



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

OFFICE OF THE CHAIR

August 14, 2017

Mr. Christopher Conklin  
Deputy Director, Montgomery County Department of Transportation  
101 Monroe Street 9<sup>th</sup> Floor  
Rockville, Maryland 20850

RE: Mandatory Review for Ourisman Honda of Bethesda - Right-of-way Encroachment and Improvements  
Mandatory Referral, MR 2017015

Dear Mr. Conklin:

At its regularly scheduled meeting on July 20, 2017, the Montgomery County Planning Board reviewed Mandatory Referral No. 2017015 for Ourisman Honda of Bethesda – Georgetown Branch of the Capital Crescent Trail Right-of-way Encroachment and Improvements. The Planning Board voted 4-0 in favor of transmitting comments to the Department of Transportation (“Applicant”) regarding the final design of the improvements. Commissioner Norman Dreyfuss was absent.

Montgomery County acquired the right-of-way of the Georgetown Branch rail line, running from Silver Spring to the D.C. line, from CSX in December 1988. The portion of the Georgetown Branch right-of-way between Bethesda Avenue and the D.C. line was intended to be developed by the M-NCPPC as the Capital Crescent Trail (CCT). The CCT was opened for public use in the early nineties. The northern end of the trail below Bethesda Avenue is located within the 43-foot-wide Georgetown Branch right-of-way (Parcel B), which adjoins the existing Ourisman Honda dealership at 4800 Bethesda Avenue (Parcel A). The M-NCPPC manages, operates, and polices the CCT under a 1972 Agreement between Montgomery County and the M-NCPPC.

Ourisman undertook certain improvements to its facilities in 2016, including a 3-level addition to its parking garage and a concrete screening wall, which encroach upon the Georgetown Branch right-of-way. The Department of Permitting Services (DPS) issued Ourisman a stop work order in November 2016 prohibiting further construction of the garage addition and a directive to remove the encroachment. Ourisman stopped its construction of the garage addition and appealed the issuance of the stop work order to the Board of Appeals.

In an effort to settle the respective positions and avoid protracted and expensive legal proceedings, Ourisman has made certain proffers to the County. Montgomery County, Montgomery Parks, and Ourisman Honda met with the community and interested parties regarding proposed enhancements on May 15, 2017.

The Montgomery County Department of Transportation (DOT) proposes to allow the construction of the garage addition within the Georgetown Branch right-of-way, and have Ourisman Honda provide several improvements near the dealership and the CCT to enhance the trail user's experience of the existing CCT. The proposed improvements include relocating the existing vehicular entrance to the dealership, creating a public plaza near Bethesda Avenue, widening the existing 14-foot-wide trail, adding a new pathway and landscaping between the trail and adjacent residential properties, and providing metal screening on the garage facades and similar fencing between the trail and the dealership. This project will be fully funded by Ourisman Honda.

The Planning Board heard a presentation from staff as well as testimony from representatives of the Montgomery County Department of Permitting Services (DPS), DOT, Ourisman Honda and members of the community. Please consider this letter and the following comments as the Planning Board's testimony for the official record.

1. Revise the Mandatory Referral plans to widen the existing 14-foot-wide Capital Crescent Trail from Bethesda Avenue to the southeast corner of the new Ourisman garage, transitioning to the existing 10-foot-wide trail at the Linda Wiener Memorial plaza. The minimum width of the trail shall be 16 feet at its most constrained point and maximized where space is available, including right up to the steel supporting columns of the Ourisman garage, to accommodate heavy pedestrian and bicyclist traffic. The final configuration of the trail shall be of a width that provides as much trail space as possible while retaining a harmonious relationship with other features existing and proposed in the project area. The exact trail design and its shoulder width and materials must be coordinated with and approved by the Maryland-National Capital Park and Planning Commission (M-NCPPC) Department of Parks.
2. Revise the Mandatory Referral plans to relocate the monumental Ourisman sign and guard shack away from the plaza. If another location cannot be found for the guard shack, provide landscape planting and screening for users of the plaza.
3. Revise the Mandatory Referral plans to refine the architectural design of the parking structure. Incorporate special building façade design elements and/or public art components to not only minimize the impact of the dealership's operations on the adjacent trail and residential properties, but also enhance the surrounding urban setting. The intent of the special design effort is to turn a utilitarian parking garage into a place-making element in downtown Bethesda and a gateway feature for the CCT. The theme and features of the parking structure should be incorporated into the design of the fencing between the dealership and the CCT to create a coherent and visually attractive frontage along this section of the CCT.
4. Ourisman must obtain a Park Permit for Construction from the Department of Parks prior to the construction of any improvements within the Georgetown Branch right-of-way or Parcel B, except for the Ourisman garage.
5. Ourisman must complete all improvements to the trail corridor, including the decorative metal façade screening and fencing, trail improvements, and plaza in accordance with the terms of

Mr. Christopher Conklin  
August 14, 2017  
Page 3

the Georgetown Branch franchise agreement with Montgomery County which shall include a bond securing completion of the Ourisman improvements.

6. Ourisman must work with the Sacks Neighborhood Association to address the dealership's operational concerns as identified in the document titled "Items to be Addressed Between Ourisman Honda and the Sacks Neighborhood", dated June 27, 2017, and attached here as Attachment A.

In response to the concerns raised by the Sacks Neighborhood Association over the operation of the dealership and the proximity of the garage addition to the adjacent residences, Ourisman Honda pledged to work closely with the Association and nearby residents to address their concerns.

Ourisman Honda responded to the Planning Board that the dealership will continue to work with Parks Department staff on the proposed improvements through the final design and park permitting process. Ourisman Honda pledged to widen the trail to more than 16 feet in width where possible and to further develop the design of the garage façade and fencing to incorporate special features to provide a cohesive "placemaking" treatment and special gateway to downtown Bethesda.

The Planning Board appreciates the opportunity to review this project and looks forward to working with your staff and Ourisman Honda on subsequent reviews. Please feel free to contact me at 301 495-4605 or Michael Ma of our Parks staff at 301 495-2552 if you have any questions.

Sincerely,

  
Casey Anderson  
Chair

cc: Diane Schwartz Jones, Director, Department of Permitting Services  
Gwen Wright, Planning Director  
Michael F. Riley, Director of Parks  
Michael Ma, Park Development Division Chief