tract is located within the Lyttonsville Policy Area and not required to be evaluated for motor vehicle adequacy. The adequacy tests for transit, pedestrians, and bicyclists are still required for this project. The mode split of the total person trips for the Project are summarized by travel mode in Table 3. The Project's estimated transportation impact necessitates that the Transportation Impact Study evaluate three (3) of the four (4) travel mode adequacy tests.

Table 3 – 8800 Brookville Road Trip Estimate by Mode

	Total Person-Trips	Auto-Driver	Transit	Pedestrian ²	Bicycle
Morning Peak Hour	102	62	13	22	9
Evening Peak Hour	120	73	15	26	11

Source: Transportation Impact study by Gorove Slade dated August 28, 2024, revised December 2, 2024

Transit system adequacy was evaluated by inventorying two bus stops located within 500 feet of the Property. Where shelters and associated amenities are not provided, the Applicant must install the standard amenities in coordination with MCDOT.

Pedestrian system adequacy was evaluated within 400 feet of the Property. Mitigation will be required to achieve a Pedestrian Level of Comfort (PLOC) greater than 2 (Somewhat Comfortable), and/or deficiencies identified for streetlamps within the scoped boundary. The Pedestrian system adequacy also requires mitigation for ADA deficiencies identified within 200 feet of the Property.

Bicycle system adequacy was evaluated by analyzing bikeways within 400 feet of the Property. Mitigation will be required to achieve a Level of Traffic Stress 2 (LTS-2) or lower, consistent with the Bicycle Master Plan.

Under Section 8 of 2023 *Local Area Transportation Review Guidelines* (LATR Proportionality Guide), the maximum cost of mitigation improvements the Applicant is required to construct or fund for a project consisting of 412,000 square feet is not to exceed \$2,255,700 (see calculation below).

$$\begin{aligned} \text{LATR Proportionality Guide} &= (\text{Extent of Development}) (\text{LATR Proportionality} \\ &\quad \text{Guide Rate}) (\text{LATR Proportionality Guide Adjustment Factor}) \\ \$2,255,700 &= (412,000 \text{ square feet}) (\$10.95) (50\%) \end{aligned}$$

For this Preliminary Plan, the cost of construction and/or mitigation payments for mitigation projects is not to exceed \$2,255,700. After evaluating the adequacy of each of the required transportation modes, the Applicant identified a comprehensive list of deficiencies, by which a prioritized list of mitigation improvements was submitted to Planning and MCDOT Staff for review. In compliance with the 2023 LATR Guidelines, the final list of 18 prioritized projects was finalized by the reviewing agencies and construction of these projects are now conditioned for approval of the Preliminary Plan. The final list of projects is included in Table 4 below.

² Pedestrian trips are calculated by adding non-motorized and transit trips.

Table 4: 8800 Brookville Road LATR Mitigation Project List

Project No.	Project Location	Project Description	Construct/ Mitigation Payment	Project Cost
Projects 5, 18, 19, and 20	Intersection of Brookville Road, Lyttonsville Place and Pittman Drive	Improve and install new curb ramps, install crossing, remove free-right turn	Construct	\$82,644.39
Projects 12-17	North Side of Brookville Road, Immediately North of Project Site	Install curb ramps	Construct	\$37,701.79
Projects 6, 9, and 11	North side of Brookville Road, Immediately South of Project Site	Relocate and reconstruct new crossings and install curb ramp	Construct	\$ 51,869.59
Projects 1 and 3	South side of Brookville Road, Between Lyttonsville Road to South end of Project Site	Install street buffer	Construct	\$153,365.76
Project 24	Lyttonsville Road & Claridge House Driveway MCDOT Bus Stop ID: 23746	Install bus shelter and RTI (Real-time Transit Information) at bus stop 23746 (Lyttonsville Rd & Claridge House Driveway).	Construct	\$57,536.81
Project 22	Streetlight on Brookville Road	Install one street lamp on existing pole at Brookville Road north of the Project and south of Lyttonsville Place (east side).	Construct	\$10,000.00
Construction Subtotal				\$393,118.34
Permitting Costs				\$62,285.57
Bonding Costs				\$9,827.96
Total				\$465,231.87
Proportionality Guide				\$2,255,700

As conditioned, all off-site mitigation projects must be permitted, bonded for construction before the issuance of the first above grade building permit or right-of-way permit. Montgomery County Planning and MCDOT staff reviewed the TIS and

approved the mitigation project list. Therefore, the Applicant has satisfied the requirements of the LATR, and the public transportation facilities are adequate for the Site.

b) Schools

This provision is not applicable, -as the Application does not include residential units; therefore, no school impacts are expected.

c) Other Public Facilities and Services

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 Growth and Infrastructure Policy currently in effect.

d) Adequate Public Facilities Validity Period

Pursuant to Section 50.4.3.J.5 of the Subdivision Regulations, the Applicant is requesting a phased APF approval to accommodate Phase II of the Project. Specifically, the Applicant is requesting an APF validity period of five years for Phase I—which is the typical APF validity period for approval of a Preliminary Plan—and 10 years for Phase II. These validity periods would give the Applicant sufficient time to construct and operate Phase I—including 120,000 square feet of self-storage (SS-1) and 88,000 square feet of industrial uses (I-1)—prior to initiating Phase II. This phasing and additional time will allow for the Applicant to fully assess the demand and market capacity for additional industrial and self-storage capacity in the Brookville Road Industrial District submarket.

Notably, the record plat for the entire Property will be recorded within the customary validity period for the Preliminary Plan, and Phase I is anticipated to have building permits filed within 5 years of the Preliminary Plan approval. Therefore, it is only the APF approval for Phase II that is subject to this phasing request, to allow building permits for Phase II to be issued within 10 years of Preliminary Plan approval. The Applicant has submitted a development schedule, outlining the proposed phasing of the Project, along with the subject subdivision application. Analysis of conformance with Section 50.4.3.J.5.d is as follows:

If an applicant requests a longer validity period than the minimum specified in Subsection 4.3.J.5.a, the applicant must submit a development schedule or phasing plan for completion of the project to 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, whichever is the applicable minimum,**

after the preliminary plan is approved.

Approximately 208,000 square feet of the total 412,000 square feet of the Project are included as part of Phase I. The Applicant intends to complete Phase I of the Project within five years from the date of Preliminary Plan approval.

- 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.**

Due to the scale of the Project and the potential redundancy of proposed light industrial uses included in Phase I and Phase II, the Applicant will need additional time to assess market demand for additional industrial and self-storage buildings proposed as part of Phase II. Approximately 207,424 square feet of industrial and self-storage uses are proposed as part of Phase I, which the Applicant plans to complete within five years from Preliminary Plan approval. The sizeable approximately 122,051 square foot SS-1 building and approximately 85,373 square foot I-1 building in Phase I will add 16% to the non-institutional square footage within the existing light industrial market in the Brookville Road Industrial District – a significant increase that will take time to absorb. The Applicant intends to construct and lease Phase I to further assess submarket demand for an additional approximately 204,784 square feet of self-storage and industrial uses before constructing Phase II. Accordingly, the scale of the overall Project—relative to the size of the Brookville Road Industrial District submarket—requires an extended validity period to fully assess market demand for additional light industrial uses at this location.

As conditioned, the Project includes several streetscape and off-site improvements to satisfy adequacy standards. The Applicant is required to mitigate up to \$2,256,839 in off-site improvements consistent with the GIP. The Applicant is meeting all GIP required mitigation without excluding any improvements due to the proportionality guide. As detailed in the LATR, the Applicant has coordinated with MCDOT and Planning Staff to prioritize specific deficiencies and satisfy off-site adequacy with a package of improvements to increase pedestrian connectivity and accessibility, bicycle connectivity, and promote transit use. Moreover, all of these improvements are proposed as part of Phase I, which represents half of the overall Project.

Accordingly, extending the validity period for Phase II to 10 years will not adversely impact the public interest.

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

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines as further discussed in the findings for Forest Conservation Plan No. F20241050, which are included in a separately approved resolution and are incorporated herein.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.*

DPS approved a Stormwater Management Concept on June 25, 2025. The plan proposes to meet required stormwater management goals via the use of microbioretention, planter box micro-bioretention, modular wetland system, CMP storage, and Stormfilter facilities, or other DPS approved equivalent stormwater management practices. A partial waiver of stormwater management requirements was granted due to site constraints.

6. *Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 4.3.M*

This provision is not applicable to this Application, as the Applicant has no actual or constructive knowledge of any burial site on the Property, nor is it included in the Cemetery Inventory.

7. *Any other applicable provision specific to the property and necessary for approval of the Administrative Subdivision is satisfied.*

No other provisions apply to the Subdivision.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

September 11, 2025

(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 consistent with the Maryland Rules for the judicial review of administrative agency decisions.

* * * * *

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 Linden, seconded by Commissioner Hedrick, with a vote of 3-0-1; Chair Harris, and Commissioners Hedrick and Linden voting in favor, Commissioner Bartley abstaining and Vice Chair Pedoeem being necessarily absent, at its regular meeting held on Thursday, September 4, 2025, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board