



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

**Staff Report: Preliminary Plan 120080070, Ashton Meeting Place
 Site Plan 820080040, Ashton Meeting Place**

ITEM #s: _____

MCPB HEARING

DATE: May 15, 2008

REPORT DATE: May 5, 2008

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
 Cathy Conlon, Supervisor *CC*
 Robert Kronenberg, Supervisor *RAK*
 Development Review Division

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APPLICATION DESCRIPTION:

Creation of 1 lot for 74,000 square feet of commercial space, and seven one-family detached residential units on 9.26 acres in the C-1, R-60, R-C and Sandy Spring/Ashton Rural Village Overlay Zones; located at the southeast quadrant of Ashton Road (MD 108) and New Hampshire Avenue (MD 650); Sandy Spring/Ashton Master Plan

APPLICANT: Ashton Meeting Place, LLC

FILING DATE: September 5, 2007

RECOMMENDATION: Approval of the preliminary and site plans with conditions

EXECUTIVE SUMMARY:

The proposed development would create a commercial village center with restaurants, office space, and retail, including a grocery store, in the heart of Ashton. These commercial uses would be flanked along the MD 108 and MD 650 road frontages by one-family detached homes. Access to the interior parking lot and residential driveways is via an internal street that connects to MD 108 and MD 650. This private street and interior parking layout allows the buildings to front directly on the roads where additional parallel parking is provided. A village green is provided at the intersection and additional seating and open space is placed in and around the retail buildings. Careful attention to appropriate building locations, architectural detailing, and landscaping has been negotiated over several years with significant community input and one prior hearing at the Planning Board.

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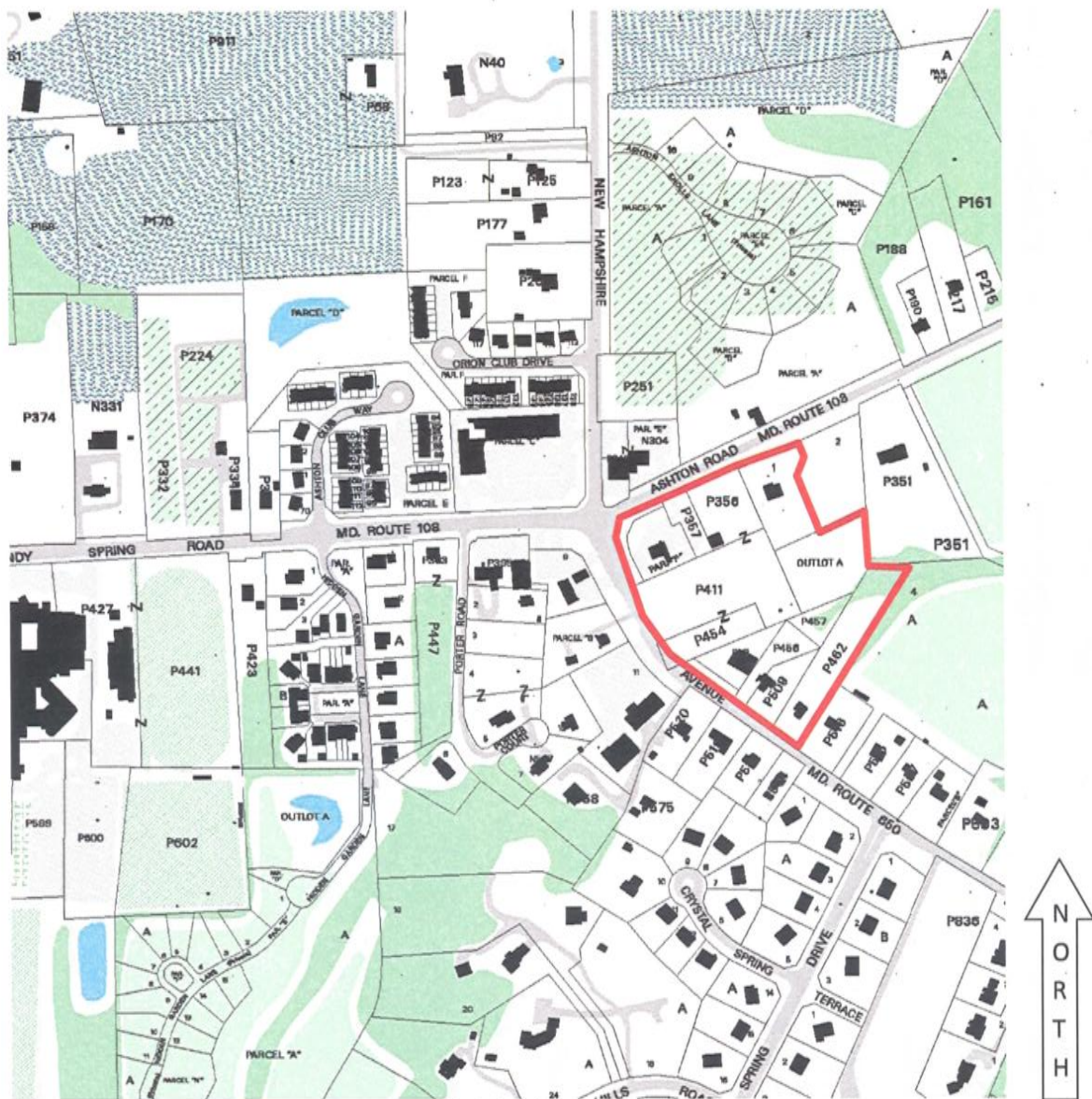
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SECTION 1: CONTEXT & PROPOSAL

SITE DESCRIPTION

Vicinity

The subject site is located at the southeast quadrant of Ashton Road (MD 108) and New Hampshire Avenue (MD 650). Directly east of the site along MD 108 is a utility substation. The remaining land to the east and south is R-C zoned residential land. To the west of the site, across MD 650, are some small commercial uses and the Alloway office building. Diagonally across the intersection to the northwest is a small strip-mall. To the north, across MD 650, is the subject site of a proposed gas station and commercial project (820070070: Derrick's Addition to Ashton) as well as a section of a forest conservation easement created by the Ashton Knowles subdivision, which sits further to the North.

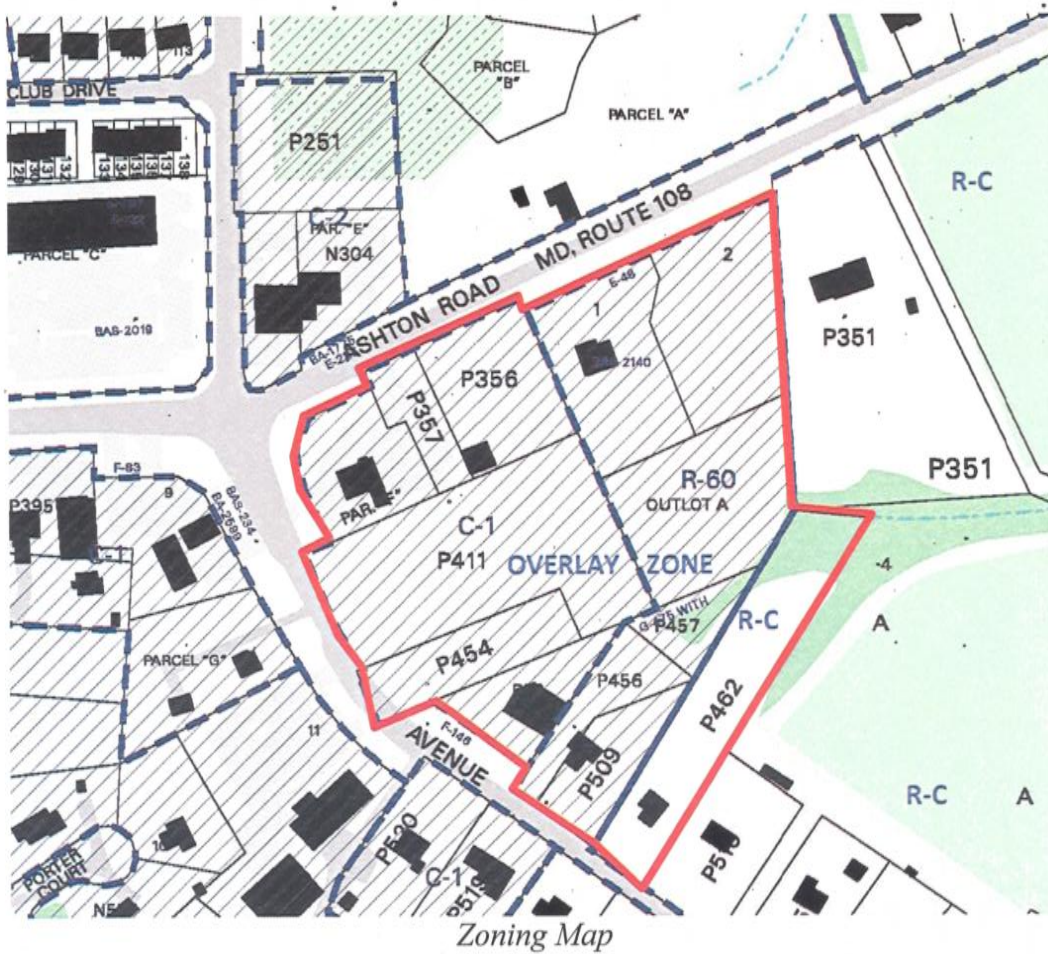


Vicinity Map

Site Analysis

The 9.26 gross acre subject site is currently occupied by a free-standing bank with a drive-through and one one-family residential dwelling on the R-C zoned portion of the site. The house will remain but the bank will be demolished to accommodate the new development. The site is divided between several zones: C-1, R-60, and R-C; the C-1 and R-60 zones are within the Sandy Spring/Ashton Rural Village Overlay Zone (Overlay Zone).

Most of the site that is not occupied by the bank and parking consists of mowed lawn with scattered trees, but a significant portion of the eastern corner contains a wetland and stream headwaters. The Property's highest point is at the intersection of the two state highways. The grade then slopes downward towards the wetland and stream in the eastern corner. The wetland and environmental buffers are associated with a headwater Use IV-P stream that connects to the Patuxent River watershed. The Patuxent is a tributary to the Triadelphia and Rocky Gorge Reservoirs, which supply drinking water for parts of Montgomery, Howard, and Prince George's counties. A Category I conservation easement located on Outlot "A" protects a portion of the site's environmental buffer and was created as part of a previous preliminary plan approval. The site is currently served by public water (W-1) and sewer (S-1).





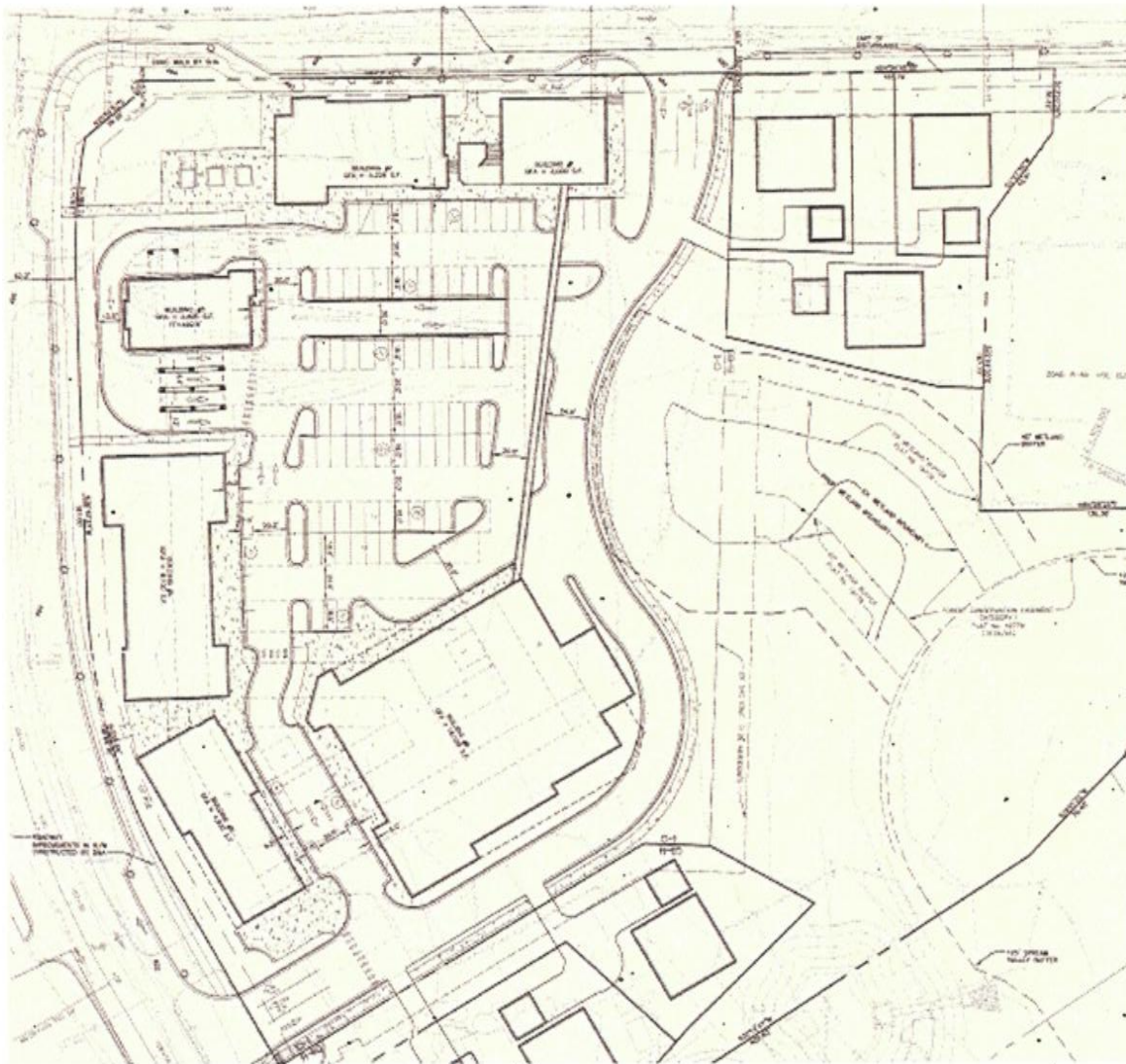
Aerial Photo (looking east)

PROJECT DESCRIPTION

Previous Hearing

The area under discussion was previously the subject of site plan 820060230, which was heard by the Planning Board on April 12, 2007. Staff's recommendation for that site plan was denial based on several findings. First, the design was incompatible with the design guidelines of the Sandy Spring/Ashton Master Plan (Master Plan). Namely, the massing of the buildings was too large and the layout did not conform to the rural village character emphasized by the plan. Second, the application provided commercial parking in residential zones, which is not recommended for this area of the Overlay Zone. Third, the internal pedestrian and vehicular circulation patterns were not adequate or efficient. For these reasons, the Planning Board approved Staff's recommendation of denial.

The Applicant has since worked with the community and Staff to create a plan that addresses the previous findings. After numerous meetings and design charettes, the current site plan proposal was submitted.



Illustrative Plan

Proposal

The proposed development would provide neighborhood-oriented commercial services and seven one-family homes at the corner of the two most heavily used roads in Ashton. The commercial services consist of a maximum of 31,690 square feet of retail space, including an 18,000 square foot grocery store; 32,510 square feet of office space; and 9,800 square feet of restaurant space and are entirely located within the C-1 zone as are their respective 315 parking spaces, many of which are located under a structured parking deck and not visible from the street. Another twenty-three spaces are located off-site along MD 108 and MD 350, although these are not necessary to meet the parking requirement. Access is provided via one internal private road that runs between MD 650 and MD 108 at the far ends of the C-1 zoned area. Significant transportation improvements are required at the MD 108/MD 650 intersection, which

is already failing from a capacity standpoint for this or any development in the Sandy Spring/Ashton area.

Consistent with the recommendations of the Master Plan, the commercial buildings, except for the grocery store, front along MD 108 or MD 650 and have dual fronts to provide scale, interest, and functional entrances from both the street and the internal parking lot. The internal grocery store is sited with its front to the internal parking lot and provides additional office space on the second floor. This location provides a sense of scale and interest in what would otherwise be a large parking area. It also reinforces the appropriate scale and character of the internal street by establishing a street wall across from the proposed residences to the south. This internal street is planted and lit in a traditional manner and also provides a sidewalk from MD 650 to MD 108, offering pedestrian access to each of the residential lots and winding around the wetland area.

Two of the proposed residences front on MD 650, two onto MD 108; the others front on the internal road further reinforcing its traditional character. Garages are placed behind the houses as detached carriage houses or attached to the main structure where the lots are smaller.

The stormwater management facilities on-site are shared by the proposed development and the necessary intersection improvements. These facilities consist of ponds, filtration devices, underground chambers, green roofs, and other systems and numerous protections have been designed to maintain the viability of the wetlands and headwaters on-site. The wetland, stream, and environmental buffers are completely undisturbed except for a sliver of sidewalk that runs along the edge of the buffer, which will be constructed of porous concrete to maintain infiltration. Protective easements will be placed on all sensitive environmental areas on site.

Community Outreach

The Applicant has met numerous times with various civic organizations and with Staff. The Applicant has met all proper signage, noticing, and submission meeting requirements.

Staff has met separately with citizen representatives to discuss this plan, especially with regard to conformance with the Master Plan. We have received one letter from a citizen in support of the proposed revisions since the last hearing.

SECTION 2: PRELIMINARY PLAN ANALYSIS AND FINDINGS

Master Plan

The proposed preliminary and site plans comply with the land use vision of the master plan and is consistent with the goals, recommendations, and guidelines as contained therein.

The goal of the master plan for the Ashton village center, as indicated on page 39, is to "Maintain the existing scale and encourage improvements to its character". The design guidelines that shape the form, which creates that character, are discussed in detail in Section 3: Site Plan Review. Staff believes that the master plan envisioned revitalization of the Ashton village center and that this project, as designed, with active street fronts, parking in the rear, and

the detached residential lots at either end provides a sense of place. The full Community Based Planning memorandum is appended to the staff report.

Compliance with the Zoning Ordinance and Subdivision Regulations

Lot Design

The preliminary plan will create 8 lots; one for the office/retail and 7 for new one-family detached dwelling units. The RC-zoned parcel will remain unplatted, but a stormwater management easement will be recorded on the rear of the lot to cover the facility being constructed to provide stormwater control for the new development. The one commercial lot and seven residential lots proposed by this plan were reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. Staff has reviewed the existing lot pattern of adjacent platted properties and compared them to the proposed lots. In consideration of these lot patterns and with the recommendations of the Sandy Spring-Ashton Master Plan, staff finds the proposed lot size, shape, width and orientations are appropriate for their location within the subdivision.

The lots were reviewed for compliance with the dimensional requirements for the C-1 zone and the R-60 zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in the Subdivision Data Table.

Lots Without Public Road Frontage

Pursuant to Section 50-29A of the Montgomery County Subdivision Regulations, the Planning Board, in exceptional circumstances, can make a finding for up to two lots without frontage to be located on a shared driveway or private right-of-way. The finding is based on access being safe and adequate for all vehicles including emergency and service vehicles; that public utilities can be installed and that it does not preclude development of adjacent properties. This application proposes three lots with their only frontage on to the internal private street. In Staff's opinion, there are specific circumstances, unique to this development proposal, which justify a Board finding to permit these lots without public street frontage.

The single family detached homes are located on land zoned R-60. The R-60 zoned land on this application is essentially severed by the wetlands and stream buffer into two buildable areas, one with frontage on MD 108 and the other on MD 650. The internal street runs between these two buildable pods and can provide safe and adequate access as it essentially will function as a public street. The shape of the two, buildable R-60 areas is such that there is limited frontage for either of them on to the public street which they front, MD 108 or MD 650. There is also no opportunity to provide additional frontage through use of the C-1 zoned portion of the property without disrupting the hard-fought, very desirable layout and character of this area. The internal street proposed for this site is essential to achieving parking that is less visible to the local highway and fronting retail uses on MD 108 and MD 650.

Providing as many one-family detached residential dwellings as possible in proximity to Ashton village provides patrons for the center who are within walking distance, and contributes to giving

the internal roadway the character of a village street. These are both goals of the Master Plan that would be supported by permitting the R-60 zoned land to be fully utilized.

Section 50-29A specifically refers to a finding for “up to two lots without frontage to be located on a shared driveway” and, it is staff’s opinion that, this language permits more than two lots without frontage in the same subdivision provided they are not all accessed by the same driveway. This interpretation has been supported in the approval of other subdivision plans. The proposed lots have separate driveway access to the proposed internal street, and that street is a through-street with points of access to both MD 108 and to MD 650. Therefore, it is staff’s opinion in this instance that three lots without frontage are acceptable.

Based on the discussion above, it is staff’s opinion that there are exceptional circumstances associated with this development that justify a finding to permit three lots without frontage as proposed. Access for the lots has been reviewed and it will be safe and adequate for all vehicles including emergency and service vehicles. In addition, public utilities can be installed and this subdivision will not preclude development of adjacent properties. Therefore, staff recommends that the Planning Board to make the finding for 3 lots without frontage under Section 50-29(A).

Subdivision Data Table

Plan Name: Ashton Meeting Place				
Plan Number: 120080070				
Zoning: C-1/R-60/RC				
# of Lots: 8				
# of Outlots: 0				
Dev. Type: Commercial/Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	R-60 – 6,000 sf C-1 none RC – N/A.	6, 703 sf min. shown		5/2/08
Lot Width	R-60 - 60ft.	63 ft. minimum		5/2/08
Lot Frontage	R-60 - 25 ft.	0 ft. minimum		5/2/08
Setbacks	R-60			5/2/08
Front	25 ft. Min.	Must meet minimum ¹		5/2/08
Side	8ft. Min./ 12ft. total	Must meet minimum ¹		5/2/08
Rear	20 ft. Min.	Must meet minimum ¹		5/2/08

Height	R-60 - 35ft. Max. C-1-30 ft.	May not exceed maximum ¹		5/2/08
Max Resid'l d.u. or Comm'l s.f. per Zoning	R-60 – 7 res. units C-1 – 0.75 far	7 res. Units 0.36 far		5/2/08
MPDUs	No			5/2/08
TDRs	No			5/2/08
Site Plan Req'd?	Yes			5/2/08
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street		Yes		5/2/08
Road dedication and frontage improvements		Yes	Agency letter	4/30/08
Environmental Guidelines		Yes	Staff memo	4/23/08
Forest Conservation		Yes	Staff memo	4/23/08
Master Plan Compliance		Yes	Staff memo	10/22/07
Other (i.e., parks, historic preservation)		N/a		
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management		Yes	Agency letter	8/23/07
Water and Sewer (WSSC)		Yes	Agency comments	10/22/07
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	10/22/07
Well and Septic		N/a		
Local Area Traffic Review		Yes	Staff memo	4/30/08
Policy Area Mobility Review		Yes	Staff memo	4/30/08
Transportation Management Agreement		No		5/2/08
School Cluster in Moratorium?		No		5/2/08
School Facilities Payment		No		5/2/08
Fire and Rescue		Yes	Agency letter	11/14/07

¹ As determined by MCDPS at the time of building permit.

Section 50-29A specifically refers to a finding for “up to two lots without frontage to be located on a shared driveway” and, it is staff’s opinion that, this language permits more than two lots without frontage in the same subdivision provided they are not all accessed by the same driveway. This interpretation has been supported in the approval of other subdivision plans. The

Adequate Public Facilities

Roads and Transportation Facilities

Vehicular/Pedestrian Access, Transit and Land Uses

Access to the development is proposed from both MD 650 and MD 108 via full-movement driveways. Within the study area, both MD 108 and MD 650 are two-lane roadways. The MD 650/MD 108 intersection is developed with retail/commercial/office uses. Areas surrounding the proposed use are generally built with residential uses. Institutional uses in the area include Sherwood High School and the Sandy Spring Museum along MD 108 to the west of Ashton. Other subdivision developments in the area include a recently approved drive-in bank to the southeast corner of MD 108 and Porter Road (Chevy Chase Bank, approximately 350 feet to the west of the site along MD 108) and a pending application for an automobile filling station with accessory retail, and a separate building consisting of retail and office (Derrick's Addition to Ashton, to the north of the site).

Metrobus Route Z2 services the area and runs along the south leg of MD 650 and the west leg of MD 108, and has several stops in Ashton.

Master Plan Roadway and Pedestrian/Bikeway Facilities

The 1998 Approved and Adopted *Sandy Spring/Ashton Master Plan* includes the following master-planned roadways, pedestrian and bikeway facilities:

1. Ashton Road (MD 108): An east-west arterial (A-92) with a minimum right-of-way width of 80 feet and a maximum of 2-3 travel lanes between the Howard County line to the east and Dr. Bird Road to the west. The roadway is recommended as the "Main Street" for the Sandy Spring and Ashton Village Centers. A shared-use path (SP-37) is recommended in the *Countywide Bikeways Functional Master Plan* for MD 108 between Howard County line to the east and Olney Master Plan area to the west.
2. New Hampshire Avenue (MD 650): A north-south two-lane major highway (M-12) with a minimum right-of-way width of 120 feet to the south of MD 108 and a minimum right-of-way width of 80 feet to the north of MD 108. The master plan identifies a desire line for a local trail along MD 650 to the south of MD 108. A shared-use path (SP-15) is recommended in the *Countywide Bikeways Functional Master Plan* for MD 650 between MD 108 to the north and Ednor Road to the south.

Nearby Transportation Improvement Projects

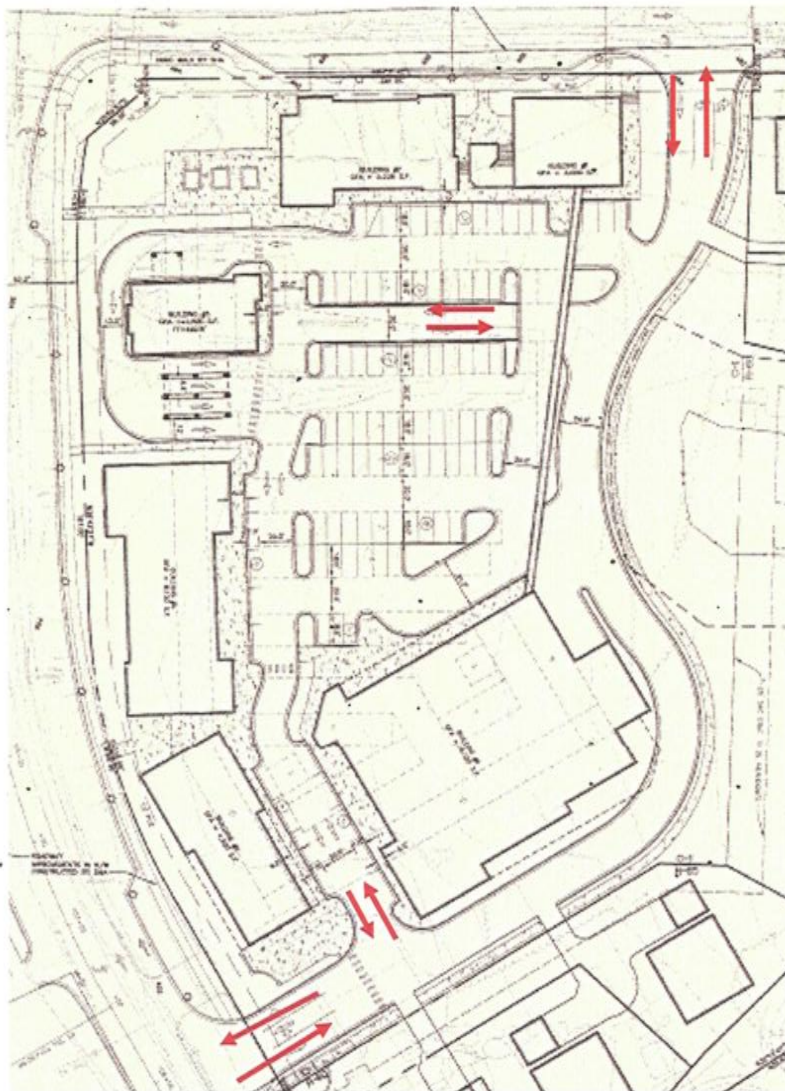
DPWT's Capital Improvement Program (CIP) currently includes the following nearby transportation improvement project:

- MD 108 Sidewalk: This DPWT project includes the construction of missing links of sidewalk along the south side of MD 108 between Hidden Garden Lane to the east (to the west of Porter Road) and Norwood Road to the west (approximately 4,000 feet), and a sidewalk along the east side of Norwood Road to the south of MD 108 (approximately 350 feet). The eastern limit for this project, Hidden Garden Lane, is also the western limit for the SHA's MD 650/MD 108 project that is not currently funded. The proposed

improvement provides for a continuous sidewalk connection along the south side of MD 108 from east of MD 650 to south of Norwood Road, connecting both the Ashton and Sandy Spring Village Centers. The project is anticipated to start construction in July 2008, and currently has a finish date of February 2010.

In addition to the above project, SHA currently has two projects in the area that are not currently funded. These include:

- A project for safety improvements along MD 108 (including construction of a bike path along the north side of MD 108) between Brooke Road and Bentley Road in Sandy Spring (SHA Contract No. MO4055130), and
- The planned capacity improvement project at the MD-108/MD 650 intersection (SHA Contract No. MO3175187). SHA worked with the Applicant to design the proposed capacity improvements at this intersection and the Applicant will be contributing to this improvement.



Circulation Plan

Local Area Transportation Review

As part of the APF test, a Local Area Transportation Review (LATR) test was required for the subject development since it was estimated to generate 30 or more peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. The APF test for the subject development also required the Policy Area Mobility Review (PAMR) test under the new Growth Policy since the application for the proposed use was filed after January 1, 2007. The use also generated more than three new peak-hour trips and was located in a policy area that required mitigation (Rural East Policy Area with a required 5% trip mitigation).

The Applicant submitted a traffic study dated January 18, 2008 (Revised), that examined traffic-related impacts of the development on nearby intersections and PAMR related trip mitigation requirements. Our review of the traffic study indicated that it complied with the requirements of the *2007 Local Area Transportation Review/Policy Area Mobility Review Guidelines*.

The traffic analysis estimated that the uses proposed on the site – 44,462 square-feet of retail, 29,536 square-feet of office, and 7 single-family dwelling units – would generate approximately 137 “total” peak-hour trips during the weekday morning and 423 total peak-hour trips during the weekday evening peak-periods. After accounting for “pass-by” and “diverted” trips, the proposed development was estimated to generate 137 and 215 net “new” trips during the morning and evening peak-hours, respectively. A summary of this data is presented in Table 1 of the appended Transportation Planning memorandum.

A summary of the capacity/Critical Lane Volume (CLV) analysis results for the study intersections for the weekday morning and evening peak-hours within the respective peak-periods from the traffic study is presented in Table 2 of the Transportation Planning memorandum. As shown in that table, the weekday morning and evening peak-hour capacity analysis presented in the traffic study indicated that under Total (or Build) Traffic Conditions, with the roadway/intersection improvements, CLV values at the study intersections would be below the applicable congestion standards. Therefore, the application satisfies the LATR requirements of the APF test.

Policy Area Mobility Review

As noted earlier, to meet the PAMR requirements under the 2007-2009 Growth Policy, this preliminary plan was required to mitigate 5% of its new peak-hour trips. With a net of 137 and 215 “new” peak-hour trips during the morning and evening peak-periods, respectively, the trip mitigation requirement for the proposed use was calculated to be 7 trips for the morning peak hour and 11 trips for the evening peak hour.

The Applicant proposes to meet the PAMR requirements of the proposed development through a combination of non-auto transportation facilities and site-specific trip reduction actions in the immediate area. The non-auto transportation facilities proposed by the Applicant to mitigate development’s morning peak-hour impact included installation of a bike locker (a set of eight, for a credit of up to 2 peak hour trips) and a new bus shelter (for a credit of up to 5 peak hour trips) in the immediate area. These facilities are awaiting final approval by DPWT staff. The site-specific trip reduction action by the Applicant to mitigate the development’s evening peak-hour

impact was providing a mix of retail, restaurant, office, and residential uses on the site. The mix of uses proposed on the site has the potential to reduce overall site trip generation through internal trip-capture, primarily during the evening peak-hour. Using ITE Trip Generation Handbook guidelines, the internal trip-capture credit for the development was thus estimated to be 22 trips. The PAMR trip mitigation requirements, the measures proposed by the Applicant, and respective trip credits for each measure are summarized in Table 3 of the Transportation Planning memorandum.

Since DPWT approval of Applicant's PAMR trip mitigation proposal is still pending, staff recommends that the Applicant be required to submit a DPWT approved PAMR trip mitigation plan to staff to reduce seven (7) peak-hour trips (related to the morning peak period) prior to the submission of the Site Plan for certification. Staff also recommends that the Applicant be required to fully implement the DPWT approved PAMR requirement(s) prior to release of building occupancy permits for the proposed development. With the conditions prescribed by this staff report, the Application meets the Policy Area Mobility Review requirements.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The Property will be served by public water and sewer systems. The application has been reviewed by the Montgomery County Fire and Rescue Service who have determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as schools, police stations, firehouses and health services are operating according to the Growth Policy resolution currently in effect and will be adequate to serve the Property. The Application is not within a school moratorium area and is not subject to payment of School Facilities Payment. Electrical and telecommunications services are also available to serve the Property.

Environment

The 8.63-acre subject site lies within the Patuxent River watershed (Use IV waters). The site is zoned C-1, R-60, and RC and includes several properties. Most of the site is in grass cover with scattered trees. Some forest cover exists on part of the site that lies within an environmental buffer. The eastern portion of the site contains a wetland and environmental buffer with a headwater stream. A portion of the site's environmental buffer (28,110 square feet, or 0.65 acre, out of 66,860 square feet, or 1.53 acres) is protected by a Category I conservation easement as part of an approved preliminary subdivision plan (1-95053, Derrick's Addition to Ashton, approved by the Planning Board on June 1, 1995) that created two lots and an outlot. Forest planting was required under an approved forest conservation plan, but only part, not all, of the forest that had been planted remains in place. Much of the environmental buffer is in grass cover, with forest cover in the southern portion of the environmental buffer.

Forest Conservation

The subject site has a total of about 0.81 acre of forest, most of which lies within the environmental buffer. The Applicant proposes to clear 0.07 acre of the 0.37 forest that lies within the RC-zoned portion of the site. The proposed forest clearing lies outside the environmental buffer. The proposed amount of forest retained, 0.30 acre, is 25 percent of the RC portion of the tract area. Section 22A-12(f)(2)(A) of the County Forest Conservation Law states

that “in an agricultural and resource area, on-site forest retention must equal 25% of the net tract area.” Land that is zoned RC is considered to be an agricultural and resource area, and is subject to this provision of the Forest Conservation Law. The proposed forest clearing and retention within the RC portion of the site meets the Forest Conservation Law.

The remaining forest lies within the R-60 zone, and the Applicant does not propose to clear forest outside the RC portion of the site. The Forest Conservation Plan shows 0.88 acre of reforestation that would occur within the environmental buffer area.

Staff recommends that a 0.043-acre (1880 square foot) area at the eastern edge of the open space area be planted in forest and protected in a Category I conservation easement. This area was originally part of the approved Forest Conservation Plan for Derrick’s Addition to Ashton (preliminary plan and preliminary forest conservation plan 1-95053, approved by the Planning Board in 1995) for forest planting, but there is currently no forest cover. Since the area is now part of the current application, it should be replanted in forest, to be consistent with the previously approved forest conservation plan.

The Applicant proposes to protect the specimen Siberian Elm (41 inch diameter at breast height, or DBH) at the northeastern edge of the property. A tree protection plan proposed by a certified arborist identifies specific protection measures that should be implemented to save the elm. Staff recommends that the tree protection plan be incorporated into the Final Forest Conservation Plan.

No other individual tree that lies outside the environmental buffer area on the subject site is proposed for retention. Staff agrees with the applicant that these trees cannot be preserved, given the proposed project.

Staff finds that the Forest Conservation Plan, if it is revised in accordance with staff’s recommendations, meets the requirements of the Chapter 22A, the Montgomery County Forest Conservation Law.

Environmental Guidelines

The majority of the 1.6-acre environmental buffer will be used for forest retention or forest planting. A pedestrian path that parallels the internal private road is proposed to be located in a small portion (roughly 805 square feet, or 0.02 acre) of the western edge of the environmental buffer. The applicant indicates that the proposed commercial uses, parking requirements, the internal road configuration, and the desire to provide a pedestrian path system for the proposed residential units that are adjacent to the commercial uses; do not allow the path to be relocated outside the environmental buffer. Staff finds that the proposed encroachment, which is relatively minor and cannot be relocated outside the buffer, is acceptable if the path is designed, constructed, and maintained as porous material, such as porous concrete. The plan, as proposed, meets the requirements of the Environmental Guidelines.

The proposed development will create high imperviousness (roughly 49 percent imperviousness, including the RC portion of the site) in the drainage area of the headwater stream and wetlands that exist on the site. The high imperviousness could significantly reduce the groundwater flows

to the headwater stream and wetland. To help maintain some water sources to the stream and wetland, the development includes the following features: a stormwater management (SWM) infiltration trench to provide some groundwater recharge of surface stormwater runoff, a surface sand filter, and discharge into the wetland of stormwater runoff from the green roof of the grocery store.

Patuxent River Primary Management Area (PMA)

The imperviousness of the proposed subdivision and site plan (i.e., the parts of the site that are zoned R-60 and C-1 – not in the RC portion), as proposed, is roughly 53.0 percent. The “Environmental Guidelines” state that for properties lying within the PMA which have zoning densities greater than RE-2 are subject to “nonconformance” requirements:

“Nonconformance requirements consist of stormwater management and best management practices applied to the property that will minimize the impacts of higher density zones, particularly higher levels of imperviousness, on water quality.”

The Applicant proposes SWM quantity and quality controls on the site. These controls include a dry pond that will be shared with SHA, a surface sand filter, infiltration trench, a green roof on the grocery store building, hydrodynamic structure, and an offsite SHA surface sand filter. The SWM concept has been reviewed and conditionally approved by the Department of Permitting Services (DPS).

It should be noted that, compared to the preliminary and site plan that had been previously submitted (preliminary plan no. 120050060 and site plan no. 820060230), the current proposal is lower in imperviousness. The previously submitted proposal had roughly 68 percent imperviousness over the C-1 and R-60 portions of the site. The current proposal is roughly 53.0 percent. Staff finds that the current proposal’s restriction of commercial uses, including parking, to C-1 zoned land minimizes imperviousness, given the zoning.

The Planning Board’s *Environmental Guidelines* recommend an imperviousness limit of 10 percent for transition areas that are zoned RE-2 or less dense. A transition area of the Patuxent River PMA is defined as the part of a property that lies outside an environmental buffer. The guidelines also state that “if a higher imperviousness is desirable in the transition area to maintain community character, achieve compatibility, and/or accomplish master plan goals, imperviousness may be averaged over the entire development, not to exceed 10 percent on the entire site.”

For the RC portion of the site, the proposed imperviousness is roughly 13.5 percent. A large portion of the imperviousness is due to the access road for the stormwater management (SWM) facility that would lie on the southeastern portion of the site. To reduce imperviousness within the RC portion of the site, staff recommends that the access road be relocated so that the access to the SWM facility originates from the internal road within the commercial portion of the site. The realignment of this SWM access road may result in the reconfiguration of proposed Lot 5. The applicant has agreed to realign the road and has indicated that this change will result in a reduction of the imperviousness within the entire RC portion of the site to about 8.8 percent, or 11.4 percent within the Patuxent PMA transition area part of the RC zoned land. Staff believes

the applicant's proposed realignment of the SWM access road is acceptable. In addition, staff believes that the imperviousness of 8.8 percent calculated over the entire RC portion of the site is acceptable since the RC-zoned land includes an existing single family detached home, which is a use that is consistent with the master plan, as well as the proposed SWM facility and its access road, which are necessary infrastructure elements of the project.

Based on this review, staff finds that the plan adequately protects the sensitive environmental features on the property as required in Section 50-32 of the Subdivision Regulations and meets the requirements of the *Environmental Guidelines*.

Traffic Noise Impacts

The Applicant proposes seven new single-family detached lots in addition to the one existing dwelling. A traffic noise study was conducted for these residential lots. The study indicates that Lot #1 (labeled in the study as Lot #3) will have future traffic noise levels in the backyard that exceed the recommended criterion of 60 dBA, Ldn. The study recommends a 6-foot high noise barrier.

The noise study also identifies that all of the proposed houses may be adversely impacted by interior noise levels that exceed the established guideline limit, depending on the specific designs of the houses. To determine if the interior noise level limit of 45 dBA, Ldn (established in staff's transportation noise guidelines) can be met, the traffic noise study recommends that a building shell analysis of the proposed houses be conducted when architectural plans are available. Staff recommends that the building shell analysis be conducted prior to the issuance of building permits. In addition, staff recommends that the builder provide a written commitment that the houses will be constructed in accordance with the recommendations provided by the acoustical engineer in the building shell analysis. With the conditions provided in this staff report, staff finds that the plan meets the requirements of the *Transportation Noise Guidelines*.

Stormwater Management

A SWM facility is proposed to be located adjacent to a wetland within the environmental buffer. The grading for the proposed SWM facility is such that the bottom of the facility will be at a lower elevation than a portion of the wetland. Staff is concerned that this will cause groundwater and surface water to flow out of the wetland and into the SWM facility. Staff, therefore, recommends that the applicant submit a geotechnical study to identify how the proposed SWM facility design may be modified to prevent water from flowing out of the wetland into the SWM facility. In addition, staff recommends that the SWM facility design and construction is modified to incorporate the recommended measures from the geotechnical study; if the SWM facility is to be constructed by SHA, staff recommends that the applicant pay SHA for the design and construction modifications of the SWM facility. Staff finds that the plan meets the requirements for stormwater management as provided in Section 50-24(j) of the Subdivision Regulations.

Recommendation and Conditions for Preliminary Plan 120080070

Approval pursuant to Chapter 50 of the Montgomery County Code and subject to the following conditions:

1. Approval under this preliminary plan is limited to 31,690 square-feet of retail, including up to 18,000 square feet of grocery use; 9,800 square feet of restaurant; 32,510 square-feet of office; and 7 single-family dwelling units.
2. The proposed development shall comply with the conditions of the Preliminary Forest Conservation Plan. The Applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits. Conditions include, but are not limited to, the following:
 - a. Approval of the Final Forest Conservation Plan consistent with the approved Preliminary Forest Conservation Plan prior to any clearing, grading or demolition on the site.
 - b. Worksheets on Preliminary Forest Conservation Plan must be revised to include corrected acreages for tract areas.
 - c. Specific protection measures for the Siberian Elm as identified in the arborist's report must be incorporated into the Final Forest Conservation Plan, including, but not limited to, the installation of utility lines within the PUE near the tree by directional boring and installation of a "root friendly paving section" for any sidewalk or walkway within the tree's critical root zone, and specific stress reduction measures before, during, and up to 5 years after completion of construction.
 - d. A certified arborist must be present at the pre-construction meeting, during construction, and after construction to implement specific tree protection measures for the Siberian Elm at the corner of Ashton Road and New Hampshire Avenue.
 - e. Add 0.043 acre (1880 square feet) of forest planting and Category I conservation easement at the eastern corner of the open space area, adjacent to the environmental buffer.
 - f. Estimate for forest planting bond must be revised to include additional forest planting recommended in condition 2(e), above. Bond estimate must be based on \$0.90 per square foot of total forest planting area or a detailed estimate from a forest planting contractor.
 - g. Specific location of tree protection fencing may be adjusted in the field by the M-NCPPC inspector, in coordination with the certified arborist, at the pre-construction meeting.
3. The certified preliminary and site plans and the final forest conservation plan must reflect imperviousness associated with the portion of the project that lies outside the environmental buffer and is zoned RC that does not exceed 10 percent. This will require the relocation of the currently proposed access road for the proposed stormwater management facility.
4. Prior to any clearing or grading on the site, the Applicant must submit a geotechnical study, prepared by a qualified geotechnical engineer, to evaluate how the proposed on-site stormwater management facility may need to be modified to prevent the flow of surface and groundwater from the adjacent natural wetlands into the stormwater management facility. Geotechnical study must be submitted to M-NCPPC

- Environmental Planning staff and MCDPS staff for review
5. The Applicant must either construct the stormwater management facility with modifications as recommended in the geotechnical study to prevent water flows from the wetlands into the stormwater management facility, or provide funding to SHA to construct the modifications if SHA is to construct the facility.
 6. The Applicant must show on the building permit, and construct, a six-foot high noise barrier for Lot 1, as recommended by the "Phase I Traffic Noise Analysis, Ashton Meeting Place, Report #071220", by Scott Harvey and Josh Curley, Phoenix Noise and Vibration, LLC, December 20, 2007.
 7. The Applicant must provide necessary acoustical treatment to attenuate noise affecting the houses on lots # 2, 3, 4, 5, 6, 7, and 8.
 8. Prior to issuance of building permit for any residential structure, an acoustical engineer must certify through building shell analysis that interior noise levels will not exceed 45 dBA, Ldn. The certification and builder acceptance letter must be provided to MNCPPC Environmental Planning staff before building permits for each lot are issued. The builder must construct the buildings in accord with these acoustical recommendations, with any changes affecting acoustical performance approved by the acoustical engineer, with a copy to MNCPPC staff.
 9. A Category I conservation easement must be shown on the record plat over forest retention areas, forest planting areas, and that portion of the environmental buffer that does not include the pedestrian path.
 10. The portion of pedestrian path that lies within the environmental buffer must be designed, constructed, and maintained with porous concrete or similar porous material.
 11. The Applicant must dedicate and show on the final record plat the following rights-of-way (consistent with the 1998 Approved and Adopted *Sandy Spring/Ashton Master Plan*):
 - a. Ashton Road (MD 108) – minimum of 40 feet from the roadway right-of-way centerline.
 - b. New Hampshire Avenue (MD 650) – minimum of 60 feet from the roadway right-of-way centerline.The final record plat must also reflect dedication of necessary truncation at public street intersection corners.
 12. The Applicant must submit to staff a DPWT approved Policy Area Mobility Review (PAMR) required trip mitigation plan to reduce seven (7) peak-hour trips prior to the submission of the Site Plan for certification. The Applicant must fully implement the DPWT approved PAMR requirement(s) prior to the release of building occupancy permits for the proposed development.
 13. The Applicant must meet all Montgomery County Department of Public Works and Transportation (DPWT) requirements for the development enumerated in their letter dated October 23, 2007, unless otherwise amended.
 14. Prior to the release of building permits for the proposed development, the Applicant must construct or participate on a pro-rata share in providing, with approval from Maryland State Highway Administration (MDSHA), required frontage and site access improvements along MD 108 and MD 650, as well as capacity improvements at the MD 108 intersection with MD 650. If any of the road improvements identified in this condition either are now, or become, obligations of other development projects,

applicants of other development projects may participate on a pro-rata basis in the joint funding of such improvements. Basis of participation on a pro-rata share is the sum of total peak-hour trips generated by the subject development relevant to the particular improvement over the sum of total peak-hour trips generated by all developments required by the Planning Board to participate in the construction of the particular improvement. The improvements must be consistent with currently unfunded improvements or future MDSHA design for the above intersection and its approaches under design Contract No. MO3175187, and must include:

- a. Widening of the west leg of MD 108 to provide separate eastbound left, through, and right turn lanes, including a center left-turn lane along MD 108 between MD 650 and Porter Road.
 - b. Widening of the east leg of MD 108 to provide separate westbound left, through, and right turn lanes.
 - c. Lengthening of the northbound MD 650 left and right turn lanes.
 - d. Construction of a five-foot wide sidewalk along the south side of MD 108 (between MD 650 and 150 feet west of Porter Road) and along the east side of MD 650 (along the entire Ashton Meeting Place [Parcel H and Lots 1, 2, and 3] and Derrick's Addition to Ashton site frontages).
 - e. Construction of an eight-foot wide shared-use path along the north side of MD 108 (along Derrick's Addition to Ashton site frontage to just west of Ashton Club Way) and along the west side of MD 650 between MD 108 and Crystal Spring Drive
15. The Applicant must record a stormwater management easement on adjacent Parcel 462 as shown on the Preliminary Plan. Record Plat(s) for the Preliminary Plan must reference this stormwater management easement.
 16. Applicant to comply with the conditions of MCDPS stormwater management approval letter dated August 23, 2007.
 17. The record plat must reflect common ingress/egress and utility easements over all shared driveways.
 18. No clearing, grading or recording of plats prior to certified site plan approval.
 19. Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
 20. Site Plan #820080040 must be approved by the Board and signed by the Development Review Staff prior to the approval of the record plat.
 21. The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board resolution.
 22. The record plat must show all necessary easements.

SECTION 3: SITE PLAN REVIEW

Master Plan

The subject site is located within the Village Center area of the Sandy Spring/Ashton Master Plan. This area is subject to the design recommendations of the Master Plan and to standards and requirements of the Sandy Spring/Ashton Rural Village Overlay Zone (Overlay Zone) as well as the underlying zones.



Illustrative Sketch of Proposal

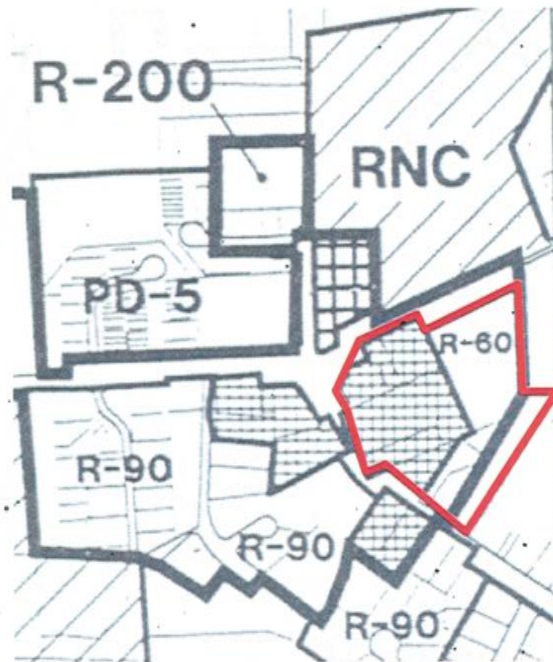
There are numerous recommendations in the Master Plan regarding building placement, circulation, parking, landscaping, and environmental goals for sites in the Village Centers. These recommendations are important to the community as the following excerpt makes clear:







This Plan emphasizes “rural villages” as one of the important elements of rural character in Sandy Spring/Ashton. The village centers provide for the business of daily life also. The rural character of the village centers is of great value to the community. There is concern about the future economic and social health of these village centers.. This Plan acknowledges and addresses these issues to the extent possible through land use and design recommendations. (Page 29)

The specific goals that provide for the future economic and social health of the Ashton Village Center are (pages 31-32, 38):

- Apply the Overlay Zone to allow flexibility in design, while providing for design review.

- Balance the need for increased road capacity along MD 108 with the need to maintain a “main street” character.
- Increase commercial density, while balancing intent to maintain the small scale of the existing centers.
- Encourage use of traditional village design compatible in form with the Sandy Spring Historic District.
- Encourage “active fronts” on buildings.
- Encourage a land-use mix of stores and homes.
- Create pedestrian traffic with appropriate uses and designs.
- Provide services for local residents.
- Create small parking areas that are well-landscaped, preserve trees, and compatible with nearby uses.
- Place off-street parking out of view of common space and active fronts.
- Provide lighting consistent with the area’s character.
- Maintain the existing scale of Ashton village center and encourage improvements to its character.



RNC		Rural Neighborhood Cluster	C-2		General Commercial
RE-1		Residential, One Family	O-M		Office Building, Moderate Intensity
RE-2		Residential, One Family	RT-10		Residential, Townhouse
R-200		Residential, One Family			Sandy Spring/Ashton Rural Neighborhood Overlay
RMH-200		Residential, One Family			
R-90		Residential, One Family			
R-60		Residential, One Family			
PD 5		Planned Development			
C-1		Commercial/Office			

Village Centers Plan

The proposed development addresses these recommendations in a number of ways. It proposes moderately sized buildings with street-front entrances in traditional styles and using traditional materials. The street frontage is planted with appropriate trees and lit with appropriate fixtures and has been coordinated with other pending projects in the village center ensuring the establishment of a main street character. There are ample sidewalks and handicapped ramps, as well as benches and bike facilities, for pedestrians and cyclists. The off-street parking is placed behind the buildings and on-street parallel parking enhances the village character of the area.

Another important aspect of the plan is keeping open space in and around the village center. To this end, the proposed development has separated the commercial uses into smaller buildings, which creates open spaces between the buildings and allows for the provision of a larger green and a small plaza at the intersection. This green will become the "meeting place" in the village center and is well-defined by café and office entrances to the sides opposite the intersection. This also provides the point where one can move to and from the interior parking area, thus connecting the larger vicinity with the site.

Transportation

According to the local area transportation review (LATR), congestion created by this and other approved and pending projects at the intersection of MD 108 and MD 650 will require this intersection to be improved to accommodate the expected increases in traffic volume before any new development can occur in the area. A MD State Highway Administration (SHA) project was intended to be completed at this intersection to accommodate existing, proposed, and future traffic volume, but funding is not appropriated for the project at this time. Thus, any developments that are pending will have to complete the intended improvements prior to the use-and-occupancy of their properties. Although it is possible that State financing of this improvement may be appropriated once certain site plan approvals are granted and rights-of-way can be dedicated, the completion of the State-recommended improvements are a condition of approval for all developments that affect this intersection.

With respect to traffic and circulation on the subject site, vehicular ingress and egress is limited to a private street on the C-1 zoned portion of the site that effectively bisects the residential and commercial zones and connects to both MD 108 and MD 650. This street provides access to the residences as well as the internal structured and surface parking. Crosswalks and specialty paving are provided at all areas where pedestrians cross the internal drives, such as the bank drive-through, and along the main roads. The parking deck is accessed at grade from the internal street near MD 650 and from a ramp from the internal street near MD 108. This is due to the one-story grade change between the two access points.

The curb delineations and lane widths along the MD 108 and MD 650 frontages have been designed by SHA and are reflected in the site plan with the exception of the parallel parking along MD 650 that has been designed by the Applicant in consultation with citizens and Staff. Even without adding these spaces to the total sum, adequate parking is supplied based on the mixed-use parking calculations allowed by the Zoning Ordinance. But this is only because the

on-street parking along MD 108 is included as allowed by Section 59-C-18.185(a) of the Ordinance.¹ Eight handicapped spaces and ten motorcycle spaces are provided on site.

Pedestrian orientation, scale, and accessibility are priorities of this plan. Sidewalks are provided along MD 108 and MD 650 as well as internally along the parking areas and around and between all of the buildings. As noted earlier, a sidewalk also follows along the east side of the internal drive from both main roads. There are four bicycle racks (for 16 bikes) provided at different locations around the site and a bus stop is within easy walking distance.

Development Standards

The subject site is zoned C-1, R-60, and R-C and, except of the R-C portion of land, is within the Sandy Spring/Ashton Rural Village Overlay Zone. C-1 zoned land is not typically subject to site plan review, but section 59-C-18.183 of the Zoning Ordinance requires that a site plan for any development (except for one-family detached residences) within the Overlay Zone “must be approved under the provisions of Section 59-C-18.174”. This section, from the Chevy Chase Neighborhood Retail Preservation Overlay Zone, includes additional findings including that the development meet “all of the requirements of this overlay zone as well as the applicable requirements of the underlying zone”.

The purpose of the C-1 Zone is to provide convenience shopping facilities that have a “neighborhood orientation and which supply necessities usually requiring frequent purchasing with a minimum of consumer travel. In addition, such facilities should not be so large or so broad in scope of services as to attract substantial amounts of trade from outside the neighborhood.” The proposed bank, small grocery, shops, and second-story office uses are all useful neighborhood facilities and will be accessible by foot or bicycle from area neighborhoods and other shopping amenities. The purposes of the Overlay Zone further the goals of the C-1 Zone with regard to scale and use.

Specifically, the purposes of the Overlay Zone are to “preserve and enhance the rural village character” of the village centers and to encourage “a compatible relationship” between new and existing structures “particularly in terms of scale, siting, design features, and orientation on the site”. The proposed development employs a traditional design layout with regard to street frontages, architectural detailing, and the maintenance of pedestrian orientation but does so by using some very innovative solutions, e.g., the structured parking and stormwater management techniques.

The data table below indicates the proposed development’s compliance with the Zoning Ordinance. The R-60 zone is not included because Section 59-C-18.183 allows for the construction of one-family detached houses built in accordance with their underlying zones without site plan review. The R-C zone is not included because it has an existing building, which will remain, and is only included in the application for forest conservation and stormwater management reasons.

¹ In the course of site plan review, the Planning Board may allow some on-street parking to fulfill the requirement for off-street parking to enhance compatibility, provide additional green space and reduce impervious coverage.

Project Data Table for the C-1 and Sandy Spring/Ashton Rural Village Overlay Zone

Development Standard	Permitted/Required	Proposed for Approval
Building Height (feet)	24 ²	30
Building Setbacks (feet)		
Rights-of-Way	0 ³	10
Rear (northeast property lines)	25	60
Side (southeast property lines)	25	110
Parking Setbacks (feet)		
Rights-of-Way	10	68
Rear (northeast property lines)	25	35
Side (southeast property lines)	25	35
Green Area (% of lot)		
	10	29
Floor Area Ratio (FAR)⁴		
Retail (square feet)	0.75	0.36
Retail (square feet)	n/a	31,690 (18,000 grocery)
Restaurant (square feet)	n/a	9,800
Office (square feet)	n/a	32,510
Parking Facility Internal Landscaping (%)		
	5	5.7
Parking Spaces		
	316	338 ⁵

² The Overlay Zone allows commercial building heights up to 30 feet (which is allowed in the C-1 zone) if the Board finds that the additional height is compatible with the adjoining uses and is consistent with the intent of the master plan.

³ A 10-foot setback is typically required from the right-of-way unless a "mainstreet" type of development is recommended in a master or sector plan, which is true in this case.

⁴ FAR is not typically required for a C-1 zoned project, but is limited within the Overlay Zone to 0.75 and is calculated only on the commercially-zoned portion of the site.

⁵ Including 23 on-street parking spaces, which are allowed to be counted towards requirements pursuant to Section .59-C-18.185 (a).

FINDINGS

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

Neither a development plan, diagrammatic plan, schematic development plan, nor a project plan were required for the subject site.

2. *The site plan substantially conforms to the design guidelines for new development contained in the approved and adopted Sandy Spring/Ashton Master Plan.*

The proposed site plan substantially conforms to the design guidelines of the Master Plan in a number of respects: the buildings along MD 108 and MD 650 provide a “main street” character through the use of parallel parking, street trees and lamp posts, street entrances, and a large sidewalk and plantings, the interior building, although large, is designed with the flavor of a traditional general store, while the street-fronting buildings are smaller in mass and are traditional in form, detail, and height. These are further softened by plantings and surrounded by pedestrian-accessible sidewalks and open spaces. Although allowed to build out to 0.75 FAR, the proposed buildings are only at a 0.36 FAR and Staff finds the 30-foot proposed building height to be compatible with the context.

The proposed village green at the corner of MD 650 and MD 108 will, if designed per the conditions, provide the development’s namesake meeting place for the community with a shaded grassy space adjacent to a small plaza surrounded by cafés and offices.

Generally, the pedestrian connections, bicycle racks, and street-front entry points provide an easily navigated pedestrian atmosphere with signage that is incorporated into the site and architectural details. Finally, other than the on-street parking, which is crucial to the atmosphere of a rural village, parking is behind the buildings in the interior of the site.

3. *The site plan is consistent with the recommendations in the approved and adopted Sandy Spring/Ashton Master Plan.*

The proposed development is consistent with the recommendations of the Master Plan. It provides local residents with necessary services which are near residential areas and other shopping facilities. Further, the proposed development meets the land use and zoning recommendation of expanded commercial use balanced with the appropriate scale of a village center.

4. *The site plan meets all the requirements of the Overlay Zone as well as the applicable requirements of the underlying zone.*

The proposed uses are allowed in both the Sandy Spring/Ashton Rural Village Overlay Zone and the C-1 Zone, and the site plan fulfills the purposes of each zone by providing small-scale neighborhood services in a village setting.

As the project data table on page 12 indicates, the site plan meets all of the development standards of the Sandy Spring/Ashton Rural Village Overlay Zone and the underlying C-1 Zone. With respect to building height, setbacks, and density, the proposed development is at or within all the standards allowed. With respect to green space the proposed development provides almost three times more than the amount required, thus allowing for a greater amount of permeable surface and landscaped open space. The Overlay Zone does not include the RNC Zone.

5. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

The buildings and structures of the proposed development are located near the MD 108 and MD 650 rights-of-way, which is critical to the "main street" character envisioned by the Master Plan. These locations provide easy access to the buildings from adjoining sidewalks and the pattern of buildings and open space provides a sense of scale and atmosphere. These building locations are adequate and efficient, while meeting the aesthetic recommendations of the Master Plan, and do not pose any safety concerns on the site.

The open space that is provided along and around the buildings is an appropriate mix of paving and landscaping to serve residents and visitors. In various areas it works as a space to congregate, relax, and walk. The plantings within these open spaces provide shade, color, and interest and help minimize the mass of the buildings. Street trees and lighting is provided along both streets in concert with other proposed development in the area to create a unified streetscape in the village center. Interior lighting will create enough visibility to provide safety but not so much as to cause glare on the adjacent residential properties. There are no recreation facilities required for this site plan, but sitting areas and bicycle racks are provided. The open spaces, landscaping, and site details adequately and efficiently address the needs of the proposed uses and the recommendations of the Master Plan, while providing a safe and comfortable environment.

Pedestrian access from adjacent sidewalks adequately and efficiently integrates this site into the growing commercial center of Ashton Village. Safety is enhanced by crosswalks and special paving delineations at intersections. The design efficiently directs traffic through the site with minimal impacts to pedestrian circulation. As mentioned earlier, the incorporation of the structured parking allows for more green area and an efficient traffic and parking layout. This balance of design with the site, the recommendations of the Master Plan, and the needs of the uses is an efficient and adequate means to provide a safe atmosphere for pedestrians, cyclists, and vehicles.

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

The proposed retail and office uses are compatible with the adjacent and confronting residential, retail, and office uses as well as other proposed site plans in the area that will help transform Ashton into an inviting, walkable, village center. The subject site plan

and the pending Chevy Chase Bank at Ashton and Derrick's Addition to Ashton (a gas station, office, and retail project) will greatly enhance the availability and accessibility of commercial conveniences in Ashton. As proposed, this area will provide the services and amenities to meet most local residents' day-to-day needs.

The structures themselves are in scale with the nearby offices, homes, and commercial uses as well as the nearby strip mall. The proposed structure is oriented to provide an adequate relationship and transition to the adjacent residential properties, which, in turn, provide an edge to the village center and delineate the boundaries of the surrounding rural land.

7. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The proposed development is not subject to water resources protection but is subject to forest conservation law. Staff finds that the Forest Conservation Plan, if it is revised in accordance with staff's recommendations for protection and reforestation, meets the requirements of the County Forest Conservation Law. In addition to meeting these requirements, the Applicant is proposing to incorporate a green roof over the grocery store.

The stormwater management concept consists of on-site water quality control via construction of a bio filter. Onsite recharge is not required because this is a redevelopment project. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cubic feet per second.

RECOMMENDATION AND CONDITIONS

Staff recommends approval of site plan 820070040, Ashton Meeting Place, for 74,000 square feet of commercial space, including 18,000 square feet for a grocery store, 13,690 square feet for other retail, 9,800 square feet of restaurant, 32,510 square-feet of office and seven one-family detached residential units on 9.26 acres in the C-1, R-60, R-C and Sandy Spring/Ashton Rural Village Overlay Zones. All site development elements shown on the site and landscape plans stamped "Received" by the M-NCPPC on November 2, 2007 are required except as modified by the following conditions.

1. Preliminary Plan Conformance
 - a. The proposed development must comply with the conditions of approval for preliminary plan 120070580 as listed in the Planning Board Resolution. This includes but is not limited to all references to density, rights-of-way, dedications, easements, transportation conditions, forest conservation and noise mitigation conditions, DPWT conditions, and DPS stormwater conditions.
 - b. Because this site plan is being heard concurrently with the preliminary plan, the Certified Site Plan will not be approved prior to the Planning Board's approval of the preliminary plan resolution.

2. Development Program

The Applicant must construct the proposed development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. On street lamps, sidewalks, and street tree planting must occur within six months after street construction is completed. Street tree planting may wait until the next growing season.
- b. On-site sidewalks, benches, and installation of the bicycle racks must be installed prior to release of any building occupancy permit for the respective buildings.
- c. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- d. The development program must provide phasing for installation of on-site landscaping and lighting based upon the approved landscape and lighting plan.
- e. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, afforestation, trip mitigation, or other features.
- f. Construction of the central green/plaza.
- g. Off-site sidewalks.

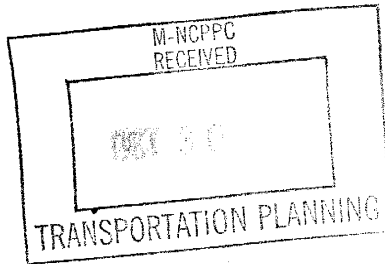
3. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Revision of green/plaza area to remove internal planter from plaza and incorporate amphitheatre-style seating and pathway to intersection sidewalks.
- b. Revision of plantings along MD 650 building facades.
- c. Limits of disturbance, site data table revisions, minor plan clarifications.
- d. Relocation of stormwater pond access road.
- e. Revised SWM access plan.

APPENDICES

- A. Preliminary Plan
- B. DPWT approval letter
- C. DPS stormwater management concept approval
- D. Community Based Planning Staff memorandum
- E. Transportation Planning Staff memorandum
- F. Environmental Planning Staff memorandum
- G. Correspondence



DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

October 23, 2007

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-20070070
Ashton Meeting Place

1 2008 0070
8 2008 0040

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 09/05/07. This plan was reviewed by the Development Review Committee at its meeting on 10/22/07. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Necessary dedication for Ashton Road and New Hampshire Ave in accordance with the Master Plan.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan. Also homeowners' documents to establish each driveway user's (property owner's) rights & responsibilities with respect to use, maintenance, & liability of the common driveway.
4. In accordance with Section 50-35(n) of the Montgomery County Code, we recommend the Montgomery County Planning Board require the applicant to construct an off-site sidewalk along the site frontage.
5. The parking lot travel lanes are to be designed to allow a WB-50 truck to circulate without crossing the centerline nor the curbline.

Division of Operations


Ms. Catherine Conlon
Preliminary Plan No. 1-20080070
Date October 23, 2007
Page 2

6. The parking layout plan will be reviewed by the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, handicap parking spaces and access facilities, and sidewalks. The applicant may wish to contact Ms. Sarah Navid of that Department at (240) 777-6320 to discuss the parking lot design.
- ~~7. The applicant needs to submit a truck circulation plan for review by the M-NCPPC and MCDPS. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed dumpsters. The truck circulation pattern and loading position should be designed for counter-clockwise entry and for a left-side backing maneuver. Passenger vehicle travel ways should be separated from the expected truck patterns and storage areas. The applicant may also need to provide documentation of their proposed delivery schedules. Also coordinate with David Wagaman at 240-777-6400 Division of Solid Waste about their requirements for recycle/trash truck access and movement.~~
8. Truck loading space requirements to be determined in accordance with the County's "Off-Street Loading Space" policy.
9. On the site plan, delineate the location and dimensions of the proposed truck loading and/or dumpster spaces.
10. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans With Disabilities Act.
11. Where perpendicular parking spaces border a sidewalk, a two (2) foot vehicle overhang is assumed. The applicant should either provide a seven (7) foot wide sidewalk or wheelstops within those parking spaces.
12. For any parking facility containing more than fifty (50) parking spaces, the applicant needs to furnish bicycle parking facilities as required Section 59 E-2.3 of the Montgomery County Code. Accordingly, the applicant should provide either bike lockers or inverted "U" type bike racks.
13. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
14. Access and improvements along Ashton Road (MD 108) and New Hampshire Ave (MD 650) as required by the Maryland State Highway Administration.
15. Please coordinate with Department of Fire and Rescue about their requirements for emergency vehicle access.
16. Provide driveway access for the stormwater management facilities per associated DPS guidelines.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Ms. Catherine Conlon
Preliminary Plan No. 1-20080070
Date October 23, 2007
Page 3

Sincerely,



Sam Farhadi, P.E.
Development Review Group
Traffic Engineering and Operations Section
Division of Operations

m:/subdivision/farhas01/preliminary plans/ 1-20080070, Ashton Meeting Place.doc

Enclosures ()

cc: Fred Nichols, Ashton Meeting, LLC
Mike Plitt, Macris, Hendricks & Glascock
Jody Kline, Miller, Mileer & Canby
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Henry Emery; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Raymond Burns, MSHA
Preliminary Plan Folder
Preliminary Plans Note Book



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

August 23, 2007

Carla Reid Joyner
Director

Mr. Dan O' Leary
NMP Engineering Inc.
13350 McCormick Road
Hunt Valley, MD 21031

Re: Stormwater Management **CONCEPT** Request
for Ashton Meeting Place
Preliminary Plan #: 1-05006
SM File #: 213337
Tract Size/Zone: 7.5/C-1 R-60
Total Concept Area: 7.5ac
Lots/Block: N/A
Parcel(s): Several
Watershed: Lower Patuxent

Dear Mr. O'Leary:

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 off-site channel protection measures in a SHA constructed dry pond. Water quality and recharge will be provided via the use of a surface sand filter, infiltration trench, green roof, hydrodynamic structure, and an off site SHA surface sand filter.

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

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. A copy of the signed joint use agreement between the developer and SHA must be submitted prior to the first submission for detailed plan review.
5. A phasing agreement with SHA SWM plan details must be submitted to DPS prior to the first submission for detailed plan review.
6. Additional geo technical evaluation may be required during the detailed plan stage in the area of the proposed infiltration trench.
7. If the proposed infiltration is not feasible a combination of drywells and downspout planter filtration boxes may be required.

8. The full required water quality volume must be stored within the area of the sand filter and computed above the filter media layer. Pre treatment cells will not be credited for storage volume. If full water quality volume can not be provided within the sand filter an additional filtration device may be required upstream.

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

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. 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 Thomas Weadon at 240-777-6309.

Sincerely,



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

RRB:dm CN 217337

CC: C. Conlon
S. Federline
SM File # 217337

QN - On/Off Site; Acres: 7.5ac
QL - On/Off Site; Acres: 7.5ac
Recharge is provided



November 29, 2007

MEMORANDUM

TO: Richard Weaver, Development Review-Subdivision
Joshua Sloan, Development Review-Site Plan

FROM: William Barron, Community-Based Planning, Team Leader
Piera Weiss, Community-Based Planning, Eastern County Team

SUBJECT: Ashton Meeting Place
Preliminary Plan 120050060
Site Plan 820060230

Recommendation:

Approval. Staff believes that the project complies with the land use vision of the master plan and is consistent with the goals, recommendations and guidelines as contained therein.

Background:

This project has been all about process. The process of taking words describing a vision in the master plan and creating in three dimensions a village center that provided a sense of place for a community and was economically viable for the developer.

The 1998 Sandy Spring/Ashton Master Plan envisioned improving the "character" of the Ashton village center. The existing crossroads of Ashton, the intersection of MD 108 and MD 650, has a 7 & 11 store, developed under the PD zone, with parking at the front on the northeast quadrant and a closed gas and service station (dating to the 1930s) on the northwest quadrant. The southeast quadrant has a drive-through bank, some homes and a PEPCO substation. The southeast quadrant has the Cricket Bookstore, located in a residential building with parking in the front, a new building built by the applicant (Alloway Building), and at the intersection a green area and parking lot. There are no continuous sidewalks. This

is the “character” that the master plan wanted to improve so as to provide a separate and distinct identity for Ashton village center

The applicant first met with Community-Based Planning staff in 2003 before submitting any application. At that time the applicant was proposing development on a split zoned (C-1 and R-60) property in the Ashton village center and within the Sandy Spring Ashton Overlay Zone. The proposed development included a grocery store and other retail with parking in the R-60 portion of the site. This parking provision can only be applied to mixed-use development or properties recommended for non-residential uses. In order to use that provision the development needed to have a mix of uses. The master plan contains references to a mix of housing and stores and therefore we told the applicant to add housing. We also expressed reservations regarding the parking in the R-60 provision because there were ambiguities between the language in the master plan and zoning ordinance. We notified legal staff that this zoning issue needed interpretation and we urged the applicant to meet with the community.

The residents of the Sandy Spring-Ashton community responded in number and energetically to the proposal. Residents of nearby Olney and Howard County have participated. Newer and established members of the community have written hundreds and hundreds of letters and e-mails, held scores of meetings, formed at least two citizen groups and revitalized old groups to make known their concerns. Activities, such as candlelight vigils, web sites, newsletters, newspaper articles, have made it clear that there is both opposition and support for the project.

The two sides met for months and in January 2007, the community group presented the agreed upon changes to the design and layout to the larger community. However, when the project was taken to the planning earlier this year, the Planning Board directed the applicant to continue to work with the community to develop a better plan and that parking had to remain on the commercially-zoned land. Members of the community and the applicant have worked since then to resolve those aspects of the design considered at odds with the master plan guidelines.

The Approved and Adopted Master Plan

The master plan provides limited specific guidance for the “future” with respect to the subject site. It states on page 39:

“Limit residential development in the southeast quadrant to single-family detached only. This plan recognizes that special exception uses may be appropriate as well.”

The goal of the master plan, page 39, for the Ashton village center is:

“Maintain existing scale and encourage improvements to its character...”

The following excerpt from the master plan indicate that redevelopment is envisioned in the Sandy Spring and Ashton village centers.

“This Plan emphasizes “rural villages” as one of the important elements of rural character in Sandy Spring/Ashton... There is concern about the future economic and social health of these village centers. This Plan acknowledges and addresses these issues to the extent possible through land use and design recommendations.” (Page 29)

The objective for the village centers is:

“Ensure that the villages of Sandy Spring and Ashton maintain separate and distinct identities.”(Page 29)

“Encourage development and revitalization of the village centers. The Plan recognizes that incentives to property owners are an important part of revitalizing the village centers. **Providing for increases in commercial density** (emphasis added) is one way... in these village centers such increases need to be balanced.” To maintain the small-scale of the existing centers, the plan cautioned “. . . however, in these village centers such increases need to be balanced with the Plan intent to maintain the small-scale of existing centers. “(Page 31)

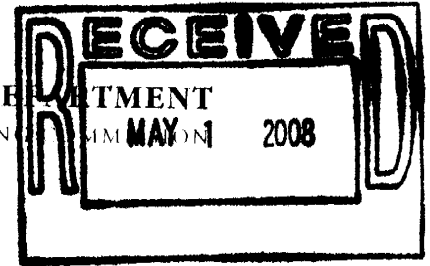
There is no specific guidance in the master plan on how to improve the “character” of the Ashton village center, but the design guidelines were intended to help shape that form. We believe that the master plan envisioned revitalization of the Ashton village center and that this project, as designed, with active street fronts, parking in the rear and the detached residential lots at either end provide a sense of place.

Conclusion:

Staff believes that the project complies with the vision of the master plan. Staff, based on the analysis of urban design staff, that the revisions as proposed conform to the regulatory standards and that the design and layout reflects the design guidelines of the master plan. Staff recommends approval.



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING CENTER



E

April 30, 2008

MEMORANDUM

TO: Cathy Conlon, Supervisor
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning *[Signature]*

FROM: Cherian Eapen, Planner/Coordinator
Transportation Planning *CE*
301-495-4525

SUBJECT: Preliminary Plan No. 120080070
Site Plan No. 820080040
Ashton Meeting Place
Proposed Parcel H and Lots 1-8
Southeast Quadrant of New Hampshire Avenue and Ashton Road
Rural (Patuxent) Policy Area

This memorandum presents Transportation Planning staff's Adequate Public Facilities (APF) review for the proposed Ashton Meeting Place development ("Applicant") to be located within the southeast quadrant of New Hampshire Avenue (MD 650) and Ashton Road (MD 108) in Ashton.

Ashton Meeting Place is proposed with 44,462 square-feet of retail (including a 3,000 square-foot drive-in bank and 9,800 square-feet for restaurants), 29,536 square-feet of office, and 7 single-family dwelling units. The proposed development will replace an existing drive-in bank and three single-family houses on the site. For the purposes of the transportation APF analysis, the proposed bank square-footage (approximately 3,000 square-feet) was considered as retail, rather than office. The restaurant space was also considered as retail.

The site is zoned C-1 near the MD 650/MD 108 intersection, and is zoned R-60 to the rear, with the R-60 zoned area wrapping around the C-1 zoned area. The R-60 zoned area also has frontage along MD 650 and MD 108. The retail, restaurant, and office uses proposed on the site are entirely within the C-1 zoned area and the residential units are entirely within the R-60 zoned area. The entire site is also within the Sandy Spring/Ashton Rural Village Overlay Zone.

RECOMMENDATIONS

Transportation Planning staff recommends that the following conditions be part of the transportation-related APF requirements to approve this application:

1. The Applicant must limit development on the site to 44,462 square-feet of retail (including a 3,000 square-foot drive-in bank and 9,800 square-feet for restaurants), 29,536 square-feet of office, and 7 single-family dwelling units.
2. The Applicant must dedicate and show on the final record plat the following rights-of-way (consistent with the 1998 Approved and Adopted *Sandy Spring/Ashton Master Plan*):
 - a. Ashton Road (MD 108) – minimum of 40 feet from the roadway right-of-way centerline.
 - b. New Hampshire Avenue (MD 650) – minimum of 60 feet from the roadway right-of-way centerline.

The final record plat must also reflect dedication of necessary truncation at public street intersection corners.

3. The Applicant must meet all Montgomery County Department of Public Works and Transportation (DPWT) requirements for the development enumerated in their letter dated October 23, 2007 (see Attachment No. 1).
4. Prior to the release of building permits for the proposed development, the Applicant must construct or participate on a pro-rata share in providing, with approval from Maryland State Highway Administration (MDSHA), required frontage and site access improvements along MD 108 and MD 650, as well as capacity improvements at the MD 108 intersection with MD 650 (see Attachment No. 2 – SHA letter dated March 7, 2008). If any of the road improvements identified in this condition either are now, or become, obligations of other development projects, applicants of other development projects may participate on a pro-rata basis in the joint funding of such improvements. Basis of participation on a pro-rata share is the sum of total peak-hour trips generated by the subject development relevant to the particular improvement over the sum of total peak-hour trips generated by all developments required by the Planning Board to participate in the construction of the particular improvement. The improvements must be consistent with currently unfunded improvements or future MDSHA design for the above intersection and its approaches under design Contract No. MO3175187, and must include:
 - a. Widening of the west leg of MD 108 to provide separate eastbound left, through, and right turn lanes, including a center left-turn lane along MD 108 between MD 650 and Porter Road.
 - b. Widening of the east leg of MD 108 to provide separate westbound left, through, and right turn lanes.
 - c. Lengthening of the northbound MD 650 left and right turn lanes.

- d. Construction of a five-foot wide sidewalk along the south side of MD 108 (between MD 650 and 150 feet west of Porter Road) and along the east side of MD 650 (along the entire Ashton Meeting Place [Parcel H and Lots 1, 2, and 3] and Derrick's Addition to Ashton site frontages).
 - e. Construction of an eight-foot wide shared-use path along the north side of MD 108 (along Derrick's Addition to Ashton site frontage to just west of Ashton Club Way) and along the west side of MD 650 between MD 108 and Crystal Spring Drive.
5. The Applicant must submit to staff a DPWT approved Policy Area Mobility Review (PAMR) required trip mitigation plan to reduce seven (7) peak-hour trips prior to the submission of the Site Plan for certification. The Applicant must fully implement the DPWT approved PAMR requirement(s) prior to the release of building occupancy permits for the proposed development.
 6. The Applicant must provide four inverted-U or hitch post bike racks on the site at locations shown on the preliminary plan.

DISCUSSION

Site Location, Vehicular/Pedestrian Access, Transit and Land Uses

The proposed Ashton Meeting Place development will be located within the southeast quadrant of MD 650 and MD 108 in Ashton, within Ashton Village Center. Sandy Spring Village Center is to the west along MD 108. The subject site currently accommodates a drive-in bank and has three single-family residences.

Access to the development is proposed from both MD 650 and MD 108 via full-movement driveways. Within the study area, both MD 108 and MD 650 are two-lane roadways. The MD 650/MD 108 intersection is developed with retail/commercial/office uses. Areas surrounding the proposed use are generally built with residential uses. Institutional uses in the area include the Sherwood High School and the Sandy Spring Museum along MD 108 to the west of Ashton. Other subdivision developments in the area include a recently approved drive-in bank to the southeast corner of MD 108 and Porter Road (Chevy Chase Bank, approximately 350 feet to the west of the site along MD 108) and a pending application for an automobile filling station with accessory retail, and a separate building consisting of retail and office (Derrick's Addition to Ashton, to the north of the site).

Metrobus Route Z2 services the area and runs along the south leg of MD 650 and the west leg of MD 108, and has several stops in Ashton.

Master Plan Roadway and Pedestrian/Bikeway Facilities

The 1998 Approved and Adopted *Sandy Spring/Ashton Master Plan* includes the following master-planned roadways, pedestrian and bikeway facilities:

1. **Ashton Road:** An east-west arterial (A-92) with a minimum right-of-way width of 80 feet and a maximum of 2-3 travel lanes between the Howard County line to the east and Dr. Bird Road to the west. The roadway is recommended as the "Main Street" for the Sandy Spring and Ashton Village Centers. A shared-use path (SP-37) is recommended in the *Countywide Bikeways Functional Master Plan* for MD 108 between Howard County line to the east and Olney Master Plan area to the west.
2. **New Hampshire Avenue:** A north-south two-lane major highway (M-12) with a minimum right-of-way width of 120 feet to the south of MD 108 and a minimum right-of-way width of 80 feet to the north of MD 108. The master plan identifies a desire line for a local trail along MD 650 to the south of MD 108. A shared-use path (SP-15) is recommended in the *Countywide Bikeways Functional Master Plan* for MD 650 between MD 108 to the north and Ednor Road to the south.

Nearby Transportation Improvement Projects

DPWT's Capital Improvement Program (CIP) currently includes the following nearby transportation improvement project:

- **MD 108 Sidewalk:** This DPWT project includes the construction of missing links of sidewalk along the south side of MD 108 between Hidden Garden Lane to the east (to the west of Porter Road) and Norwood Road to the west (approximately 4,000 feet), and a sidewalk along the east side of Norwood Road to the south of MD 108 (approximately 350 feet). The eastern limit for this project, Hidden Garden Lane, is also the western limit for the unfunded SHA's MD 650/MD 108 project. The proposed improvement provides for a continuous sidewalk connection along the south side of MD 108 from east of MD 650 to south of Norwood Road, connecting both Ashton and Sandy Spring Village Centers. The project is anticipated to start construction in July 2008, and currently has a finish date of February 2010.

In addition to the above project, SHA currently has two unfunded projects in the area. These include:

- A project for safety improvements along MD 108 (including construction of a bike path along the north side of MD 108) between Brooke Road and Bentley Road in Sandy Spring (SHA Contract No. MO4055130), and
- The planned capacity improvement project at the MD 108/MD 650 intersection (SHA Contract No. MO3175187). SHA worked with the Applicant to design the proposed capacity improvements at this intersection.

Adequate Public Facilities Review

As part of the APF test, a Local Area Transportation Review (LATR) test was required for the subject development since it was estimated to generate 30 or more peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. The APF test for the subject development also required the Policy Area Mobility Review (PAMR) test under the new Growth Policy since the application for the proposed use was filed after January 1, 2007. The use also generated more than three new peak-hour trips and was located in a policy area that required mitigation (Rural East Policy Area with a required 5% trip mitigation).

The Applicant submitted a traffic study dated January 18, 2008 (Revised), that examined traffic-related impacts of the development on nearby intersections and PAMR related trip mitigation requirements. Our review of the traffic study indicated that it complied with the requirements of the 2007 *Local Area Transportation Review/Policy Area Mobility Review Guidelines*.

- Local Area Transportation Review

The traffic analysis estimated that the uses proposed on the site – 44,462 square-feet of retail, 29,536 square-feet of office, and 7 single-family dwelling units – would generate approximately 137 “total” peak-hour trips during the weekday morning and 423 total peak-hour trips during the weekday evening peak-periods. After accounting for “pass-by” and “diverted” trips, the proposed development was estimated to generate 137 and 215 net “new” trips during the morning and evening peak-hours, respectively. A summary of the above is presented in Table 1.

**TABLE 1
SUMMARY OF SITE TRIP GENERATION
PROPOSED ASHTON MEETING PLACE DEVELOPMENT, ASHTON**

Proposed Density	Morning Peak-Hour			Evening Peak-Hour		
	In	Out	Total	In	Out	Total
44,462 SF Retail						
“New” or “Primary” Trips – 41%	46	42	88	183	169	352
“Pass-by”/“Diverted” Trips – 59%	46	42	88	75	69	144
	--	--	--	108	100	208
29,536 SF Office						
	37	5	42	11	52	63
7 SFDU's						
	2	5	7	5	3	8
Total “New” or “Primary” Trips	85	52	137	91	124	215
Total “Pass-by”/“Diverted” Trips	--	--	--	108	100	208
Total Site Trips	85	52	137	199	224	423

Source: Integrated Transportation Solutions, Inc.; Ashton Meeting Place – LATR and PAMR; January 18, 2008 (Revised).

A summary of the capacity/Critical Lane Volume (CLV) analysis results for the study intersections for the weekday morning and evening peak-hours within the respective peak-periods from the traffic study is presented in Table 2.

**TABLE 2
SUMMARY OF INTERSECTION CAPACITY CALCULATIONS
PROPOSED ASHTON MEETING PLACE DEVELOPMENT, ASHTON**

Intersection	Traffic Conditions							
	Existing		Background		Total		Total w/ Improvements	
	AM	PM	AM	PM	AM	PM	AM	PM
MD 650/Brighton Dam Road ¹	1,219	1,267	1,304	1,375	1,309	1,384	--	--
MD 650/MD 108 ¹	1,101	1,244	1,135	1,282	1,173	1,362	1,108	1,214
MD 650/Site Drwy ¹	--	--	--	--	568	656	--	--
MD 650/Ednor Rd ²	1,160	1,213	1,169	1,229	1,187	1,271	--	--
MD 650/Spencerville Rd (MD 198)/NRE ²	978	1,052	983	1,061	993	1,083	--	--
MD 108/Norwood Rd ²	1,243	1,129	1,298	1,227	1,308	1,247	--	--
MD 108/Site Drwy ¹	--	--	--	--	740	874	--	--

Source: Integrated Transportation Solutions, Inc.; Ashton Meeting Place – LATR and PAMR; January 18, 2008 (Revised).

Note: Congestion standard for those intersections that straddle two or more policy areas is the higher of the respective congestion standards.

¹ Congestion Standard for Rural (Patuxent) Policy Area: 1,350.

² Congestion Standard for Olney and Cloverly Policy Areas: 1,450.

As shown in Table 2, the weekday morning and evening peak-hour capacity analysis presented in the traffic study indicated that under Total (or Build) Traffic Conditions, with the roadway/intersection improvements, CLV values at the study intersections would be below the applicable congestion standards. Therefore, the application satisfies the LATR requirements of the APF test.

- **Policy Area Mobility Review**

As noted earlier, to meet the PAMR requirements under the 2007-2009 Growth Policy, this preliminary plan was required to mitigate 5% of its new peak-hour trips. With a net of 137 and 215 “new” peak-hour trips during the morning and evening peak-periods, respectively (as summarized in Table 1), the trip mitigation requirement for the proposed use was calculated to be 7 trips for the morning peak hour and 11 trips for the evening peak hour.

The Applicant proposes to meet the PAMR requirements of the proposed development through a combination of non-auto transportation facilities and site-specific trip reduction actions in the immediate area. The non-auto transportation facilities proposed by the Applicant to mitigate development’s morning peak-hour impact included installation of a bike locker (a set of eight, for a

credit of up to 2 peak hour trips) and a new bus shelter (for a credit of up to 5 peak hour trips) in the immediate area. These facilities are awaiting final approval by DPWT staff. The site-specific trip reduction action by the Applicant to mitigate development's evening peak-hour impact was providing a mix of retail, restaurant, office, and residential uses on the site. The mix of uses proposed on the site has the potential to reduce overall site trip generation through internal trip-capture, primarily during the evening peak-hour. Using ITE Trip Generation Handbook guidelines, the internal trip-capture credit for the development was thus estimated to be 22 trips.

The PAMR trip mitigation requirements, the measures proposed by the Applicant, and respective trip credits for each measure are summarized in Table 3.

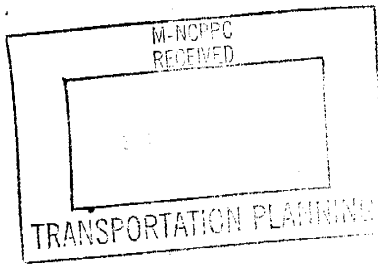
**TABLE 3
SUMMARY OF PAMR MITIGATION PROPOSAL
PROPOSED ASHTON MEETING PLACE DEVELOPMENT, ASHTON**

PAMR Mitigation Proposal	Morning Peak-Hour	Evening Peak-Hour
"New" Trip Reduction Requirement (5%)	7	11
Internal trip-capture credit	--	22
Bus shelter credit	5	5
Bike locker credit	2	2
Total Trip Credits	7	29

Since DPWT approval of Applicant's PAMR trip mitigation proposal is still pending, we recommend that the Planning Board require the Applicant to submit a DPWT approved PAMR trip mitigation plan to staff to reduce seven (7) peak-hour trips (related to the morning peak period) prior to the submission of the Site Plan for certification. Staff also recommends that the Applicant be required to fully implement the DPWT approved PAMR requirement(s) prior to release of building occupancy permits for the proposed development.

SE: CE: tc
Attachments

cc:	
John Borkowski	Neil Braunstein
Greg Leck	Bill Barron
Chuck Kines	Larry Cole
Candy Bunnag	C. Craig Hedberg
Jody S. Kline	Joshua Sloan



DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

October 23, 2007

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-20070070
Ashton Meeting Place

1-2007-0070
8-2008-0040

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 09/05/07. This plan was reviewed by the Development Review Committee at its meeting on 10/22/07. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Necessary dedication for Ashton Road and New Hampshire Ave in accordance with the Master Plan.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan. Also homeowners' documents to establish each driveway user's (property owner's) rights & responsibilities with respect to use, maintenance, & liability of the common driveway.
4. In accordance with Section 50-35(n) of the Montgomery County Code, we recommend the Montgomery County Planning Board require the applicant to construct an off-site sidewalk along the site frontage.
5. The parking lot travel lanes are to be designed to allow a WB-50 truck to circulate without crossing the centerline nor the curbline.

Division of Operations

Ms. Catherine Conlon
Preliminary Plan No. 1-20080070
Date October 23, 2007
Page 2

6. The parking layout plan will be reviewed by the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, handicap parking spaces and access facilities, and sidewalks. The applicant may wish to contact Ms. Sarah Navid of that Department at (240) 777-6320 to discuss the parking lot design.
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12. For any parking facility containing more than fifty (50) parking spaces, the applicant needs to furnish bicycle parking facilities as required Section 59 E-2.3 of the Montgomery County Code. Accordingly, the applicant should provide either bike lockers or inverted "U" type bike racks.
13. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
14. Access and improvements along Ashton Road (MD 108) and New Hampshire Ave (MD 650) as required by the Maryland State Highway Administration.
15. Please coordinate with Department of Fire and Rescue about their requirements for emergency vehicle access.
16. Provide driveway access for the stormwater management facilities per associated DPS guidelines.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Ms. Catherine Conlon
Preliminary Plan No. 1-20080070
Date October 23, 2007
Page 3

Sincerely,



Sam Farhadi, P.E.
Development Review Group
Traffic Engineering and Operations Section
Division of Operations

m:/subdivision/farhas01/preliminary plans/ 1-20080070, Ashton Meeting Place.doc

Enclosures ()

cc: Fred Nichols, Ashton Meeting, LLC
Mike Plitt, Macris, Hendricks & Glascock
Jody Kline, Miller, Mileer & Canby
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Henry Emery; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Raymond Burns, MSHA
Preliminary Plan Folder
Preliminary Plans Note Book



Martin O'Malley, *Governor*
 Anthony G. Brown, *Lt. Governor*

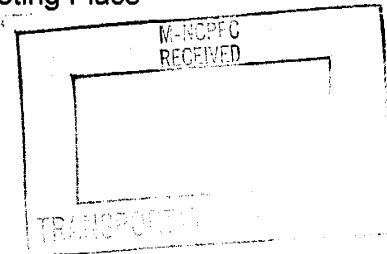
John D. Porcari, *Secretary*
 Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

March 7, 2008

Re: Montgomery County
 MD 650
 Ashton Meeting Place

Mr. Shahriar Etemadi
 Transportation Coordinator
 M-NCPPC
 8787 Georgia Avenue
 Silver Spring, Maryland 20910



Dear Mr. Etemadi:

Thank you for the opportunity to review the Updated Traffic Impact Study Report by Integrated Transportation Solutions, Inc. dated January 18, 2008 (received by the EAPD on February 8, 2008) that was prepared for the proposed Ashton Meeting Place commercial development in Montgomery County, Maryland. The Maryland State Highway Administration (SHA) comments and conclusions are as follows:

- Access to the 44,462 square feet of Retail development, 29,536 square feet of Office development, and 7 Single Family Detached Dwelling Units is proposed from one (1) full movement access driveway on MD 650 and one (1) full movement access driveway on MD 108. SHA will require an exclusive southbound MD 650 left turn lane at the MD 650/Site Access Drive intersection and SHA will require an exclusive westbound MD 108 left turn lane at the MD 108/Site Access Drive intersection. Also, SHA will require an acceleration lane and deceleration lane at both Site Access Drive locations.
- The traffic consultant included the proposed roadway improvements at the MD 108 at MD 650 as part of SHA's Congestion Relief Study. Specifically, the improvements included the following:
 - Eastbound MD 108 – Widen approach from existing 1 left turn lane and 1 through/right lane –to- 1 left turn lane, 1 through lane, and 1 right turn lane.
 - Westbound MD 108 - Widen approach from existing 1 left turn lane and 1 through/right lane –to- 1 left turn lane, 1 through lane, and 1 right turn lane.
 - Northbound MD 650 – Lengthen existing left and right turn lanes.

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com

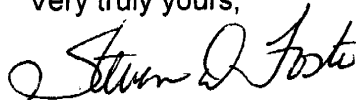
- The report recommended that the proposed site provide a bus shelter and bicycle lockers to reduce site generated trips in accordance with M-NCPPC's Policy Area Mobility Review (PAMR) policies.

In conclusion, SHA concurs that an adequate transportation network will be created with the site access improvements and the proposed improvements at the MD 108 at MD 650 intersection. SHA will be expecting both right-of-way and monetary contributions from the Ashton Meeting Place developer for the needed roadway improvements at the MD 108/MD 650 intersection. SHA is in the process of developing the final costs of the improvements and SHA will develop the expected percentage of these costs that the Ashton Meeting Place developer should be responsible. A Memorandum of Understanding (MOU) is being drawn up that will detail the cost sharing responsibilities.

It should be noted that SHA is planning to construct both the auxiliary lane tie-ins of the MD 650/Site Access Drive and MD 108/Site Access Drive intersections, and the improvements at the MD 108/MD 650 intersection as part of the overall Congestion Relief Study project. However, if SHA's project does not move forward, the Ashton Meeting Place developer will be responsible for all site access improvements and the improvements at the MD 108/MD 650 intersection.

Unless specifically indicated in SHA's response on this report, the comments contained herewith do not supersede previous comments made on this development application. If there are any questions on any issue requiring a permit from SHA on this application, please contact John Borkowski at (410) 545-5595 or jborkowski@sha.state.md.us. If you have any questions or comments regarding the enclosed traffic report comments, please contact Larry Green at (410) 995-0090 x20.

Very truly yours,



Steven D. Foster, Chief
Engineering Access Permits Division

cc: Mr. Ed Axler, M-NCPPC Montgomery County
Mr. John Borkowski, SHA EAPD
Mr. Robert French, SHA Office of Traffic & Safety
Mr. Larry Green, Daniel Consultants, Inc.
Mr. Craig Hedberg, ITS, Inc.
Mr. David Phillips, SHA Highway Design Division
Mr. Errol Stoute, SHA Traffic Development & Support Division
Mr. Morteza Tadayon, SHA Travel Forecasting Section
Mr. Jeff Wentz, SHA Office of Traffic & Safety




MEMORANDUM

DATE: April 23, 2008

TO: Richard Weaver, Planner Coordinator, Development Review Division
Joshua Sloan, Planner Coordinator, Development Review Division

FROM: Candy Bunnag, ^{CB}Planner Coordinator, Environmental Planning,
Countywide Planning Division

VIA: Stephen D. Federline, Supervisor, Environmental Planning, Countywide
Planning Division 

SUBJECT: Preliminary Plan 120080070 and Site Plan 820080040, Ashton Meeting
Place

RECOMMENDATION:

The Environmental Planning staff has reviewed the preliminary plan and site plan referenced above. Staff recommends approval of the preliminary plan of subdivision and site plan with the following conditions:

1. The proposed development shall comply with the conditions of the Preliminary Forest Conservation Plan. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits. Conditions include, but are not limited to, the following:
 - a. Approval of the Final Forest Conservation Plan consistent with the approved Preliminary Forest Conservation Plan prior to any clearing, grading or demolition on the site.
 - b. Worksheets on Preliminary Forest Conservation Plan must be revised to include corrected acreages for tract areas.
 - c. Specific protection measures for the Siberian Elm, as identified in the letter dated January 8, 2008, from Chris Cowles, ISA certified arborist, to Phil Perrine must be incorporated into the Final Forest Conservation Plan, including, but not limited to, the installation of utility lines within the PUE near the tree by directional boring and installation of a "root friendly paving section" for any sidewalk or walkway within the tree's critical root zone, and specific stress reduction measures before, during, and up to 5 years after completion of construction.

- d. A certified arborist must be present at the pre-construction meeting, during construction, and after construction to implement specific tree protection measures for the Siberian Elm at the corner of Ashton Road and New Hampshire Avenue.
 - e. Add 0.043 acre (1880 square feet) of forest planting and Category I conservation easement at the eastern corner of the open space area, adjacent to the environmental buffer.
 - f. Estimate for forest planting bond must be revised to include additional forest planting recommended in condition (1)(e), above. Bond estimate must be based on \$0.90 per square foot of total forest planting area or a detailed estimate from a forest planting contractor.
 - g. Specific location of tree protection fencing may be adjusted in the field by the M-NCPPC inspector, in coordination with the certified arborist, at the pre-construction meeting.
2. Applicant must revise the preliminary plan, site plan, and forest conservation plan so that imperviousness for the portion of the project that lies outside the environmental buffer and is zoned RC does not exceed 10 percent. This will require the relocation of the access road for the proposed stormwater management facility.
 3. The applicant must submit a geotechnical study, prepared by a qualified geotechnical engineer, to evaluate how the proposed on-site stormwater management facility may need to be modified to prevent the flow of surface and groundwater from the adjacent natural wetlands into the stormwater management facility. Geotechnical study must be submitted to M-NCPPC Environmental Planning staff and DPS staff for review.
 4. The applicant must either construct the stormwater management facility with modifications as recommended in the geotechnical study to prevent water flows from the wetlands into the stormwater management facility or provide funding to SHA to construct the modifications, if SHA is to construct the facility.
 5. The applicant must show on the building permit and construct a six-foot high noise barrier for Lot 1, as recommended by the "Phase I Traffic Noise Analysis, Ashton Meeting Place, Report #071220", by Scott Harvey and Josh Curley, Phoenix Noise and Vibration, LLC, December 20, 2007.
 6. Acoustical treatment shall be required for houses on lots # 2, 3, 4, 5, 6, 7, and 8:
 - a. Prior to issuance of building permit, an acoustical engineer must certify through building shell analysis that interior noise levels will not exceed 45 dBA, Ldn.
 - b. The builder must construct the buildings in accord with these acoustical recommendations, with any changes affecting acoustical performance approved by the acoustical engineer, with a copy to MNCPPC staff.
 - c. The certification and builder acceptance letter must be provided to

MNCPPC Environmental Planning staff before building permits for each lot are issued.

7. Category I conservation easement must be placed over forest retention areas, forest planting areas, and that portion of the environmental buffer that does not include the pedestrian path. Conservation easement must be shown on record plats.
8. Portion of pedestrian path that lies within the environmental buffer must be designed, constructed, and maintained with porous concrete or similar porous material.

BACKGROUND

The 8.63-acre subject site lies within the Patuxent River watershed (Use IV waters). The site is zoned C-1, R-60, and RC and includes several properties. Most of the site is in grass cover with scattered trees. Some forest cover exists on part of the site that lies within an environmental buffer (see below). A bank and associated parking area and driveway are located in the northwestern portion of the site near the intersection of New Hampshire Avenue and Ashton Road. Two other buildings also existed on the site. These buildings were demolished in 2007 under demolition permits that did not require review under the Forest Conservation Law because each building was located on property that was under 40,000 square feet in size.

The eastern portion of the site contains a wetland and environmental buffer with a headwater stream. A portion of the site's environmental buffer (28,110 square feet, or 0.65 acre, out of 66,860 square feet, or 1.53 acres) is protected by a Category I conservation easement as part of an approved preliminary subdivision plan (1-95053, Derrick's Addition to Ashton, approved by the Planning Board on June 1, 1995) that created two lots and an outlot. Forest planting was required under an approved forest conservation plan, but only part, not all, of the forest that had been planted remains in place. Much of the environmental buffer is in grass cover, with forest cover in the southern portion of the environmental buffer.

Forest Conservation

The subject site has a total of about 0.81 acre of forest, most of which lies within the environmental buffer. The applicant proposes to clear 0.07 acre of the 0.37 forest that lies within the RC-zoned portion of the site. The proposed forest clearing lies outside the environmental buffer. The proposed amount of forest retained, 0.30 acre, is 25 percent of the RC portion of the tract area. Section 22A-12(f)(2)(A) of the County Forest Conservation Law states that "in an agricultural and resource area, on-site forest retention must equal 25% of the net tract area." Land that is zoned RC is considered to be an agricultural and resource area, and is subject to this provision of the Forest Conservation Law. The proposed forest clearing and retention within the RC portion of the site meets the Forest Conservation Law.

The applicant does not propose to clear forest outside the RC portion of the site. The Forest Conservation Plan shows 0.88 acre of reforestation that would occur within the environmental buffer area.

Staff recommends that a 0.043-acre (1880 square foot) area at the eastern edge of the open space area be planted in forest and protected in a Category I conservation easement. This area is shown in the approved Forest Conservation Plan for Derrick's Addition to Ashton (preliminary plan and preliminary forest conservation plan 1-95053, approved by the Planning Board in 1995) for forest planting, but there is currently no forest cover. Since the area is now part of the current application, it should be replanted in forest, to be consistent with the previously approved forest conservation plan.

The applicant proposes to protect the specimen Siberian Elm (41 inch diameter at breast height, or DBH) at the northeastern edge of the property. A tree protection plan proposed by a certified arborist identifies specific protection measures that should be implemented to save the elm. Staff recommends that the tree protection plan is incorporated into the Final Forest Conservation Plan.

No other individual tree that lies outside the environmental buffer area on the subject site is proposed for retention. Staff agrees with the applicant that these trees cannot be preserved, given the proposed project.

Staff finds that the Forest Conservation Plan, if it is revised in accordance with staff's recommendations, meets the requirements of the County Forest Conservation Law.

Environmental Buffer

The majority of the 1.6-acre environmental buffer will be used for forest retention or forest planting. A pedestrian path that parallels the internal private road is proposed to be located in a small portion (roughly 805 square feet, or 0.02 acre) of the western edge of the environmental buffer. The applicant indicates that the proposed commercial uses, parking requirements, the internal road configuration, and the desire to provide a pedestrian path system for the proposed residential units that are adjacent to the commercial uses, do not allow the path to be relocated outside the environmental buffer. Staff finds that the proposed encroachment is relatively minor, cannot be relocated outside the buffer, and is acceptable if the path is designed, constructed, and maintained as porous material, such as porous concrete.

The proposed development will create high imperviousness (roughly 49 percent imperviousness, including the RC portion of the site) in the drainage area of the headwater stream and wetlands that exist on the site. The high imperviousness could significantly reduce the groundwater flows to the headwater stream and wetland. To help maintain some water sources to the stream and wetland, the development includes the following features: a stormwater management (SWM) infiltration trench to provide some groundwater recharge of surface stormwater runoff, a surface sand filter, and discharge

into the wetland of stormwater runoff from the green roof of the grocery store.

A SWM facility is proposed to be located adjacent to a wetland within the environmental buffer. The grading for the proposed SWM facility is such that the bottom of the facility will be at a lower elevation than a portion of the wetland. Staff is concerned that this will cause groundwater and surface water to flow out of the wetland and into the SWM facility. Staff, therefore, recommends that the applicant submit a geotechnical study to identify how the proposed SWM facility design may be modified to prevent water from flowing out of the wetland into the SWM facility. In addition, staff recommends that the SWM facility design and construction is modified to incorporate the recommended measures from the geotechnical study; if the SWM facility is to be constructed by SHA, staff recommends that the applicant pay SHA for the design and construction modifications of the SWM facility.

Patuxent River Primary Management Area (PMA)

The imperviousness of the proposed subdivision and site plan (i.e., the parts of the site that are zoned R-60 and C-1), as proposed, is roughly 53.0 percent. The “Environmental Guidelines” state that for properties lying within the PMA which have zoning densities greater than RE-2 are subject to “nonconformance” requirements:

“Nonconformance requirements consist of stormwater management and best management practices applied to the property that will minimize the impacts of higher density zones, particularly higher levels of imperviousness, on water quality.”

The applicant proposes SWM quantity and quality controls on the site. These controls include a dry pond that will be shared with SHA, a surface sand filter, infiltration trench, a green roof on the grocery store building, hydrodynamic structure, and an offsite SHA surface sand filter. The SWM concept has been reviewed and conditionally approved by the Department of Permitting Services (DPS).

It should be noted that, compared to the preliminary and site plan that had been previously submitted (preliminary plan no. 120050060 and site plan no. 820060230), the current proposal is lower in imperviousness. The previously submitted proposal had roughly 68 percent imperviousness over the C-1 and R-60 portions of the site. The current proposal is roughly 53.0 percent. Staff finds that the current proposal’s restriction of commercial uses, including parking, to C-1 zoned land minimizes imperviousness, given the zoning.

The Planning Board’s Environmental Guidelines recommend an imperviousness limit of 10 percent for transition areas that are zoned RE-2 or less dense. A transition area of the Patuxent River PMA is defined as the part of a property that lies outside an environmental buffer. The guidelines also state that “if a higher imperviousness is desirable in the transition area to maintain community character, achieve compatibility, and/or accomplish master plan goals, imperviousness may be averaged over the entire

development, not to exceed 10 percent on the entire site.”

For the RC portion of the site, the proposed imperviousness is roughly 13.5 percent. A large portion of the imperviousness is due to the access road for the stormwater management (SWM) facility that would lie on the southeastern portion of the site. To reduce imperviousness within the RC portion of the site, staff recommends that the access road is relocated so that the access to the SWM facility originates from the internal road within the commercial portion of the site. The realignment of this SWM access road may result in the reconfiguration of proposed Lot 5. The applicant has agreed to realign the road and has indicated that this change will result in a reduction of the imperviousness within the entire RC portion of the site to about 8.8 percent, or 11.4 percent within the Patuxent PMA transition area part of the RC zoned land. Staff believes the applicant’s proposed realignment of the SWM access road is acceptable. In addition, staff believes that the imperviousness of 8.8 percent calculated over the entire RC portion of the site is acceptable since the RC-zoned land includes an existing single family detached home, which is a use that is consistent with the master plan, as well as the proposed SWM facility and its access road, which are necessary infrastructure elements of the project.

Traffic Noise Impacts

The applicant proposes six single-family detached lots. A traffic noise study was conducted for these residential lots. The study indicates that Lot #1 (labeled in the study as Lot #3) will have future traffic noise levels in the backyard that exceed the recommended criterion of 60 dBA, Ldn. The study recommends a 6-foot high noise barrier.

The noise study also identifies that all of the proposed houses may be adversely impacted by interior noise levels that exceed the established guideline limit, depending on the specific designs of the houses. To determine if the interior noise level limit of 45 dBA, Ldn (established in staff’s transportation noise guidelines) can be met, the traffic noise study recommends that a building shell analysis of the proposed houses is conducted when architectural plans are available. Staff recommends that the building shell analysis is conducted prior to the issuance of building permits. In addition, staff recommends that the builder provide a written commitment that the houses will be constructed in accordance with the recommendations provided by the acoustical engineer in the building shell analysis.

RECOMMENDATION

Environmental Planning staff recommends approval of the preliminary plan of subdivision, site plan, and forest conservation plan with conditions.

4

Jennifer and Roger Fajman
17922 Pond Road
Ashton, MD 20861

Re: Ashton Meeting Place
Preliminary Plan Number: 120080070
Site Plan File Number: 820080040

May 5, 2008

Royce Hanson, Chairman
MNCPPC Planning Board
ATTN: Ashton Meeting Place
8787 Georgia Ave.
Silver Spring, MD 20910

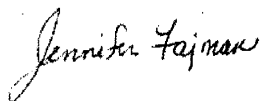
Dear Chairman Hanson:

We recommend that the Planning Board approve the current design for Ashton Meeting Place. At the same time, we are concerned that the developer maintains the design through the construction phase. We are concerned that the signage used will be subdued, will fit into the rural nature of the area, will not provide light pollution, and at the same time, will identify some exciting stores to be added to the area. We are also very concerned about light pollution and hope that the designed lighting will keep the area safe and at the same time will not create more light filtering into the sky. The signage and lighting should be conditions of approval.

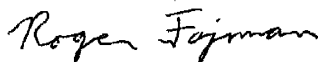
We believe that Ashton Meeting Place is still too large for the amount of space available. However, the design has included many innovative ideas that make the shopping area appear to be rural and of a "fit" into the space. In particular, the mixture of siding types will make the buildings appear less massive and make them more inviting. Also, the drive around the rear of the shopping area, including houses and well-designed wetlands, provides a variety of interesting aspects to the area. The drive, in particular, solves a problem with the previous design where people would drive through the shopping area to move from one main street to another.

We encourage the Ashton Meeting Place developer and future developers in the area to work together with citizens. There are many people who are dedicated to maintaining the area's rural atmosphere and to ensure that new developments follow the guidelines and intent of the Sandy Spring-Ashton Master Plan. The talent, expertise and dedication of citizens in the area should be a resource for developers. By working collaboratively, much time can be saved and the results embraced by everyone.

Sincerely,



Jennifer Fajman



Roger Fajman

Sloan, Joshua

From: NLCarstens@aol.com
Sent: Saturday, October 20, 2007 4:33 PM
To: Sloan, Joshua
Subject: AMP

I want to officially say that parallel parking on 108 is ridiculous. Most people are terrible parallel parkers and I feel that it will cause additional traffic problems on an already busy road. Thank you. Nanci Carstens, 510 Avenleigh Ct. Ashton, MD 20861

See what's new at [AOL.com](#) and [Make AOL Your Homepage](#).



Sandy Spring-Ashton Rural Preservation Consortium PreserveAshton.net

SSARPC, Post Office Box 518, Ashton, MD 20861

Re: Ashton Meeting Place
Preliminary Plan Number: 120080070
Site Plan File Number: 820080040

May 5, 2008

Royce Hanson, Chairman
MNCPPC Planning Board
ATTN: Ashton Meeting Place
8787 Georgia Ave.
Silver Spring, MD 20910

Dear Chairman Hanson:

The steering committee of the Sandy Spring Ashton Rural Preservation Consortium (SSARPC) is pleased to say that, in our opinion, the current site plan for Ashton Meeting Place substantially conforms to the Sandy Spring-Ashton Master Plan. This site plan, which has been three years in the making, illustrates what can be accomplished if developers and citizens work together, along with Park and Planning, State Highway Administration, Department of Public Works and Transportation, and other agency staff to ensure compliance with both the overall vision and the specific guidelines of a master plan.

After the Board denied the previous site plan in June 2007, the developer agreed to a charette with our group and other community members. The new layout is much like the concept that our group presented to the Planning Board in June and was agreed upon at the charette. In subsequent weeks, our design team worked through the details with the developer's designers. The result is what you see before you today and includes the following key features:

- 1) True active fronts achieved by front doors facing the street for retail, restaurant and office spaces that will generate pedestrian activity.
- 2) On-street parking on both frontages.
- 3) Size, scale, form, and pattern of buildings reminiscent of a rural village center, particularly along the streets.
- 4) Architectural details compatible with a rural village (e.g., clapboard siding, standing seam roofs, stone).
- 5) A smaller grocery store, located on the interior of the site.
- 6) Six single family units of mixed design on the R-60 parcel, with detached garages.

Two issues remain: the design of the green at the corner, and the mix of residential unit sizes.

The developer has stated he will agree to change the green. The current plan shows a circuitous route around an elevated lawn, with no access into or through the space, and a walled off corner plaza. The SSARPC recommends that a path be built diagonally across the green, along the most direct route to the plaza. If a direct route through the green is not provided, eventually walkers not willing to walk to the prescribed side paths will wear a path through the grass. The site is very close to Sherwood High School and we expect and hope that students will walk from the school to frequent the center. Environmental Planning staff Candy Bunnag and staff arborist Amy Lindsey have determined that a raised path can be constructed without damaging the existing large tree that will be a focal point of the green.

The developer has not indicated whether he will assure that there will be a mix of house sizes with detached garages on the R-60 portion, as agreed on at the July charette.

The SSARPC Steering Committee recommends that the Planning Board approve the plan provided that the following conditions are met: First, provide a path diagonally across the green, and second, show a variety of house sizes, and provide all houses with detached garages.

It is our hope that the Planning Board will approve this plan with the stated conditions and continue to demand that development proposals in our area adhere to the Master Plan's vision and guidelines. As we have seen with AMP, there is a great difference between true active fronts and just putting a building right up to the street. As the next three proposals for Ashton and Sandy Spring come before you, we fully expect the Board and the staff will be as vigilant in demanding compliance with the Master Plan.

The marriage of community, developer and planner has proven to work to maintain a way of life and move it toward the future. We hope to continue that relationship.

Sincerely,

Michelle Layton
Co-chair

Donna Selden
Co-chair