



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

MCPB  
7/23/09  
Item #

**MEMORANDUM – Development Plan Amendment**

**DATE:** July 9, 2009

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief, Development Review Division *RK*  
Ralph Wilson, Zoning Supervisor

**FROM:** Carlton W. Gilbert, Planner Coordinator *CW*  
(301) 495-4576

**SUBJECT:** **Development Plan Amendment No. DPA-09-3:** Pettit Companies, applicant, - an amendment to relocate one of the buildings approved under DPA-07-2 and downsize it from a two-story office building to a one-story restaurant; Planned Neighborhood (PN) Zone; located at the southwest corner of Woodfield Road and Muncaster Mill Road, Gaithersburg MD (Flower Hill Village Professional Center)

**Master Plan:** 1985 Approved and Adopted Gaithersburg Vicinity Master Plan

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**STAFF RECOMMENDATION: APPROVAL** of the Development Plan Amendment 09-3, to relocate the approved 12,000 square foot office building on Parcel A-3 to Parcel A-8, and downsize the building from the approved 12,000 square foot office building to a 4,320 square foot one-story restaurant.

The Code provides that if there is public opposition to a Development Plan Amendment (DPA), or if a public hearing is either recommended by the Planning Board or requested by any aggrieved party, the Hearing Examiner must conduct a Public Hearing on the plan amendment. It is staff's understanding that agreement has been reached among the affected parties for the proposed amendment. For this reason, staff is not inclined to recommend that a public hearing by the Hearing Examiner be held.

**SUMMARY AND BACKGROUND**

The applicant, Pettit Companies, is proposing to amend Development Plan No. G-420, originally approved June 25, 1985 in the Planned Neighborhood (PN) zone for Parcel

31. The property is at the southwest corner of the intersection of Woodfield Road and Muncaster Mill Road/Snuffer School Road in Gaithersburg. Development Plan Amendment (DPA-07-2), approved by the County Council on February 5, 2008, amended the original Development Plan to add three additional commercial/office buildings for a total of 66,000 square feet in the Flower Hill Professional Center (see attached Council resolution). The approval consisted of: (1) a two-story, 12,000 square foot commercial building on Parcel A-3; (2) a two-story, 24,000 square foot commercial building and integrated parking structure on Parcel A-4; and (3) a two-story 30,000 square office building, with a ground floor commercial use and associated surface parking, on Parcel A-9.

The applicant now seeks another amendment to relocate the approved 12,000 square foot office building on Parcel A-3 to Parcel A-8, and downsize the building from the approved 12,000 square foot office building to a 4,320 square foot one-story restaurant, resulting in a development total of 58,370 square feet of commercial/office space instead of 66,000 square feet as approved under DPA-07-2. DPA 09-3 also rearranges the parking to conform to the proposed changes to the site. According to the applicant, market conditions have required the applicant to alter plans for the development, but the proposed changes result in a less intense use of the property than was approved in February, 2008. The property is located in the Planned Neighborhood (PN) zone of the Flower Hill Development, and is designated on the originally approved development plan for commercial uses.

### **Property Description**

The subject property (Parcel 31) is a triangular shaped property that consists of approximately 15 acres of land. The property is bordered by Woodfield Road to the north, Flower Hill Way to the west, Washington Grove Lane to the south and Muncaster Mill Road Road to the east, where the property tapers to a point.

The subject site consists of eight parcels (A-3, A-4, A-5, A-6, A-7, A-8, A-9, and A-10). As shown on the attached development plan, the existing uses on the site consist of one two-story office building on Parcel A-3, and three two-story office buildings on Parcel A-4. Parcel A-5 consists of a single-story commercial building occupied by McDonald's Restaurant. Parcel A-6 contains a one-story building currently operated as a gas station. Parcel A-7 consists of a single-story building occupied by Provident Bank and there is a one-story convenience store located on Parcel A-8. Parcel A-9 occupies a triangular piece of land at the northern end of the site and is currently undeveloped, although it is designated on the approved DPA-07-2 as a office building with ground floor commercial space. Parcel A-10 consists of the interior roadway within the subject property, providing access and circulation throughout the property. The site has a comprehensive network of sidewalks both within the site, providing pedestrian access among the various buildings, and along the abutting roadways, providing pedestrian access between the site and adjoining developments. The subject property has no forest stands, specimen trees, streams, wetlands, steep slopes or erodible soils.

Vegetation is limited to landscape plantings along sidewalks and in parking areas, as well as grass on the vacant Parcel A-9.

### **Surrounding Area**

The surrounding area is generally bounded by Montgomery County Airpark to the north, Airpark Road to the east, Mid-County Highway to the south, and Goshen Road to the west. Parcel 30, across Flower Hill Way from Parcel 31, contains a Giant Food Grocery and other retail uses and was classified to the PD zone as part of the G-420 approval. Across Woodfield Road from Parcel 31, 2,025 units of mixed housing exist on PN zoned land. The Emory Grove (residential) Subdivision, on R-60 zoned land, is just southeast of the site across Washington Grove Lane.

### **Approval Procedures**

The Development Plan Amendment is in substantial compliance with the master plan and the approved Development Plan. Final design of the proposed development will be reviewed by the Montgomery County Planning Board at the time of preliminary plan and site plan review. The applicant must submit a site plan in accordance with Section 59-D-3 of the Zoning Ordinance before any development of the site may take place. The applicant is anticipating that the project will be constructed in a single phase, with the timing for full build-out being subject to market conditions. No additional dedication of land or arterial roads is required for this development.

### **Binding Elements as modified and incorporated in DPA-09-3:**

1. The development plan is limited to an additional 58,370 square feet of commercial uses for an estimated total of 160,370 square feet (total on Parcels A-3 thru A-9) to be confirmed or adjusted at APF review, resulting in a maximum of 3 additional buildings.
2. The total new development is limited to those commercial uses which would generate no greater than 126 additional new morning peak hour vehicular trips and 148 additional new evening peak hour vehicular trips.
3. The applicant shall submit a Landscape Plan to be approved in conjunction with site plan approval.
4. The area of the project intended for common or quasi-public use is noted and shown as Parcel A-10, Parcel A-10 is owned by the Flower Hill Business Association (the "Association") which has sole responsibility for maintenance and repair of Parcel A-10. Covenants applicable to all parcels of the Property were recorded on September 11, 1990 at Liber 9473, folio 324 in the Land Records of Montgomery County, Maryland. The applicant is a participating member of the Association.
5. Access to the project shall be by seven (five existing and two proposed) vehicular entrances and exits. Three entrances/exits are on Woodfield Road, two existing and one

proposed (right-in right out or right-out as to be confirmed at Site Plan) on the north side of the property, leading to a private access road which runs the length of Parcel A-10. On the south side of the property, there are two existing entrances/exits from Washington Grove Road and one proposed entrance/exit on Flower Hill Way. Cross easements for parking and access applicable to all parcels on the property were recorded in the Land Records of Montgomery County, Maryland at on September 11, 1990 at Liber 9473, folio 324.

6. The maximum building coverage on Parcels A-3, A-4, A-8, & A-9 will be 20% of the total site area of Parcels A-3, A-4, A-8, & A-9.
7. The minimum setbacks will be 70 feet from Woodfield Road, 15 feet from Washington Grove Road, and 15 feet from Flower Hill Way.
8. At the time of APF review, the applicant must satisfy the County Council's FY 2007-2009 Growth Policy that includes:
  - a. For Local Area Transportation Review (LATR), satisfying a lower Critical Lane Volumes (CLV) congestion standard for the policy areas.
  - b. A Policy Area Mobility Review (PAMR) test that requires trip mitigation of developments located in certain policy areas.
9. At site plan review, the applicant must show a detailed plan of the necessary lead-in sidewalks, internal sidewalks, pedestrian crosswalks, handicapped ramps, and pedestrian access in the southeast corner of the subject site.
10. The applicant must provide inverted-U bike racks for customers and bike lockers with the ultimate number and location to be determined at site plan review.
11. The maximum height of all proposed buildings shall be 30 feet in accordance with the standards of the C-1 Zone as set forth in Section 59-C-4.342 of the Zoning Ordinance.

## **Master Plan**

The Plan is consistent with the 1985 Approved and Adopted Gaithersburg and Vicinity Master Plan and the designated PN Planned Neighborhood zone.

## **Transportation**

The following is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject Development Plan Amendment (DPA) to shift from 12,000 square feet of general office space to 4,320 square feet of restaurant space in the Planned Neighborhood (P-N) zone.

In 1986, Preliminary Plan No. 1-85218 was approved by the Planning Board that created Parcel 31 and set an APF maximum square footage broken down by specific square footages of commercial land uses. In 2007, the Development Plan was amended as DPA-07-2 to add 66,000 square feet to previously-approved square footage that was found to have a “reasonable probable fruition” of satisfying an APF test at time of a future preliminary plan review. The subject DPA modifies the square footages of the addition land uses reviewed in 2007.

If this DPA is approved by the District Council, the APF test would occur at the Planning Board’s public hearing for the future preliminary plan (i.e., the current preliminary plan will be amended). Preliminary Plan No. 1-85218 was approved in 1986 to create Parcel 31 and limit the types of land uses and their maximum square footage. Three years later in 1989, Preliminary Plan No. 1-89244 was approved to subdivide Parcel 31 into the current 7 lots with the same limits on the types of land uses and their maximum square footages.

(See attached Transportation Memo)

### **Environmental**

Environmental Planning staff recommends approval of this development plan amendment application.

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) 420070130 was approved by Environmental Planning staff on August 15, 2006 and recertified on February 17, 2009. There are no existing forests, streams, wetlands or floodplains on the site.

A forest conservation plan exemption was issued because this is a modification to an existing developed property with no more than a total of 5,000 square feet of forest cleared. There is no forest clearing within a stream buffer or on property subject to Special Protection Area/Water Quality Plan requirements. There are three specimen trees off-site, but construction on the subject site will not impact these trees. No tree save plan is required.

### **Market Analysis**

Staff reviewed the market analysis submitted by the applicant on November 14, 2007 for DPA-07-2, and found it sufficient. The changes proposed by the applicant in this request (DPA-09-3) do not alter the market analysis.

### **Other Issues**

Green Area – None Required.

Setbacks – None Required.

Landscape and Lighting – No Landscape or Lighting Plan was submitted with this application. Both plans will be reviewed at the time of site plan review.

Parking – The total parking required for the uses on Parcels A-3, A-4, A-5, A-6, A-7, A-8, and A-9 is 523 parking spaces. The applicant is providing 604 spaces, which will provide adequate parking for the proposed development and existing uses. The parking analysis shown on the attached table was developed based on the requirements for parking (Section 59-E) in the Zoning Ordinance for the proposed uses. Details concerning parking lot lighting and landscaping will be submitted in conjunction with the subsequent Site Plan application.

### **59-D-1.6 – Approval by District Council**

#### **59-D-1.61 – Findings**

Review and approval of a DPA is governed by Sections 59-D-1.61 and 59-D-1.7 of the Zoning Ordinance, which requires the District Council to make specific findings before approving an amendment to a previously approved development plan. In general, the District Council must find that the development plan fulfills the “purposes and requirements” of the PN zone as enumerated in Section 59-C-7.31. The required specific findings are intended to ensure that the overall purpose of the zone is served by approval of the development plan or any amendment thereof.

The five specific finding as set forth in Section 59-D-1.61 are:

(a) That the zone applied for is in substantial compliance with the use and density indicated by the master plan or sector plan, and that it does not conflict with the general plan, the county capital improvements program or other applicable county plans and policies.

*The Master Plan that covers the subject property is the July 1990 Amended Gaithersburg Vicinity Master Plan (the “Plan”). The Plan recommended a “convenience retail shopping center, at least ten acres in size, be provided along existing MD 124 to serve existing and future residential development.” The Plan stated further that, “areas 30 and 31 ... are recommended for commercial and office development. The P-N zone provides site plan review which will allow the Planning Board to influence the arrangement of buildings, landscaping, lighting and parking configuration.” The uses detailed in this DPA application are in compliance with the recommendations of the Plan, and compatibility and compliance with the Plan has been previously established with prior approvals. Commercial density in the P-N zone is not specified in either the Zoning Ordinance or in the Plan, allowing flexibility to determine density in accordance with compatibility with adjacent development in the zone and the needs of the community. Staff finds that the amended development plan satisfies this standard.*

(b) That the proposed development would comply with the purposes, standards, and regulations of the zone as set forth in article 59-C, would provide for the maximum safety, convenience, and amenity of the residents of the development and would be compatible with adjacent development.

*The amended development plan satisfies the purposes, standards, and regulations of the PN zone and provides for the safety and convenience of the residents of the development. Existing development at the subject property is of the same nature as the proposed additional development in the DPA, namely retail and office. By incorporating a larger restaurant space while reducing some of the approved office space in the Flower Hill PN Zone, the DPA allows the applicant to offer additional restaurant space, which is in great demand, and in short supply. Coupled with the additional office space approved under DPA 07-2, current tenants will be able to expand and continue to provide services to residents, while also providing additional employment opportunities for those who live nearby. Public facilities are currently in place to serve additional development, having been required and built in accordance with prior subdivision approvals.*

(c) That the proposed internal vehicular and pedestrian circulation systems and points of external access are safe, adequate and efficient.

*Internal vehicular and pedestrian circulation as shown on the plan drawings, which are part of the record, and as detailed in the traffic study that is also incorporated into the record, have been demonstrated to be safe, adequate and efficient.*

(d) That by its design, by minimizing grading and by other means, the proposed development would tend to prevent erosion of the soil and to preserve natural vegetation and other natural features of the site. Any applicable requirements for forest conservation under Chapter 22A and for water resource protection under Chapter 19 also must be satisfied. The district council may require more detailed findings on these matters by the planning board at the time of site plan approval as provided in division 59-D-3.

*This DPA proposes a new structure in an area which is already developed as part of the Flower Hill Subdivision. The original development satisfied forest conservation requirements, and a landscape plan, which is compatible with existing conditions on the site will be implemented. Water quality, along with a comprehensive stormwater management plan, will be reviewed at the time of site plan review.*

(e) That any documents showing the ownership and method of assuring perpetual maintenance of any areas intended to be used for recreational or other common or quasi-public purposes are adequate and sufficient.

*A Declaration of Covenants, Conditions and Restrictions for Flower Hill Business Association, Inc. was recorded among the Land Records of Montgomery County, Maryland at Liber 9473, folio 924. This document confirms ownership and perpetual*

*maintenance of common areas, as well as easements for the purpose of repair, maintenance and access to public or quasi- public facilities on the subject Property. Covenants were reviewed and found sufficient for the purposes of ensuring perpetual maintenance of common areas at the time of prior approvals. Common area maintenance has been in place and in operation for more than 17 years and will not be disrupted by the additional development set for in the proposed DPA.*

Overall, the proposed development plan amendment will be in the public interest because it promotes the “health, safety, morals, comfort and welfare of the inhabitants of the regional district” by providing more of the type of commercial development called for in the Plan without adverse affects on public facilities. The proposed project will provide sit-down restaurant use in an area where there is little choice beyond fast-food. The proposed DPA is therefore in the public interest, and conforms to the Master Plan, the requirements of the PN Zone and prior subdivision approvals for Flower Hill.

**Community Comments** – No comments received to date.

### **Conclusion**

The proposed development is compatible with the existing development subject to the Development Plan Amendment. The application conforms to the Master Plan general land-use and zoning recommendations. Transportation staff concludes that there is a reasonable probability that the application will satisfy the APF test at preliminary plan review. The traffic impact of the proposed Development Plan Amendment will not have an adverse impact on the safety and adequacy of the transportation system with the necessary infrastructure improvements typically required by the County, SHA, and the Planning staff.

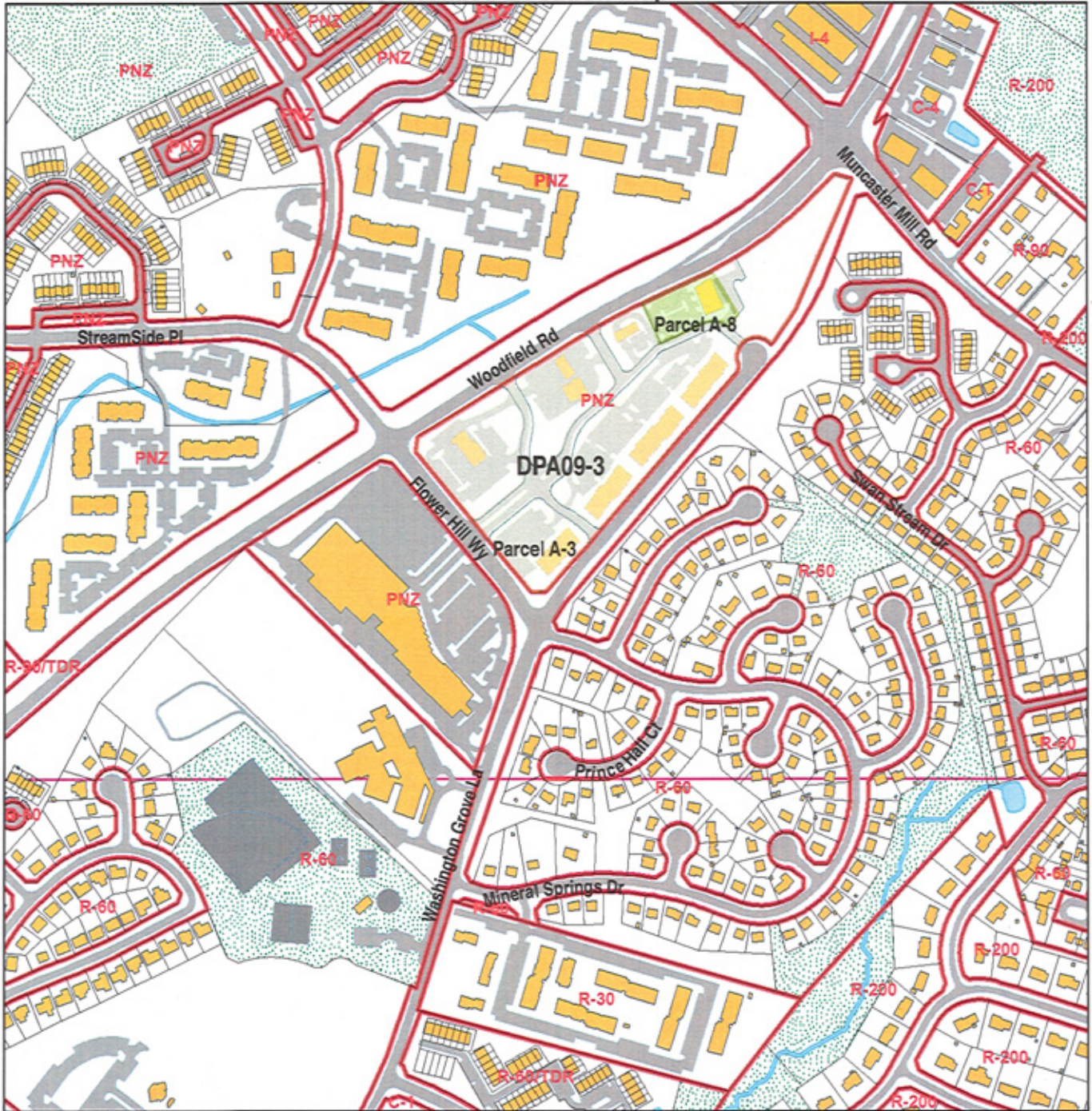


## LIST OF ATTACHMENTS

1. Location Map
2. Surrounding Area Map
3. Amended Development Plan
4. Elevation Plan
5. Floor Plan
6. Vision Division Memo
7. Transportation Planning Memo
8. Environmental Planning Memo
9. Subdivision Review Memo
10. Parking Analysis Tables

# ATTACHMENT 1

## Generalized Location Map



### LEGEND

- |  |  |
|--|--|
|  Subject Site |  Paved Area       |
|  Parcel       |  Lake and Pond    |
|  Building     |  Stream and River |

#### NOTICE:

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This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended.

1 inch = 500 feet  
Address: 18205-D Flower Hill Way, Gaithersburg

### Key Map



# ATTACHMENT 2

## Surrounding Area Map



1 inch = 500 feet  
Address: 18205-D Flower Hill Way, Gaithersburg

Key Map  
NTS



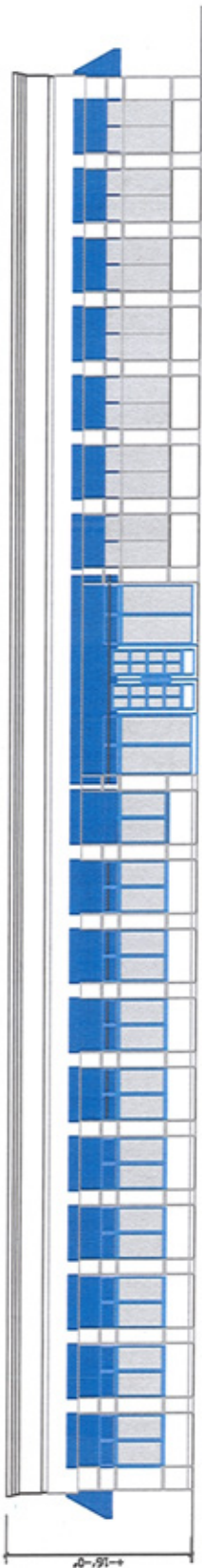
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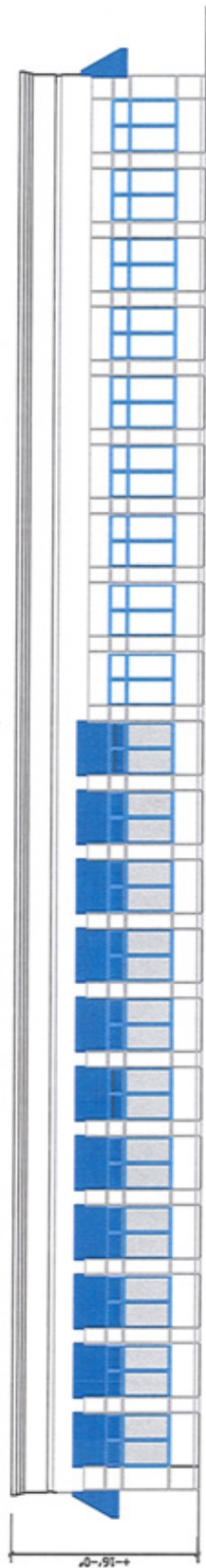
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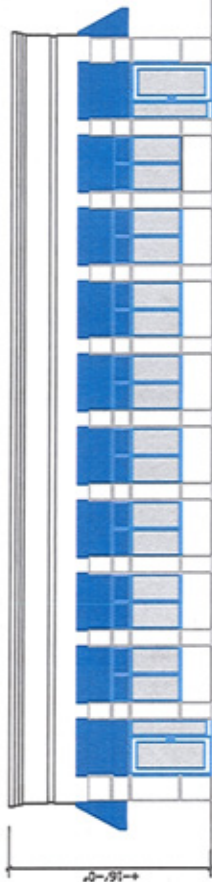




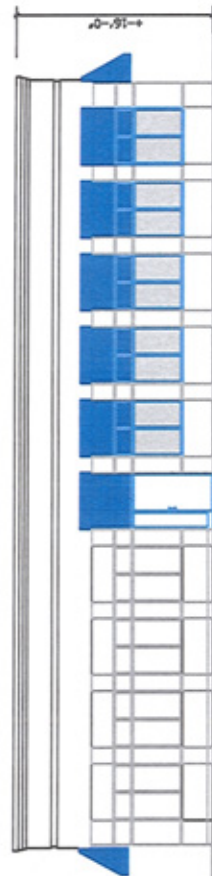
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION



EXHIBIT

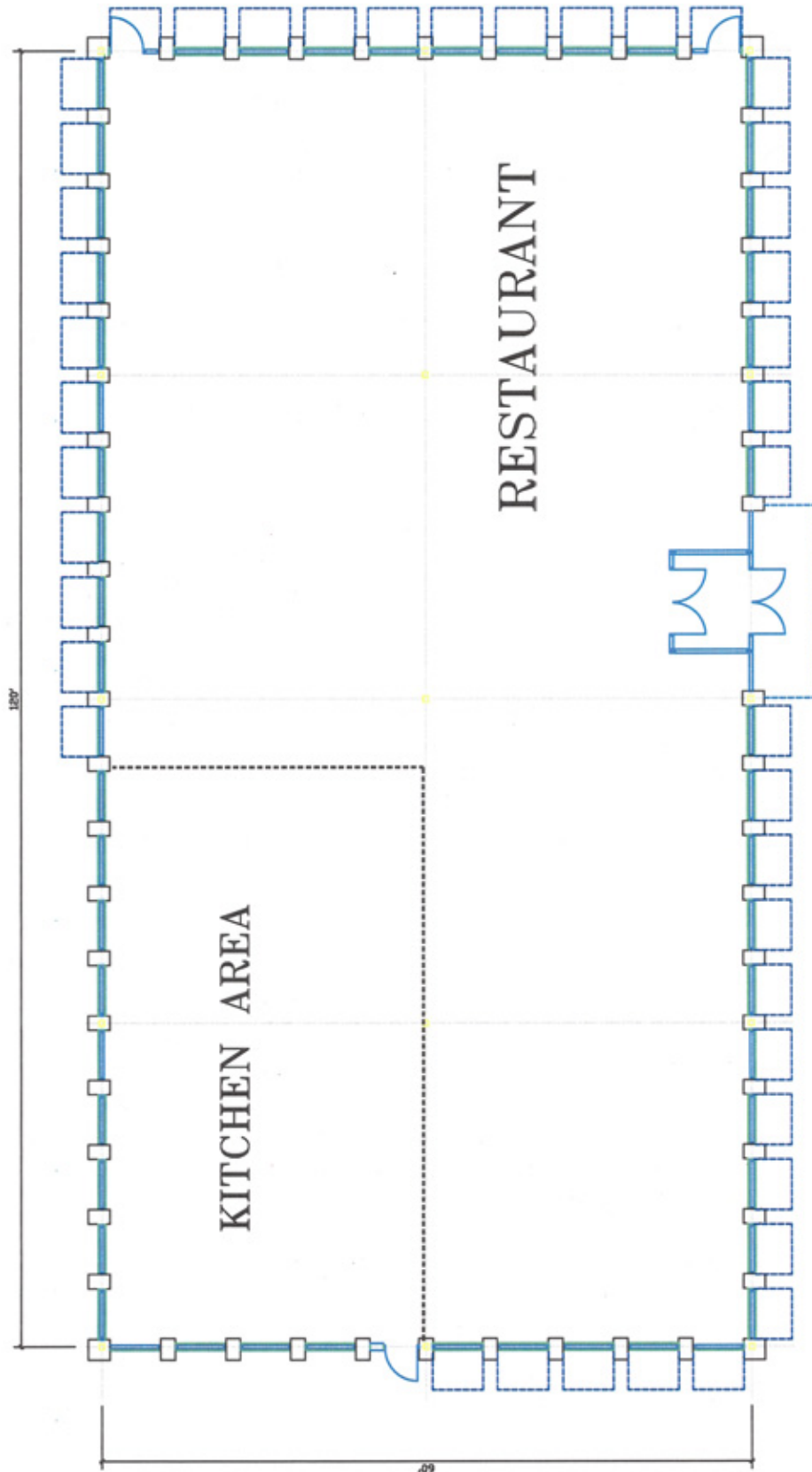
**ARZ** ARCHITECTS AND PLANNERS

**FLOWER HILL EXPANSION**

PARCEL A-8  
BUILDING NO.1  
RESTAURANT

THE PETTIT COMPANY

DATE: 9-24-00 REV: 1-25-2009



**FLOOR PLAN**

SCALE: 1/8" = 1'-0"



EXHIBIT 'A'

PARCEL A-8  
BUILDING NO.1  
RESTAURANT

FLOWER HILL EXPANSION

THE PETTIT COMPANIE

DATE: 9-24-08 REV: 1-06-2009

**ARZ** ARCHITECTS AND PLANNERS



July 13, 2009

**MEMORANDUM**

TO: Carlton Gilbert, Planner Coordinator, Zoning Team  
Build Division

VIA: Sue Edwards, Team Leader, North Central Transit Corridor Team *Sue*  
Vision Division

FROM: Ronald Cashion, RA, AICP, Planner Coordinator, Urban Designer *RC*  
North Central Transit Corridor Team  
Vision Division

SUBJECT: **Flower Hill Parcel 31 Development Plan Amendment 09-3**  
1985 Approved and Adopted Gaithersburg and Vicinity Master Plan

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**RECOMMENDATION:** Staff recommends **approval** of the proposed Development Plan Amendment.

**BACKGROUND AND LAND USE SUMMARY**

The Flower Hill commercial center is located within the Gaithersburg planning area between Woodfield Road, MD Route 124, and Washington Grove Road. Flower Hill Way borders the site to the southwest. Woodfield Road intersects Muncaster Mill Road, MD Route 115 at the northeast corner of the site.

This application and plan proposes to modify the prior approved February 5, 2008 DPA 07-2 by eliminating a proposed 12,000 square foot office building and adding a 4,320 square foot, single story restaurant at an alternate on-site location.

Pettit Companies (the Applicant) seeks a modification to the February 5, 2008 approved DPA 07-2 and the prior, original June 25, 1985 Development Plan G-420 (DPA).

The total site comprises 649,338 square feet, and 14.9 acres, as parcels A-3 through A-10. The development is served by a central internal private access drive with multiple access locations to the bordering roadways. As shown on the proposed development plan, as revised through December 19, 2008:

- At Woodfield Road, parcels A-5, 6 and 7 include an existing restaurant, auto service station, and bank respectively;
- Parcel A-8, also adjacent to Woodfield Road, includes an existing one story commercial building and the subject of the current DPA, a proposed 48 ft. x 90 ft., one story, 4,320 square foot restaurant (Building 1);
- Parcel 9, at the northeast corner of the site, includes a proposed two- story, 30,000 square foot office building (Building 3);

- Parcel A-3 at the south Washington Grove Rd. portion of the site includes an existing two-story office building comprised of five relatively small contiguous structures. The adjacent Parcel A-4 includes a row of three similar office buildings parallel to Washington Grove Road; and
- An added, two-story, 24,000 square foot proposed restaurant and office use (Building. 2) is located in the central area of the site, also within parcel A-4, and contains below grade structured parking for 35 vehicles.

The applicant's February 5, 2008 DPA 07-2 was approved with the addition of:

- A proposed two story, 12,000 square foot commercial office building on Parcel A-3, at the south corner, Flower Hill Way and Washington Grove Road intersection;
- A two-story, 24,000 square foot commercial office building and parking structure on Parcel A-4, at the center area of the site; and
- A two-story, 30,000 square foot office building, with a ground floor commercial use on parcel A-9, at the northeastern corner of the site.

The current, subject application and development plan proposes to amend the prior approved uses:

- To relocate the approved 12,000 square-foot office building on parcel A-3 to parcel A-8 reducing the size and changing the use from the approved 12,000 square foot two-story office building to the proposed 4,320 square foot, single story restaurant (Building 1).

The applicant has stated that economic market conditions have changed since the prior DPA approval and have resulted in the proposed change of uses.

## **MASTER PLAN GUIDANCE AND ZONING**

The Plan is consistent with the 1985 Approved and Adopted Gaithersburg and Vicinity Master Plan and the designated PN Planned Neighborhood zone.

## **ADDED CONSIDERATIONS**

The attorney's submittal letter to the Hearing Examiner on behalf of the Applicant notes: the reduction of the intensity of the proposed uses; the qualification of the amendment to proceed without a public hearing before the Hearing Examiner; and the record of the prior DPA 07-2 having no public opposition.

Additionally the submittal letter indicates the applicant's intent to provide the new use as a "sit-down" restaurant to fit a recently determined need in the area.

The resulting multi-parcel total site development will be provided with seven (7) roadway access and egress locations. The staff Transportation analysis for the prior DPA 07-2, included with the November 19, 2007 report to the Planning Board, found no adverse impact on the roadway system.



As referenced in the Hearing Examiner's report for DPA 07-2, the site contains a comprehensive system of sidewalks providing pedestrian access among the various buildings and uses.

Staff recommends:

- For the subject Building 1, the Applicant should obtain community input regarding the type of restaurant to be provided;
- All Adequate Public Facilities (APF) requirements should be evaluated as having been met at time of the subsequent Preliminary Plan;
- Limiting the development area for the Amendment as proposed to: Building 1, parcel A-8, restaurant use - 4,320 square feet; Building 2, parcel A-4, office use - 24,000 square feet; and Building 3, parcel A-9, office use - 30,000 square feet.



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

July 6, 2009

**MEMORANDUM**

TO: Carlton Gilbert, Planner  
Development Review Division

VIA: Shahriar Etemadi, Supervisor *EA*  
Transportation Planning *for SE*

FROM: Ed Axler, Planner/Coordinator *EA*  
Transportation Planning

SUBJECT: Development Plan Amendment No. DPA-09-3  
Flower Hill, Parcel 31  
Montgomery Village/Airpark Policy Area

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This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject Development Plan Amendment (DPA) to shift from 12,000 square feet of general office space to 4,320 square feet of restaurant space in the Planned Neighborhood (P-N) zone.

In 1986, Preliminary Plan No. 1-85218 was approved by the Planning Board that created Parcel 31 and set an APF maximum square footage broken down by specific square footages of commercial land uses. In 2007, the Development Plan was amended as DPA-07-2 to add 66,000 square feet to previously-approved square footage that was found to have a "reasonable probable fruition" of satisfying an APF test at time of a future preliminary plan review. The subject DPA modifies the square footages of the addition land uses reviewed in 2007.

**RECOMMENDATIONS**

We recommend the following conditions as part of the APF review for transportation requirements related to the subject DPA case:

1. The development must be limited to a total of 58,320 additional square feet of new development of those commercial uses which would generate no greater than 126 additional new morning peak-hour vehicular trips and 148 additional new evening peak-hour vehicular trips within the weekday morning and evening peak periods. The additional new peak-hour trips were calculated based on the following land uses:
  - a. An additional 47,300 square feet of general office space.
  - b. An additional 3,500 square feet of health/fitness club space.
  - c. An additional 7,520 square feet of high-turnover restaurant use.

2. At the time of APF review, the Applicant must submit an updated traffic study reflecting current conditions to satisfy the County Council's Growth Policy that includes:
  - a. For Local Area Transportation Review (LATR), either confirm that the Critical Lane Volumes (CLV) values at nearby intersections remain lower than the appropriate congestion standard or identify mitigating actions.
  - b. For Policy Area Mobility Review (PAMR), mitigate the new peak-hour trips generated by the proposed additional development within the weekday morning and evening peak periods per the current Montgomery Village/Airpark Policy Area requirements.
3. At site plan review, the Applicant must show a detailed plan of the necessary lead-in sidewalks, internal sidewalks, pedestrian crosswalks, handicapped ramps, and pedestrian access in the southeast corner of the subject site.
4. The Applicant must provide inverted-U bike racks for customers and bike lockers in the parking garage for employees with the ultimate number and location to be determined at site plan review.
5. The Applicant's streetscape design along the Woodfield Road (MD 124) frontage must be consistent with the Maryland State Highway Administration (SHA) plans under design for Contract No. MO632A11 to reconstruct and widen Woodfield Road between Midcounty Highway and Warfield Road.

Transportation Planning staff find that the Applicant has a "reasonable probable fruition" of satisfying the APF test at a future preliminary plan review. The traffic impact by the proposed additional square footage should have no adverse impact on the safety and adequacy of the transportation system with the necessary infrastructure improvements required by the County, SHA, and the Montgomery County Planning Department staff.

## **DISCUSSION**

### **Site Location and Vehicular Access Points**

The subject site is located in the triangle formed by Washington Grove Lane, Flower Hill Way, and Woodfield Road. The proposed vehicular access points are as follows:

- a. Two existing access points and one new access point from Washington Grove Lane.
- b. One existing access point from Flower Hill Way.
- c. Two existing access points and one new access point from Woodfield Road.

### **On-Going Transportation Project**

SHA's Study No. MO632A11 is an on-going project to reconstruct and widen MD 124, Woodfield Road, for 6 lanes. The final plans are scheduled to be completed in December 2009,

for Phase II that includes the segment from Midcounty Highway to Snouffer School Road. The Planning Board commented on Mandatory Referral No. 06815-SHA-1 for this MD 124 project at its public hearing on February 15, 2007.

#### Available Transit Service

The subject site is served by four Ride-On routes that operate on the following adjacent roadways:

1. Ride-On route 57 runs along Washington Grove Lane, Flower Hill Way, Woodfield Road, and Muncaster Mill Road.
2. Ride-On routes 58 and 90 runs along Snouffer School Road and Muncaster Mill Road.
3. Ride-On route 60 runs along Washington Grove Lane and Flower Hill Way.

#### Pedestrian Facilities

Sidewalks exist along Woodfield Road and Flower Hill Road with handicapped ramps, pedestrian crosswalks, and pedestrian signals. As part of the previous DPA-07-2, the applicant's plan provided pedestrian improvements such as lead-in sidewalks and internal pedestrian path connections.

#### Master-Planned Roadways and Bikeway

In accordance with the *Gaithersburg Vicinity Master Plan*, the master-planned roadways are designated as follows:

1. Washington Grove Road is designated as a primary residential street, P-5, with a recommended 70-foot minimum right-of-way.
2. Woodfield Road (MD 124) is designated as a major highway, M-21, with a recommended 120-foot minimum right-of-way. In accordance with the *Countywide Bikeways Functional Master Plan*, Woodfield Road is designated with Dual Bikeways, DB-28.
3. Muncaster Mill Road (MD 115) is designated as an arterial, A-102, with a recommended 80-foot minimum right-of-way.
4. Snouffer School Road is designated as an arterial, A-18, with a recommended 80-foot minimum right-of-way.

Flower Hill Way is not listed in the *Master Plan*, but the segment fronting the subject site functions as a business district street with a 70-foot right-of-way.

Transportation Management Requirements

The subject site is located outside the boundary of the Greater Shady Grove Transportation Management District (TMD) and, thus, has no transportation management requirements.

Local Area Transportation Review

The table below shows that the number of new and total peak-hour trips generated by the previous-approved and proposed development plan amendments within the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.). The total trips include new, diverted, and pass-by trips. Pass-by and diverted trips refer to those trips that only stop at the subject site on the way from other origins or to other destinations.

Proposed Types of Land Use	Additional Square Feet	Additional Weekday Peak-Hour Vehicular Trips			
		Morning		Evening	
		New	Total	New	Total
<b>Additional Land Uses by the Previously-Approved DPA-07-2</b>					
General Office Use	59,300	93	93	105	105
Health/Fitness Club	3,500	5	5	12	12
High Turnover Restaurant	3,200	21	37	20	36
<b>Total Additional Square Feet and Trips</b>	<b>66,000</b>	<b>119</b>	<b>135</b>	<b>117</b>	<b>152</b>
<b>Changes in the Additional Land Use by the Proposed DPA-09-3</b>					
General Office Use	47,300	72	72	88	88
Health/Fitness Club	3,500	5	5	12	12
High Turnover Restaurant	7,520	49	87	48	84
<b>Total Additional Square Feet and Trips</b>	<b>58,320</b>	<b>126</b>	<b>164</b>	<b>148</b>	<b>184</b>
<b>Difference between Previously-Approved DPA and Proposed DPA</b>	<b>-7,680</b>	<b>+7</b>	<b>+29</b>	<b>+31</b>	<b>+32</b>

A traffic study was submitted for the previous-approved DPA-07-2 in 2007 to meet the LATR requirements because the existing and proposed additional land uses generate 30 or more peak-hour trips during the weekday morning and evening peak hours. Based on the 2007 traffic study, the Critical Lane Volumes (CLV) values at the nearby analyzed intersections are shown on the attached table. At the two intersections with the highest CLV values in the total traffic condition over 1,400, a current CLV values based on 2009 traffic counts are compared with the CLV in 2007 below:

Intersection	Congestion Standard	Weekday Peak Hour	Existing Traffic Condition		
			2007	2009	Difference
Woodfield Road and Muncaster Mill Road-Snouffer School Road	Derwood 1,475	Morning	1,086	1333	+247
		Evening*	1,347	1017	-330
Washington Grove Lane and Midcounty Highway	Derwood 1,475	Morning*	1,436	1026	-410
		Evening	1,099	1241	+142

\*This CLV value in the total traffic condition in 2007 was calculated as being over 1,400.

The two CLV values in the 2007 total traffic condition should be lower in 2009, because the 2009 CLV values in the existing traffic condition are less the 2007 values. Thus, there is a reasonable probable fruition that no intersection improvements should be required at these analyzed intersections based on the 2007 and 2009 traffic data.

### Policy Area Mobility Review

Under the current *Growth Policy* for an APF review after July 1, 2009 the Applicant would be required to satisfy Policy Area Mobility Review (PAMR) by mitigating 7 (or 5% of 148) new peak-hour trips generated by the proposed additional commercial development in the Montgomery Village/Airpark Policy. Non-automobile transportation improvements are available in the Montgomery Village/Airpark Policy to mitigate these seven new trips. Thus, there is a “reasonable probable fruition” that this development could satisfy the PAMR test at the time of the future preliminary plan’s APF test.

EA: tc  
Attachment

cc: Debra Borden – Linowes & Blocher  
Sue Edwards

Attached Table: CLV values based on the Results from 2007 Traffic Study

Analyzed Intersections	Weekday Peak Hour	Congestion Standard	Traffic Condition		
			Existing	Background	Traffic
Snouffer School Road and Mooney Drive	Morning	Montgomery Village/Airpark 1,425	866	890	895
	Evening		854	903	908
Woodfield Road and Lindbergh Dive (South)	Morning	Montgomery Village/Airpark 1,425	579	601	603
	Evening		703	726	729
Woodfield Road and Site Access (North)	Morning	Montgomery Village/Airpark 1,425	886	964	1,006
	Evening		991	1,061	1,115
Woodfield Road and Site Access (South)	Morning	Montgomery Village/Airpark 1,425	861	917	939
	Evening		959	1,016	1,046
Woodfield Road and Flower Hill Way	Morning	Montgomery Village/Airpark 1,425	1,060	1,131	1,159
	Evening		1,133	1,235	1,260
Woodfield Road and Emory Grove Road	Morning	Montgomery Village/Airpark 1,425	907	922	927
	Evening		939	991	1,004
Woodfield Road and Midcounty Highway	Morning	Montgomery Village/Airpark 1,425	932	942	946
	Evening		1,095	1,138	1,148
Flower Hill Way and Site Access	Morning	Montgomery Village/Airpark 1,425	363	364	374
	Evening		566	571	583
Woodfield Road and Muncaster Mill Road-Snouffer School Road	Morning	Derwood 1,475	1,086	1,122	1,141
	Evening		1,347	1,416	<b>1,423</b>
Muncaster Mill Road and Shady Grove Road-Airpark Road	Morning	Derwood 1,475	1,262	1,294	1,294
	Evening		1,259	1,272	1,278
Washington Grove Lane and Site Access	Morning	Derwood 1,475 (1,500)	42	42	83
	Evening		68	68	110
Washington Grove Lane and Emory Grove Road	Morning	Derwood 1,475	558	558	604
	Evening		520	526	550
Washington Grove Lane and Midcounty Highway	Morning	Derwood 1,475	1,436	1,436	<b>1,469</b>
	Evening		1,099	1,099	1,128



**THE MARYLAND-NATIONAL CAPITAL PARK AND  
PLANNING COMMISSION**

Planning Department, Montgomery County, Maryland  
8787 Georgia Avenue, Silver Spring, Maryland 20910

**MEMORANDUM**

TO: Carlton Gilbert, Development Review

VIA: Mark Pfefferle, Acting Chief, Environmental Planning *MP*

FROM: Doug Johnsen, RLA; Planner Coordinator, Environmental Planning *dj*

DATE: July 13, 2009

SUBJECT: Development Plan Amendment 200903  
Flower Hill, Parcels A-3, A-4, A-8, A-9 and A-10

**RECOMMENDATION**

Environmental Planning recommends approval of development plan amendment 200903.

**BACKGROUND**

The 14.6-acre property, zoned PNZ, is located at the southwest corner of the intersection of Woodfield Road (MD 124) and Muncaster Mill Road (MD 115). The project site is bounded by Woodfield Road on the north, Muncaster Mill Road on the east, Washington Grove Road on the south and Flower Hill Way on the west. Currently, there are existing commercial structures located on all parcels with the exception of parcel A-9 which is an open grassed area.

**Environmental Buffers**

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) 420070130 was approved by Environmental Planning staff on August 15, 2006 and recertified on February 17, 2009. There are no existing forests, streams, wetlands or floodplains on the site.

**Forest Conservation**

A forest conservation plan exemption was issued because this is a modification to an existing developed property with no more than a total of 5,000 square feet of forest cleared; no forest clearing within a stream buffer or on property subject to Special Protection Area/Water Quality Plan requirements; and does not require a new subdivision plan. A limited amended subdivision plan is required, but this does not change the forest conservation plan exemption. There are three specimen trees off-site, but construction on the subject site will not impact these trees. No tree save plan is required.





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

**MEMORANDUM**

Date: July 1, 2009

To: Carlton Gilbert, Master Planner  
Community Based Planning Division

From: Patrick Butler, Planner P.B.  
Development Review Division

Subject: Zoning Application No. DPA-09-3

Prior to the release of any building permit, the Applicant is required to submit an amendment to the previously approved Preliminary Plan Application pursuant to Chapter 50, the Subdivision Regulations. Any change to the boundary of an existing Parcel will require a plat to be recorded in the land records pursuant to Chapter 50 of the Subdivision Regulations.

PARKING ANALYSIS (PARCELS A-3 THRU A-9)

9/24/2007 (REV. 12-11-07) (REV. 12-10-09)

PARCEL NO. AS SHOWN ON PLAT	Existing Parking Spaces - Pre-Developed Conditions	PARKING REQUIRED ANALYSIS				Total Parking Required w/o Mixed-Use Reduction	Parking Provided w/ Mixed-Use Reduction	Additional Parking Required for Addition at GFA only	ADDITIONAL GFA BREAKDOWN (SF)				EXISTING GFA BREAKDOWN (SF)				Surplus Parking Analysis - Existing				
		Parking Required w/o Mixed-Use Reduction (Office, Medical, & Health Club)	Parking Required w/o Mixed-Use Reduction (Retail)	Parking Required w/o Mixed-Use Reduction (Restaurant)	Total Parking Required w/o Mixed-Use Reduction				Total Additional GFA on Parcels A-3, A-4, A-8 & A-9 (SF)	Additional Office GFA on Parcels A-3 & A-4 (SF)	Additional Retail GFA on Parcels A-4 & A-9 (SF)	Additional Restaurant on Parcel A-8 w/ 3,000 SF of Patron Area (SF)	Additional Health Club on Parcel A-9 (GFA)	Existing GFA on Parcels A-3 (SF)	Existing Medical - Two Practitioners on Parcel A-3 (SF)	Existing Restaurant w/ Patron Areas of 1,199 SF on Parcel A-4 (SF)		Total Existing GFA			
A-3	82	40	0	0	40	82	0	0	0	0	0	0	0	0	12,800	3,200	0	0	16,000	40	42
A-4	196	282	0	0	282	209	102	24,000	24,000	0	0	0	0	0	60,000	0	0	0	60,000	190	16
A-8	60	0	12	75	87	38	0	7,320	4,320	0	3,000	0	0	0	0	0	2,396	2,396	4,792	42	18
A-9	0	113	0	0	113	148	113	30,500	16,000	0	0	0	14,500	0	0	0	0	0	14,500	0	0
<b>Total</b>	<b>338</b>	<b>436</b>	<b>12</b>	<b>75</b>	<b>523</b>	<b>477</b>	<b>215</b>	<b>61,820</b>	<b>44,320</b>	<b>0</b>	<b>3,000</b>	<b>14,500</b>	<b>0</b>	<b>72,800</b>	<b>3,200</b>	<b>2,396</b>	<b>2,396</b>	<b>80,792</b>	<b>262</b>	<b>243</b>	<b>95</b>

Total Parking Required = 523 spaces (See Mixed-Use Reduction Analysis)  
 Total Parking Provided = 504 spaces

- Notes:
1. Required parking analysis shown is based on office use for Parcel A-4. Health Club use is to be at Parcel A-9.
  2. The development plan amendment is limited to four recorded parcels - part of Master Plan Parcel 31.
  3. Parcels A-5, A-6, & A-7 (part of Master Plan Parcel 31) are not a part of the proposed amendment and are not included here, except for parking analysis.
  4. Parcel A-10 is a common parcel for internal access drive only. No any building area is not included here.
  5. See Mixed-Use Reduction Parking Analysis for Parking Required under Developed & Existing Conditions.

**MIXED USE PARKING REDUCTION ANALYSIS**      5-May-05  
**FLOWER HILL PARCELS A-3 Thru A-9**      (Rev. 7-11-05)  
 (Developed Conditions)      (Rev. 9-24-07)  
 (Rev. 12-10-08)

No. Use	Parking 100%	Weekday		Weekend		Night Time					
		Daytime	Evening	Daytime	Evening	Daytime	Evening				
1 Office	440.7	100%	10%	44.1	10%	2.1	5%	1.1	5%	1.1	
2 Retail	12.0	60%	90%	10.8	100%	12	70%	8.4	5%	0.6	
3 Auto	23.0	100%	100%	20.7	100%	23	100%	16.1	100%	1.15	
4 Restaurant	123.0	50%	100%	123	100%	123	100%	123	10%	12.3	
<b>Total</b>	<b>598.7</b>			<b>523.2</b>		<b>198.6</b>		<b>160.1</b>		<b>148.6</b>	<b>15.2</b>

Total Parking Required w/ Mixed Use Reduction = 523 Spaces  
 Total Parking Provided = 604 Spaces