



**Cabin Branch – Gosnell 1, Site Plan Amendment No. 82006024A including Final Water Quality Plan**

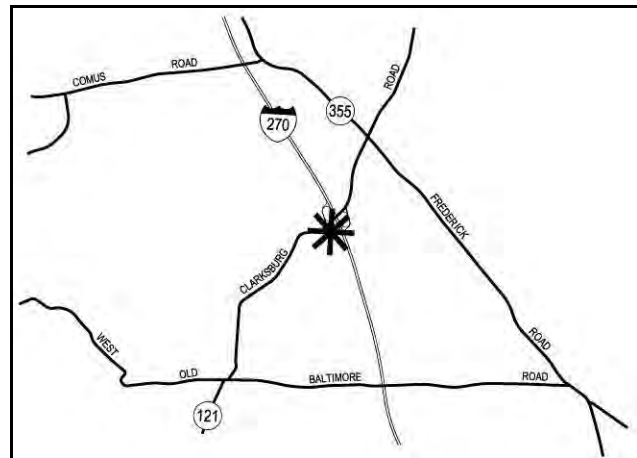
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**Description**

Staff Report Date: 8/24/18

Amendment to allow up to 76,880 square feet of employment and up to 19,220 square feet of permitted restaurant, retail or vehicle service uses including modifications to site circulation and building design and layout. The site is 7.24 acres in the CRT-0.5, C-0.25, R-0.25, H-130 (reviewed under MXPD zone in effect prior to October 29, 2014); located along Clarksburg Road (MD 121), approximately 0.30 miles west of the intersection with I-270, within the Cabin Branch Community

- *1994 Clarksburg Master Plan & Hyattstown Special Study Area*
- Applicants: Cabin Branch, East LLC and Cabin Branch, West LLC;
- Acceptance Date: November 2, 2017
- Review Basis: Section 59-D-3.7 of 2004 Zoning Ordinance.



**Summary**

- Staff recommends approval of the Site Plan Amendment with conditions.
- This Application is being reviewed under the MXPD Zone development standards in effect on October 29, 2014, as permitted under Section 59.7.7.1.B.3 of the Zoning Ordinance.
- The previous uses retained in this Amendment continued to be permitted in the CRT zone while the new uses are either permitted or allowed as limited uses in the CRT zone.
- A Preliminary Plan Amendment is not required because trips generated by the proposed uses do not exceed those included within the current valid Adequate Public Facilities finding for transportation.
- As of the date of this staff report, Staff has not received any correspondence regarding this Amendment.

## SECTION 1: RECOMMENDATION AND CONDITIONS

Staff recommends approval of Site Plan Amendment No. 82006024A, Cabin Branch Gosnell 1, for the construction of 19,220 square feet of retail uses and 76,880 square feet of employment uses. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required.

The development must also comply with the following:

- All binding elements of County Council Resolution No. 17-1002 approving Development Plan Amendment DPA 13-02 dated February 4, 2014.
- The conditions of approval for Preliminary Plan No. 12003110C as listed in MCPB Resolution No. 14-111 dated December 23, 2014.
- The conditions of approval of Infrastructure Site Plan No. 820050150 as set forth in MCPB Resolution No. 07-131, and as amended by:
  - a. Site Plan No. 82005015A as set forth in MCPB Resolution No. 08-68,
  - b. Site Plan No. 82005015B as set forth in MCPB Resolution No. 11-124 [Appendix A], and
  - c. Administrative Site Plan Amendment No. 82005015C approved on November 27, 2012.

These conditions are intended to replace and supersede all conditions approved by Site Plan No. 820060240.

1. Cabin Branch Design Guidelines for Site Plan Review
  - a. The development must comply with the Cabin Branch Design Guidelines for Site Plan Review (“Design Guidelines”) dated March 2, 2018.
  - b. The Applicant must submit to the M-NCPPC Staff with building permit applications for each phase of the development program, an approval from the Town Architect stating that the approved buildings within that phase are in conformance with specifications of the Design Guidelines.
  - c. The Planning Board accepts the recommendations of the Cabin Branch Town Architect in its letter dated June 12, 2018, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the Town Architect may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.
2. Density

This development is limited to up to 96,100 square feet of commercial uses, including up to 76,880 square feet of employment uses and up to 19,220 square feet of permitted restaurant, retail or vehicle service uses.
3. Forest Conservation

Revisions to Sheets 1, 6 and 10 of the Final Forest Conservation Plan (FFCP) subject to the following conditions:

  - a. The Applicant must comply with the Planning Board conditions of approval for Forest Conservation Plan #820050150 dated June 14, 2007, with amendments, to reflect approval of the Final Forest Conservation Plan for Site Plan Amendment No. 82006024A.

- b. All other prior approvals and conditions from Site Plan No. 820060240 related to environmental and water quality issues remain in full force and effect.
- 4. Water Quality  
The Applicant must amend the Special Protection Area water quality plan approval for Infrastructure Site Plan No. 820050150 with amendments to incorporate revisions contained in Department of Permitting Services approval letter for Site Plan Amendment No. 82006024A dated May 21, 2018.
- 5. Site Design
  - a. The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on all submitted architectural drawings, as determined by M-NCPPC Staff.
- 6. Stormwater Management  
The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (MCDPS) - Water Resources Section in its combined final water quality plan/site development stormwater management plan letter dated May 21, 2018, and hereby incorporates them as conditions of approval for this Site Plan. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of the Site Plan approval. MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.
- 7. Green Open Space  
The Applicant must provide a minimum of 2.40 acres of green area (40% of net lot area) on-site.
- 8. Landscaping
  - a. The Applicant must install the site elements as shown on the landscape plans submitted to M-NCPPC or approved equivalent.
  - b. The Applicant must install the plantings shown on the landscape plans submitted to M-NCPPC. Any variation in plant species or quantity needs approval of M-NCPPC Staff.
- 9. Lighting
  - a. Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
  - b. All onsite down-lights must have full cut-off fixtures.
  - c. Deflectors will be installed on all fixtures to prevent excess illumination and glare.
  - d. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.
  - e. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

10. Transportation

- a. To address the requirements in the Development Plan and Preliminary Plan to determine trip reduction measures, before the release of any building permit, the Applicant must:
  - i. Modify the Cabin Branch intranet website with updated links and relevant transit information within the area. The Applicant must provide a plan to M-NCPPC and Montgomery County Department of Transportation (MCDOT) to advertise this website and information to employees at Cabin Branch.
  - ii. Provide M-NCPPC and MCDOT with a plan to show how the employers will facilitate carpool and vanpool matching for employees at the Cabin Branch site if a single employment use has more than 20 employees.
- b. The Applicant must construct all sidewalks, both on and adjacent to Subject Property, to applicable ADA standards. Before the release of bond or surety, the Applicant must provide DPS Zone and Site Plan Enforcement Staff with certification from a licensed civil engineer that all sidewalks have been built to the above standards.

11. Pedestrian & Bicycle Circulation

The Applicant must provide 14 short-term bicycle parking spaces.

12. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to railing, bike racks, trash enclosures, lattice screening, retaining walls, and benches.

13. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 [59-D-3.5(d)] of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, site furniture, bike racks, trash enclosures, retaining walls, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, and storm drainage facilities. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

14. Fire and Rescue

The Planning Board accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated April 3, 2018, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set

forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Preliminary Plan approval.

15. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan including:

- a. Before the issuance of Use and Occupancy Certificates for the Coffee Shop (identified on the Site Plan Amendment as “Starbucks”), the plaza and associated amenities between the proposed building and Clarksburg Road (MD121) on the Subject Property must be completed.
- b. Before the issuance of Use and Occupancy Certificates for the Hotel (identified on the Site Plan Amendment as “5 STORY HOTEL”), the plaza and associated amenities between the proposed hotel and drug store (MD121) must be completed.

16. Certified Site Plan

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

- a. Include the stormwater management concept approval letter, development program, and Site Plan Resolution on the approval or cover sheet(s).
- b. Correctly label the line type for curbs outside the site (for Whelan Lane and Old & New Clarksburg Road) is in the legend and in the site vicinity information.
- c. Dimension the width (8.5-foot min. wide) of non-ADA handicap spaces near hotel entrance.
- d. Add FAR calculation to the data table.
- e. Remove footnote #8 from the data table.
- f. An architectural sheet for each structure must include an Elevation Finish Schedule to include the finish material, manufacturer, and color. This Elevation Finish Schedule must include a footnote stating “All materials are subject to “Or staff approved equivalent” products as proposed by owner.”
- g. Relocate the motorcycle parking spaces to the vehicle parking spaces on the opposite side of the parking lot drive aisle in order to make room for a WSSC remote sensor structure as well as make appropriate adjustments to landscaping in this vicinity.

## SECTION 2: SITE DESCRIPTION

### Site Vicinity

The Cabin Branch Community is located in the northwest quadrant of the intersection of I-270 and West Old Baltimore Road. The entire tract of land (535.50 acres) is bounded by I-270 in the east, West Old Baltimore Road to the south, and Clarksburg Road (MD121) to the north and west. Along West Old Baltimore Road, there are a number of existing one-family detached homes, primarily on the north side, as well as the entrance to Black Hill Regional Park via Lake Ridge Drive, near the intersection with I-270.

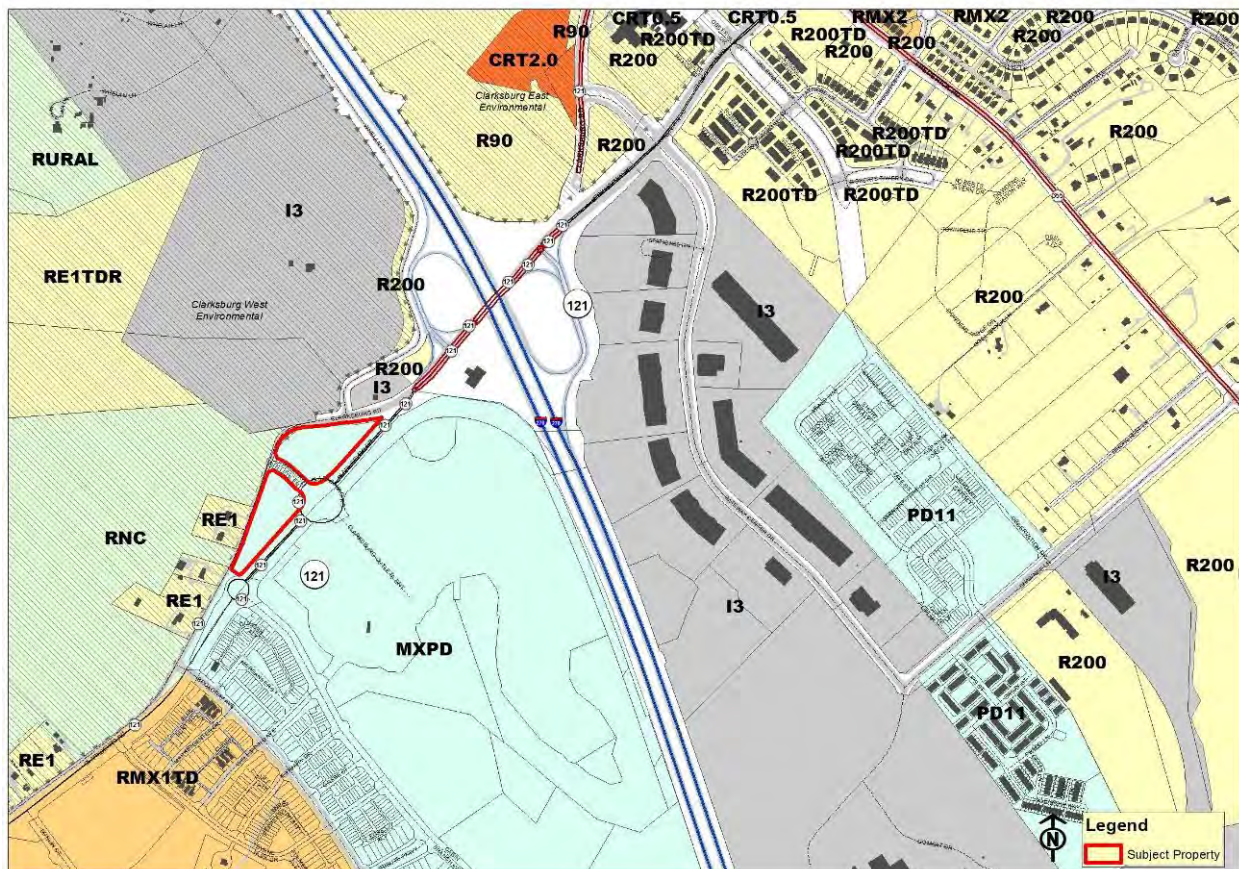


Figure 1 – Vicinity

There are also numerous one-family detached homes fronting Clarksburg Road surrounded by working farms, such as the King property and the Linthicum property. To the east of I-270 are the Gateway 270 West Business Center, Comcast, Little Bennett Regional Park, and the Clarksburg Town Center. Clarksburg Road and West Old Baltimore Road connect with Frederick Road (MD355), which runs generally parallel to I-270 to the east. Ten Mile Creek, a Class IV stream to the west of the Subject Property, flows south into Little Seneca Lake, which is surrounded by Black Hills Regional Park. Ten Mile Stream Valley Park is also located to the west along the north side of West Old Baltimore Road.



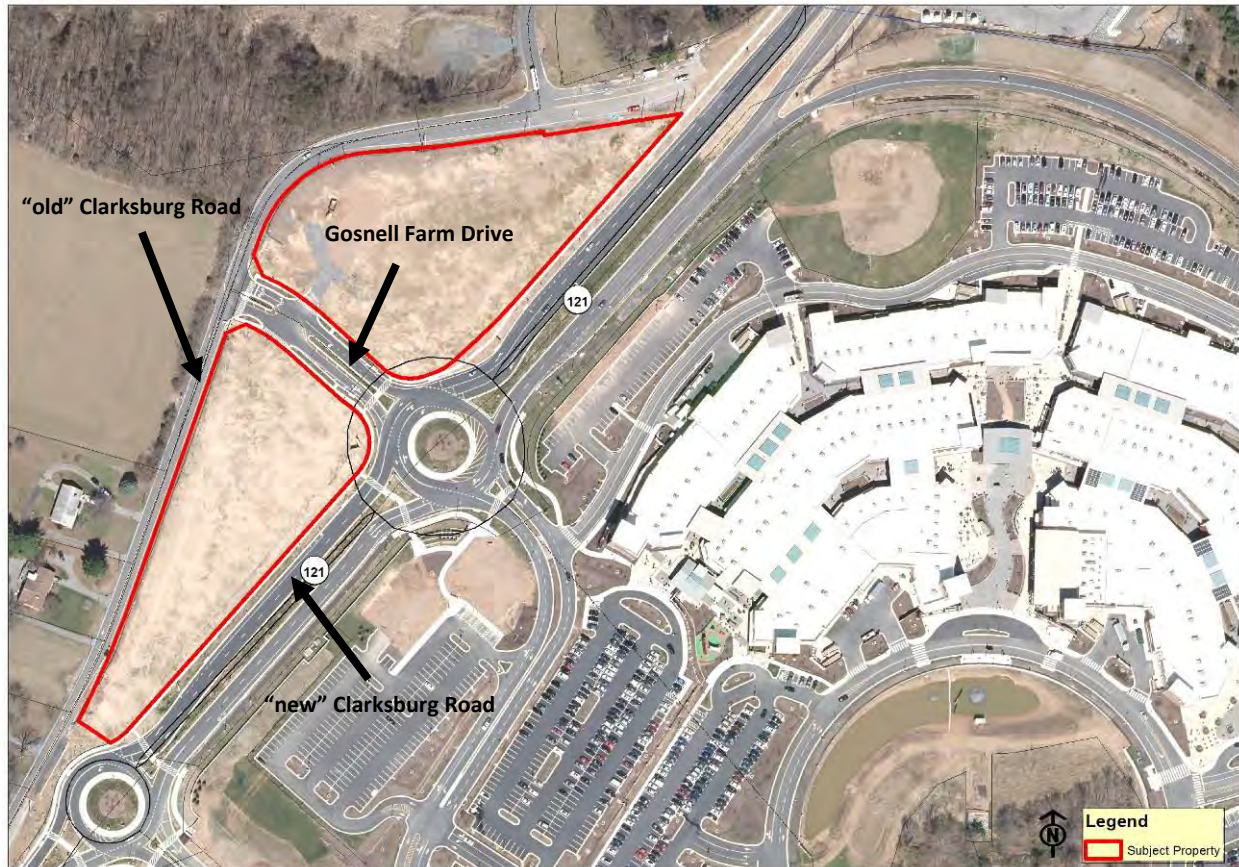


Figure 2 – Aerial

### Site Analysis

The property is 7.24 acres located approximately 0.30 miles southwest of I-270, 1.5 miles from Little Bennett Regional Park and Clarksburg Town Center; and directly north of West Old Baltimore ("Subject Property" or "Property"). The Subject Property is directly across the realigned Clarksburg Road (MD121) from the Clarksburg Premium Outlets. A portion of the Cabin Branch Community was rezoned from I-3 to MXPB in 2003. The surrounding properties immediately adjacent to the Subject Property are primarily zoned RNC, RE-1, EOF-0.75, and CRT-0.5, C-0.25, R-0.25, H-130 under current zoning ordinance. Clarksburg Road (old alignment) separates the Subject Property from existing residential properties

The Subject Property is wedged between the old Clarksburg Road and the recently constructed and realigned "new" MD121. The Subject Property is further bifurcated into eastern and western tracts with the construction of Gosnell Farm Drive. An existing retaining wall on the rear of the Subject Property allows the lowering of the elevation between the Subject Property and "old" Clarksburg Road. All of the surrounding public roads have been constructed. The Subject Property is undeveloped but completely cleared for future development. The Subject Property is located in the Clarksburg Special Protection Area but has no significant environmental features and has already been rough graded.

## SECTION 3: PROJECT DESCRIPTION

### **Previous Approvals**

A fully history of previous approvals is available in Attachment 5. The most applicable previous approvals are provided below:

#### Zoning/Development Plan (G-806)

The MXPDP zoning request and Development Plan application in effect prior to October 29, 2014 set forth the total non-residential square footage, the maximum number of dwelling units, the location of streets and open spaces, and the overall concept of a mixed-use community. The land use plan portion of the Development Plan application reflects a wide range of potential uses, densities, and building heights within each of the four development areas, indicating specific uses, building locations and configurations. The Development Plan included nine binding elements related to TDRs, MPDUs, trip reduction measures, total number of units and non-residential square footage. The zoning case left final design considerations, including locations and configuration, to be determined during site plan review.

#### Preliminary Plan (No. 120031100, 12003110A, 12003110B, and 12003110C)

The preliminary plans established the maximum densities permitted and the adequate public facilities for the entire Cabin Branch community. The required densities for the residential and non-residential development were modified with the approval of the first amendment (Phase 1). Construction phasing for the Development Program was established, based upon key transportation improvements. Phase I permitted the construction of 85% of the maximum density, Phase II added the remaining 15% as approved by the Development Plan.

#### Infrastructure and Road Only Site Plan (No. 820050150)

An Infrastructure Plan was established to guide future development, identify primary site features (such as stormwater management facilities) that would be integral to the plan, and set the framework for construction and phasing of the roads. An amendment was filed on August 17, 2007 in accordance with the original approval that specifically relates to the improvements along West Old Baltimore Road. This amendment was approved by the Planning Board on April 3, 2008 concurrently with an amended preliminary plan and mandatory referral for the water tower on the Subject Property. The modifications were directly related to the design standards for West Old Baltimore Road, especially as they relate to the surrounding properties directly affected by the improvement and to the remaining Cabin Branch Neighborhood.

#### Site Plan No. 820060240

On September 29, 2010, the Planning Board approved "Gosnell Property" by Resolution MCPB No. 10-118 for Site Plan No. 820060240 for 87,500 square feet of employment uses (hotel and two banks), 8,600 square feet of highway/auto-related retail uses (car wash, gas station, and convenience store), and parking waivers.

### **Proposal**

This application proposes to modify the previous site plan approvals by increasing the restaurant, retail or vehicle service use from 8,600 square feet to 19,220 square feet by replacing previously shown banks, gas station/carwash, and a restaurant with a new collection of restaurant, retail, and vehicle service uses to include a gas station/convenience store, wine store, coffee shop, automobile service, ATM kiosk, and drug store. In addition, the amendment includes a decrease in employment use (hotel) from 87,500 square feet to 76,880 square feet ("Application" or "Site Plan Amendment").



The Applicant requests the following revisions to the approved Site Plan:

1. Modify the proposed uses by replacing two banks, gas station/carwash, and a restaurant in Site Plan No. 820060240 with a gas station/convenience store, wine store, coffee shop (with Drive-Thru), automobile service, ATM kiosk, and drug store (with Drive-Thru).
2. Increase the amount of retail square footage from 8,600 square feet to 19,220 square feet.
3. Decrease the amount of employment square footage from 87,500 square feet to 76,880 square feet.
4. The total commercial square footage from remains unchanged.
5. Make modifications to landscaping, building orientation, parking, and architecture to account for the changes in use and square footage.

A new retaining wall is proposed along the Subject Property frontage along “new” Clarksburg Road (MD121) in order to make the grading on the Subject Property function properly. To the northwest, the retaining wall has a maximum height of approximately three feet and is heavily buffered along the street edge and accommodates the significant grading necessary for the Subject Property to be developed. To the southeast, the retaining wall has a maximum height of four feet and acts in combination with the proposed landscaping to buffer the surface parking from the street frontage.



*Figure 3 – Streetview Rendering*

The proposed buildings on west side are setback approximately 12 feet from the southwest retaining wall with the exception of the proposed coffee shop which is setback 39 feet. On the east side, the drug store is setback approximately 75 feet from the retaining wall while the hotel is setback approximately 16 feet. Lush plantings are proposed between the buildings and the retaining wall, especially around the traffic circle on “new” Clarksburg Road, to further emphasize the street edge and frame major views into the Subject Property.

### Parking Layout and Circulation

The proposed streetscape along “new” Clarksburg Road is intended to provide a street character for the northern entrance to the Cabin Branch Community. The proposed retail and employment uses are auto dependent. However, pedestrian crosswalks are located at all major intersections. Vehicular patrons will primarily enter the Subject Property from Gosnell Farm Drive. Gosnell Farm Drive is a 4-lane roadway bisected by a median. Vehicles will use the driveways on each side of Gosnell Farm Drive to access each portion of the Subject Property. A pedestrian system provides the Subject Property with entry points specifically highlighted by openings in the retaining walls to access stairwells and open space plazas.



Figure 4 – Site Plan Rendering – West Side





Figure 5 – Site Plan Rendering – East Side



Figure 6 – Proposed Site Plan Amendment- Architectural Elevations for Hotel, northwest elevation



Figure 7 – Proposed Site Plan Amendment- Architectural Elevations for Hotel, southeast elevation

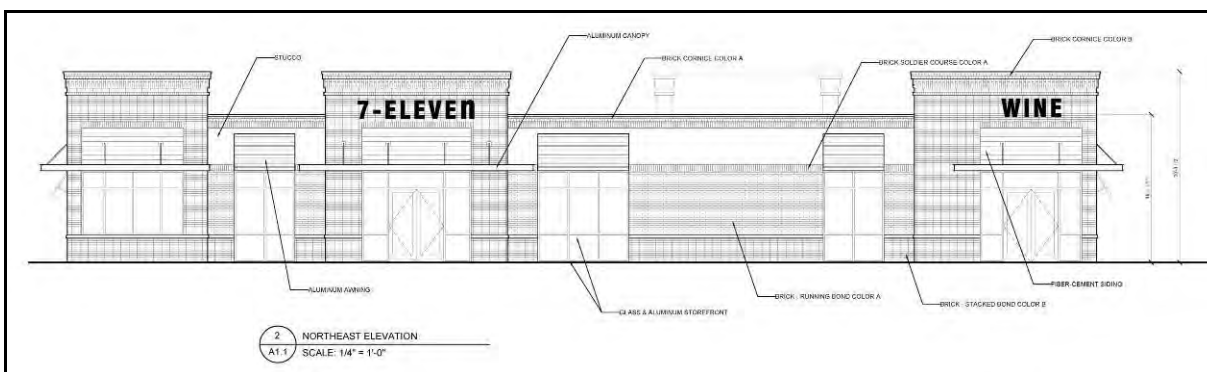
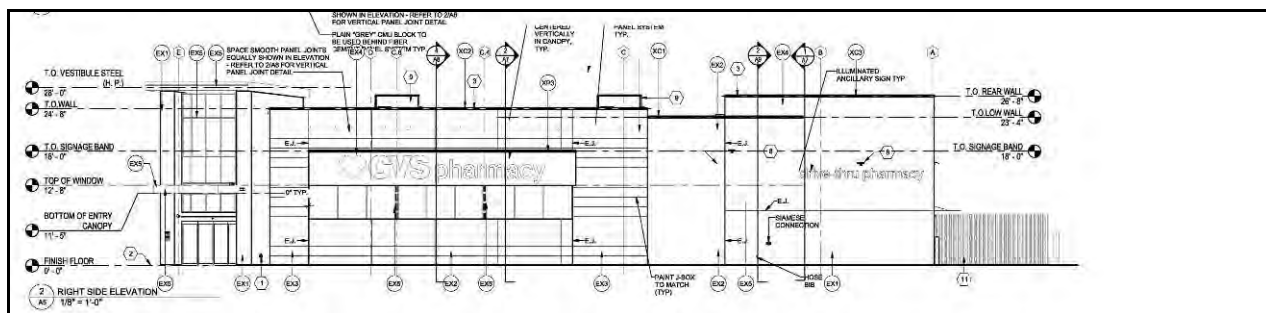




Figure 10 – Proposed Site Plan Amendment- Architectural Elevations for Gas Station/Convenience Store, Southwest, Northwest, and Southeast Elevations

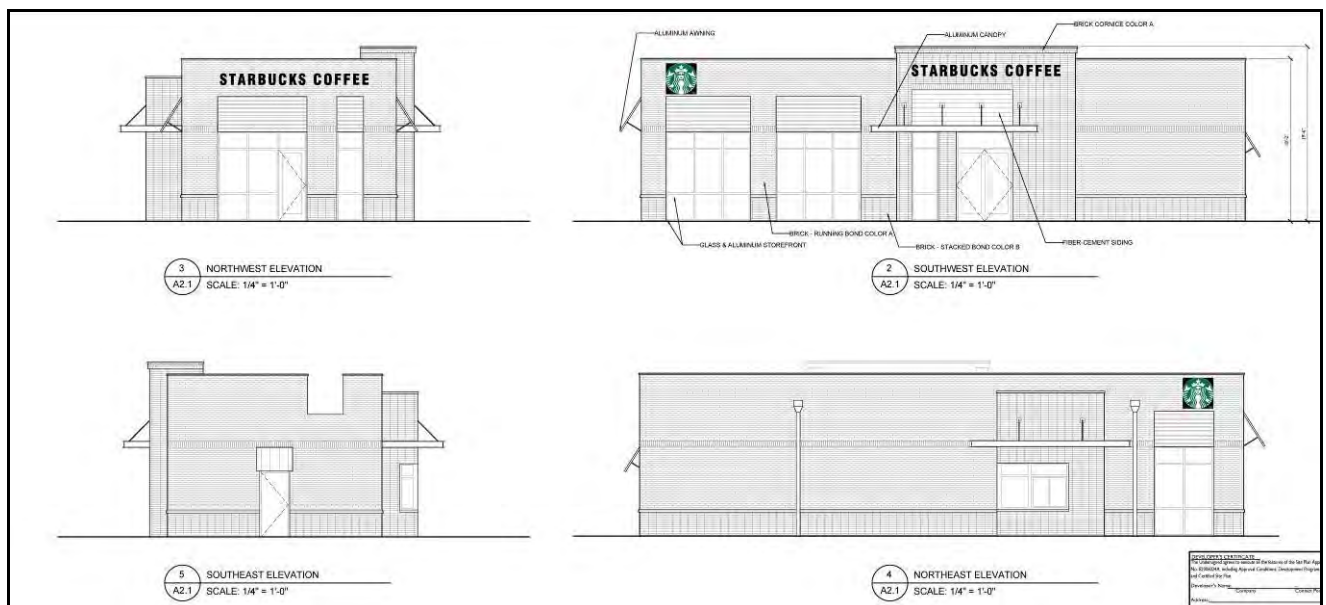


Figure 11 – Proposed Site Plan Amendment - Architectural Elevation for Proposed Coffee Shop



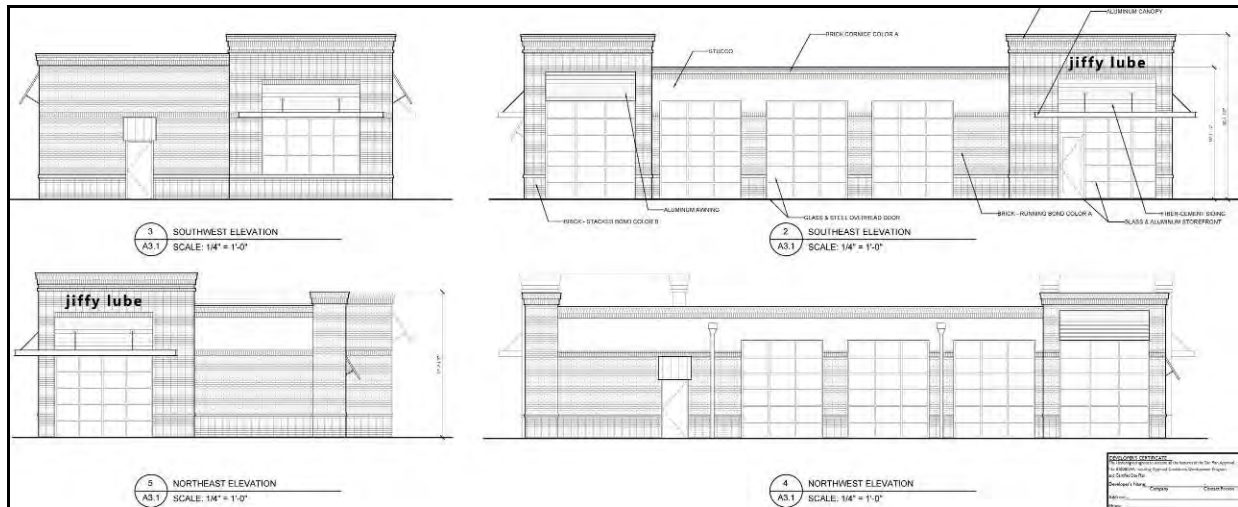


Figure 12 – Proposed Site Plan Amendment- Architectural Elevation for Automobile Service, All Sides

### Transportation

The main vehicular entrance to the two halves of the site is located off of Gosnell Farm Drive, classified as a Commercial/Industrial Road in MCDOT's Road Code Standards, with two travel lanes in each direction divided by a median. This road provides access between "new" Clarksburg Road, and therefore by extension I-270, and "old" Clarksburg Road. Internal driveways provide access within either half of the site.

A shared use path is located on the east side of "new" Clarksburg Road, providing both pedestrian and bicycle access within the area. Sidewalks along both "new" Clarksburg Road, both sides of Gosnell Farm Drive, and within the site provide ample access and circulation for pedestrians. The site is also served by RideOn route 75, while routes 73 and 79 stop within a 15-minute walk of the site. Also, two of the three alternatives for the MD 355 Bus Rapid Transit (BRT) project under study now are slated to end at the Clarksburg Outlets, across the street from the site.

Trip reduction measures are a binding element of the Development Plan and a condition of the Preliminary Plan to which this project is subject. Therefore, Staff is recommending a condition to require the developer to enter into trip reduction measures that are similar to other phases of the project, such as Winchester I (820060290).

While the proposed development mix of this Site Plan Amendment increases the number of PM peak hour vehicular trips above those set aside and approved with the original Site Plan (a reduction in employment uses and an increase in retail uses generates more evening peak hour trips), the overall Cabin Branch project as proposed and built does not exceed the number of trips approved under Preliminary Plan 12003110B (Table 1). Although there is a Preliminary Plan C (12003110C) associated with the Cabin Branch project that included the conversion of a portion of the office development to the outlet retail use and was approved based on the justification that this new proposal reduced trips below those levels approved with Preliminary Plan B, the total amount of approved development and trips was not reduced in the resolution. Therefore, the Applicant is free to build up to the uses/density and trips approved under Preliminary Plan B, and this Site Plan Amendment with proposed other uses on the remainder of Cabin Branch remain within the approved trip threshold.

**Table 1 – Trip Generation**

Row	Development Program	AM Peak Hours			PM Peak Hour		
		In	Out	Total	In	Out	Total
1	Preliminary Plan 12003110B	2,451	1,220	3,671	1,386	2,577	3,963
2	<i>Preliminary Plan 12003110C (not binding)</i>	<i>2,148</i>	<i>1,060</i>	<i>3,208</i>	<i>1,241</i>	<i>2,210</i>	<i>3,451</i>
3	Site Plan 82006024A with development from 12003110C	2,156	1,067	3,224	1,280	2,244	3,523
4	Net Difference (1-3)	-295	-153	-448	-106	-333	-440

#### SECTION 4: ANALYSIS AND FINDINGS

Section 7.7.1.B.3.a. of the Zoning Ordinance allows for an Applicant to amend any previously approved application under the development standards and procedures of the property's zoning on October 29, 2014, if the amendment: (i) does not increase the approved density or building height unless allowed under Section 7.7.1.C; and (ii) either: (a) retains at least the approved setback from property in a Residential Detached zone that is vacant or improved with a Single-Unit Living use; or (b) satisfies the setback required by its zoning on the date the Amendment or the permit is submitted; and (iii) does not increase the tract area.

The Application complies with this section and accordingly, the Applicant seeks to amend the Site Plan approval under the standards of Section 59-C-2.42 of the Zoning Ordinance in effect on October 29, 2014. The Site Plan Amendment does not exceed the height limits and density allowed under the previously applicable MXPD Zone, nor does it exceed any setbacks required by zoning. The Amendment does not conflict with any conditions of approval and does not alter the intent, objectives, or requirements in the originally approved Site Plan.

#### Findings

Section 59-D-3.4 establishes the findings required for approval of a site plan application under the Zoning Ordinance that was in effect on October 29, 2014. As set forth below, the Amendment satisfies each of these requirements:

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.*

The Development Plan (G-806) for the Cabin Branch Neighborhood (adopted September 9, 2003) established nine (9) binding elements for the entire community. As discussed below, this site specifically conforms to the following three (3) binding elements: trip reduction measures,

street networks, and street character. The remaining six (6) elements are not applicable to the Subject Property because they are focused on other sections of the overall Cabin Branch project (See Binding Element in Attachment 4).

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan Amendment meets all the requirements of the MXPDP zone, which was the zone in place at the time of the original approval. Consistent with the grandfathering provisions of Section 7.7.1.B.3.a, this Amendment is being reviewed under the MXPDP Zone for site design. Any newly purposed uses are not covered under the grandfathering provisions in Section 7.7.1.A.2.a. While the filling station use requires a conditional use permit in the CRT zone, the original site plan had also had a filling station which was permitted under Section 59-C-7.52.b (zoning ordinance in effect on October 29, 2014) which allowed for all permitting and special exception uses allowed in the C-2 and H-M zones to be allowed in the MXPDP zone. Because the filling station is not a new use on this Application, the filling station use continues to be allowed as a permitted use.

Two types of other uses proposed in the Application are new. First, the quick lube which is classified as Vehicle Service – Repair (Minor) under Section 59.3.1.6. In the CRT zone, Vehicle Service – Repair (Minor) is a limited use which must meet the standards set in Section 59.3.5.13.F:

Where Vehicle Service – Repair (Minor) is allowed as a limited use, and the subject lot abuts or confronts a property zoned Agricultural, Rural Residential, or Residential that is vacant or improved with an agricultural or residential use, it must satisfy the follow standards:

- i. *All buildings must be set back a minimum of 50 feet from the abutting residential lot line.*

The Site Plan Amendment implements a 100 foot building restriction line for the residential lots to the north.

- ii. *All parking and storage for vehicles must be set back a minimum of 25 feet from the abutting residential lot line.*

The parking and storage parking is approximately 42 feet or more from residential lot lines.

- iii. *The minimum site is 20,000 square feet.*

The lot proposed for this use exceeds 20,000 square feet.

- iv. *Access to the site from a street with a residential classification is prohibited.*

Access to the Property is provided from Gosnell Farm Road which is not classified as a residential street.

- v. *In the CRT zone, site plan approval is required under Section 7.3.4.*

The current Site Plan Amendment #82006024A satisfies this requirement.

The second new use, or uses, are the Drive-Thru's associated with the coffee shop and the drug store. Under Section 59.3.1.6 (zoning ordinance currently in effect) Drive-Thru's are their own use category. Drive-Thru's are a limited/conditional use in the CRT zone and must meet the standards set forth in Section 59.3.5.14.E. The Applicant's proposal meets the use standards to be considered a limited use under Section 59.3.5.14.E:

Where a Drive-Thru is allowed as a limited use, it must satisfy the following standards:

- i. *A Drive-Thru, including the queuing area, must be located a minimum of 100 feet from any property that is vacant or improved with a residential use in the Agricultural, Rural Residential, or Residential Detached zones.*

Both Drive-Thru's, including the queuing area, associated with this Application meet or exceed the 100 foot setback from any property that is vacant or improved with a residential use in the Agricultural, Rural Residential, or Residential Detached zone

- ii. *For a Restaurant with a Drive-Thru, access to the site from a street with a residential classification is prohibited.*

Access to the site is provide from Gosnell Farm Road which is not classified as a residential street.

- iii. *A drive-thru service window, drive aisle, or queuing area located between the street and the front main wall of the main building is prohibited.*

Neither Drive-Thru, including the service window, drive aisle, or queuing area associated with this Application are located between the street and the front main wall of the building associated with the Drive-Thru.

- iv. *A drive-thru service window, drive aisle, or stacking area may be located between the street and the side wall of the main building on a corner lot if permanently screened from any street by a minimum 3 foot high wall or fence.*

The Drive-Thru for the coffee shop is not located on the side wall of the main building and is not applicable. The Drive-Thru for the drug store does contain a small amount of stacking (i.e. queuing) area on the side wall of the main building. The site design includes a retaining wall along MD121 ("new" Clarksburg Road) with meets or exceeds 3 foot in height provide the proper screening.

- v. *Site plan approval is required under Section 7.3.4.*

The current Site Plan Amendment #82006024A satisfies this requirement.

- vi. A conditional use application for a Drive-Thru may be filed with the Hearing Examiner if the limited use standards under Section 3.5.14.E.2.a.i through Section 3.5.14.E.2.a.iv cannot be met.

*The proposed Drive-Thru's meet the standards for a limited use. As such, the filing of a conditional use application is unnecessary.*

The remaining uses proposed by this Site Plan Amendment are allowed in the MXPDP zone and the Site Plan Amendment specifically fulfills the purposes of the zone by providing the following: Design Guidelines that meet the overall goals of the Master Plan in accordance with the previous approvals; enhanced compatibility with the surrounding communities; and the provisions of open spaces and site amenities that achieve the physical and aesthetic integration to benefit the community. In addition, additional landscape plantings are proposed directly adjacent to the surface parking areas.

The Cabin Branch Design Guidelines set the overall tone for the entire development establishing feasible design principles for the proposed streetscapes, circulation systems, and compatible uses. The Infrastructure and Preliminary Plans approved the construction phasing for the major roadway improvements, stormwater management facilities, and underground utilities prior to the submission of the Site Plan Amendment.

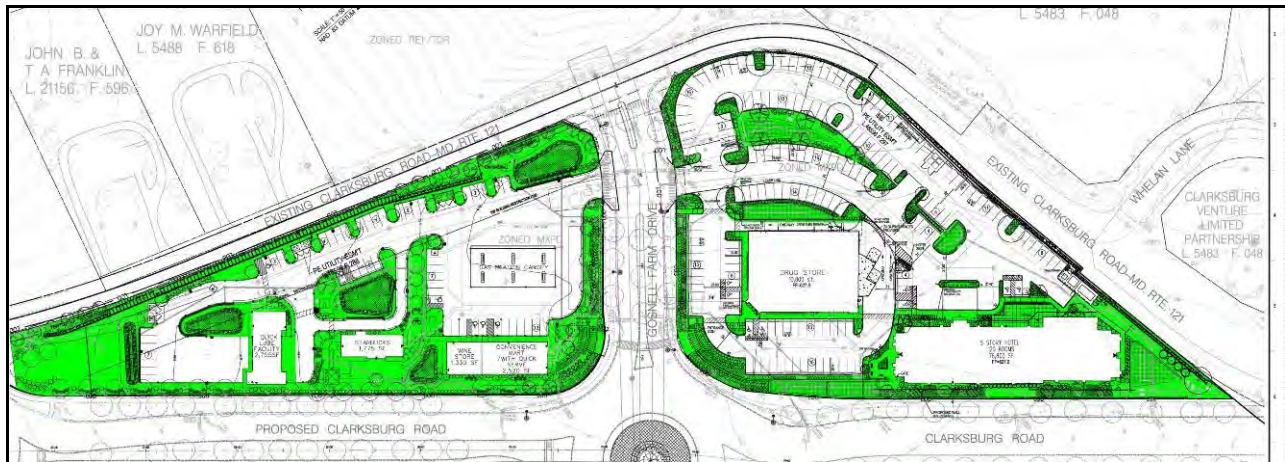


Figure 13 – Green Space Exhibit

The Site Plan Amendment meets all the development standards of the MXPDP zone in effect prior to October 29, 2014 (Table 2). With respect to building heights, setbacks, and density the proposed Site Plan Amendment is under all maximum standards allowed. With respect to green space, the proposed Site Plan Amendment provides 2.40 acres onsite which meets the zoning ordinance requirements. The Subject Property is not subject to an urban renewal plan.



**Table 2 – Development Standards**

<b>Development Standard for MXPB zone</b>	<b>Zoning Ordinance Permitted/ Required</b>	<b>Approved under Site Plan No. 820060240</b>	<b>Proposed under Site Plan Amendment No. 82006024A</b>
<b>Gross Site Area (acres):</b>			
MXPB (59-C-7.5)	N/A	7.24 acres	6.00 acres
<b>Area of Dedication (acres):</b>			
Public Streets			
Clarksburg Road	N/A	0.44 acres	0.80 acres
Gosnell Farm Drive	N/A	0.46 acres	0.44 acres
Net Site Area (acres):	N/A	6.34 acres	6 acres
<b>Density (Sec. 59-C-7.5):</b>			
Non-Residential (59 C-7.54):			
Max. Commercial	0.75 FAR <sup>1</sup>	0.30 FAR	0.37
Max. Allowable Uses Permitted <sup>2</sup>			
Total Employment	2,300,000 sq. ft.	87,500	76,880 sq. ft.
Total Commercial/Retail	120,000 sq. ft.	8,600 sq. ft.	19,220 sq. ft.
<b>Total Development:</b>	2,420,000 sq. ft. <sup>3</sup>	96,100 sq. ft.	96,100 sq. ft.
<b>Green Area (59 C-7.56):</b>			
Total MXPB Zone	283.50 acres	N/A	N/A
Commercial Portion	40%	40%	40%
Total Site Area			
On-site Green Area	2.40 acres	2.49 acres <sup>4</sup>	2.40 acres
<b>Min. Building Setbacks (Sec. 59 C-7.55):</b>			
Bldgs. Other than one-family detached D.U. setback from prop. Developed w/one-family detached homes	100 feet	100 feet	100 feet
From adjoining properties	10 feet	10 feet	10 feet
Commercial or Industrial Bldgs. From adjoining prop. Recommended for residential zoning & land use on master and sector plans	100 feet	100 feet	100 feet
Commercial/Industrial	10 feet	10 feet	10 feet

<sup>1</sup> In accordance to the MXPB zone density requirements (59C-7.54).

<sup>2</sup> In accordance to the Phase I Preliminary Plan 12003110A Approval.

<sup>3</sup> In accordance density allowances in the entire MXPB zone in the Development Plan (G-806, Development Program, Section 5) and the Phase II Preliminary Plan (12003110B).

<sup>4</sup> The original site plan had a slightly larger net tract area resulting in a 2.90-acre green space requirement. This resulted 0.41 acres being fulfilled on another Cabin Branch site within the MXPB zone. This Site Plan Amendment has a slightly smaller net tract area eliminating the need for off-site green space.

**Table 3: Buildings and Parking**

	<b>Approved under Site Plan No. 820060240</b>	<b>Proposed under Site Plan Amendment No. 82006024A</b>
Area A <sup>5</sup>		
Hotel	12 stories	5 stories (69 feet)
Drug Store	12 stories	1 story (28 feet)
Area B		
Quick Lube	6 stories	1 story (21 feet)
Coffee Shop	6 stories	1 story (20 feet)
Convenience Store/Gas Station/Wine Store	6 stories	1 story (21 feet)
ATM Kiosk	6 stories	1 story (12 feet)
<b>Percentage of Parking Facility Internal Landscaping (Sec. 59 E- 2.73):</b>	0.17 acres (5%)	0.30 acres (15%)
<b>Parking Spaces (sec. 59 E)</b>		
East Side		
Hotel & Restaurant	123 (129 rooms multiplied by 0.7 sp. per room. Plus 2,000 sq. ft. for ballroom and meeting rooms multiplied by 10 sp. per 1,000 sq. ft.)	124
Bank (Office) (10,800 SF)	54 (5 sp/1000 SF)	55
<b>East Side Total</b>	<b>177</b>	<b>179</b>
West Side		
Coffee Shop	9 (1,775 sq. ft. multiplied by 5 sp. per 1,000 sq. ft.)	10
Wine Store	7 (1,330 sq. ft. multiplied by 5 spaces per 1,000 sq. ft.)	12
Convenience Store	13 (2,520 sq. ft. multiplied by 5 spaces per 1,000 sq. ft.)	15
ATM Kiosk	1 (40 sq. ft. multiplied by 3 spaces per 1,000 sq. ft.)	1
Quick Lube	14 (1 space per employee)	14
<b>West Side Total</b>	<b>44</b>	<b>52</b>
<b>Total Number of Parking Spaces</b>	<b>221</b>	<b>231</b>
Motorcycle spaces	4 on east side, 2 on west side	4 on east side, 2 on west side
Bicycle spaces	12	14

<sup>5</sup> Areas A and B were designated in accordance with the approved Development Plan.

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

The Site Plan Amendment is adequate, safe, and efficient in terms of the locations of the buildings and structures, open spaces, landscaping, and vehicular circulation systems.

#### Building and Structures

The building and structures of the Site Plan Amendment are proposed along the recently constructed and realigned MD121 which is appropriate for the character envisioned by the Master Plan. The building locations provide easy access to the building from the adjoining sidewalks and parking spaces. Staff finds the locations of the buildings and structures to be adequate and efficient, while meeting the aesthetic concerns of the area.



Figure 14 – Architectural Rendering of drug store

#### Open Spaces

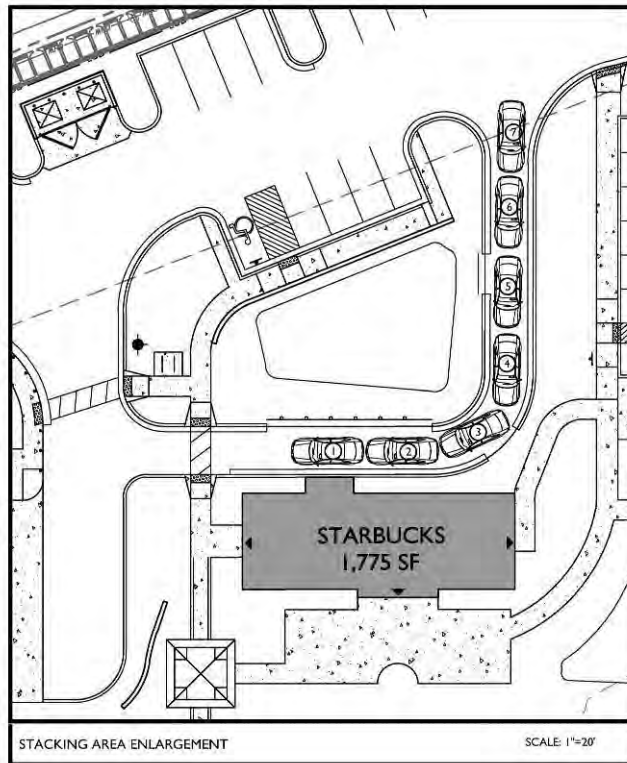
Each portion of this Site Plan Amendment provides a centralized open space which is connected via the pedestrian circulation system. These open spaces consist of benches and other amenities provide each side of the Site Plan Amendment an adequate, safe, efficient gathering space.

#### Landscaping & Lighting

The proposed landscaping helps buffer the surface parking and driveways from the roadways and soften major views into the Subject Property. Traditional foundation plantings are provided at the base of the proposed buildings and ornamental plantings have been added for aesthetic appeal. Interior lighting will create enough visibility to provide safety, however, not enough to cause glare on the adjacent road or properties. 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. The site design is in compliance with the Master Plan.

#### Recreation Facilities

There are no recreation facilities required for the Site Plan Amendment.



*Figure 15 – Proposed Site Plan Amendment, Coffee Shop Drive-Thru*

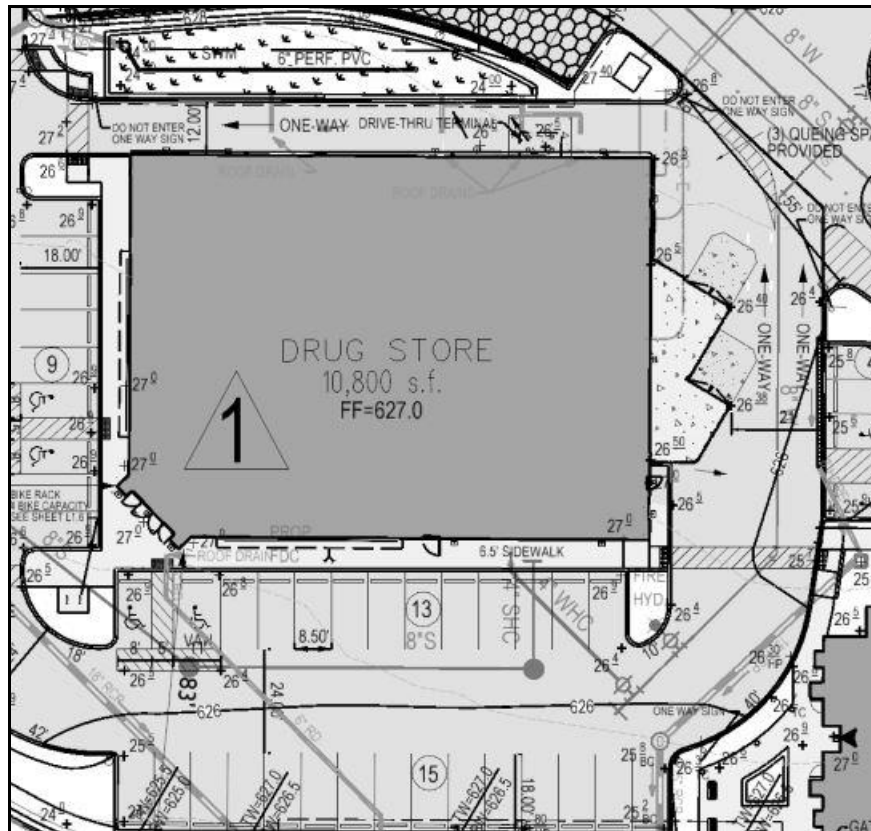


Figure 16 – Drug Store, Drive-Thru

#### Pedestrian and Vehicle Circulation Systems

Circulation within the Subject Property consists of open space plazas, stairwells, and handicap accessible ramps and crosswalks located at major intersections and pedestrian access points. The vehicular circulation design efficiently directs traffic into and through the Subject Property with minimal impacts to pedestrian circulation. Pedestrian access from adjacent sidewalks along MD121 adequately and efficiently integrate the Subject Property into the surrounding properties and use in the Cabin Branch neighborhood. Vehicular and pedestrian circulation systems are efficiently overlapped and strategically used as traffic calming tools in order to promote an active streetscape and convenient commercial center.

The Site Plan Amendment proposes new Drive-Thru's to support in-vehicle sales for the new drug store and the coffee shop. While the Application's structure and site design is being reviewed the Zoning Ordinance in effect on October 29, 2014, new uses must be reviewed under the Subject Property's existing zone. The Drive-Thru uses are new and meet the requirements of the current Zoning Ordinance in terms of queueing, location, and design. Both proposed Drive-Thru's maintain safe, adequate, and efficient circulator for vehicles and pedestrians.

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

The Planning Board previously found each structure and use was compatible with other uses and site plans, and with existing and proposed adjacent development in Site Plan No.



820060240. The uses proposed are substantially similar to those previously approved, and therefore, the uses are compatible with other uses and site plans.

The Subject Property was designated in the Development Plan (G-806) to be one of the commercial/retail properties within the Cabin Branch Community. The proposed uses and structures proposed in this Site Plan Amendment are consistent with the Development Plan.

5. *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 Site Plan Amendment continues to satisfy the forest conservation requirements of Chapter 22A and applicable water resources protection requirements of Chapter 19 and is consistent with all previous Final Forest Conservation Plan and Final Water Quality Plan approvals.

#### Impervious Surfaces

There are no impervious limitations within the Clarksburg SPA. However, the SPA regulations strive to minimize the overall imperviousness of a site and allow M-NCPPC to review imperviousness with a goal of working with the applicant to reduce the overall levels of imperviousness. As per the conditions of approval for the Winchester 1 Site Plan Amendment, plan number 82006029A dated July 12, 2012, the Planning Board had set a target goal of approximately 45% impervious surface for the entire Cabin Branch development site with the understanding that individual site plans may be in excess of this target amount. The current overall impervious surface amount for the Cabin Branch development is approximately 37.15%.

#### Water Quality Plan

The Subject Property is located at the northern portion of the Cabin Branch development on the high point of the Cabin Branch community. The Site Plan Amendment boundaries lie within the Clarksburg SPA; more specifically categorized within the Stage 3 area of the Ten-Mile Creek Watershed. A ridge bisects the site with part of the site draining into the Upper Ten-Mile Creek (to the north) and the remaining portion draining into the Cabin Branch tributary of the Little Seneca Creek (to the south). The Upper Ten-Mile Creek and the Cabin Branch tributary are classified as Use-IP streams. The Subject Property will drain to a single stormwater management pond, (Pond #11). This pond will provide channel protection volume for the one-year storm with a maximum detention time of 12 hours per state standards. The pond discharge will outfall into the adjacent stream.

Water quality plans are required as part of the Special Protection Area regulations. Under the SPA law, Montgomery County Department of Permitting Services (DPS) and the Planning Board has different responsibilities in the review of the water quality plan. DPS conditionally approved the elements of the final water quality plan under their purview on May 21, 2018. Pursuant to Chapter 19, Article V, Section 19-65 of the Montgomery County Code, the Planning Board's responsibility is to determine if the forest conservation requirements, environmental guidelines for SPAs, and site imperviousness requirements have been satisfied.

#### 1) Priority Forest Conservation Areas:

The Application meets the requirements of Chapter 22A, Montgomery County Forest Conservation Law. The FFCP submitted with this Application will amend sheets 1, 6 and 10

of the overall FFCP for the Cabin Branch development. This Application has no forest, stream buffers or environmentally sensitive areas within the proposed property boundaries.

2) Environmental Guidelines for SPAs:

The Application contains no stream buffers, environmentally sensitive areas, forests or reforestation areas.

3) Site Imperviousness:

This Site Plan Amendment indicates an impervious level of approximately 66% for this application (Table 4). Although this is above the Planning Board recommended level of 45%, the overall impervious level for the Cabin Branch development continues to be on track to meet the targeted goal of 45% imperviousness. The current Cabin Branch wide level of imperviousness is approximately 37.15%.

**Table 4: Impervious Surface calculations**

	Site Area	Impervious Area	Percent Impervious
Gosnell 1 East	143,580 sq ft	105,030 sq ft	73.15%
Gosnell 1 West	117,926 sq ft	67,405 sq ft	57.16%
Gosnell 1 Totals	261,506 sq ft	172,435 sq ft	66.00%

<b>Gosnell 1</b>	<b>Site Plan 820060240</b>	<b>Site Plan Amendment 82006024A</b>
Total Site Area	315,374 sq ft (7.24 acres)	261,506 sq ft (6.00 acres)
Total Impervious Area	218,236 sq ft (5.01 acres)	172,435 sq ft (3.96 acres)
Percent Imperviousness	<b>69.2%</b>	<b>66.0%</b>

Forest Conservation

The original FFCP for the Gosnell development was approved by the Planning Board on April 26, 2010. This current amendment does not alter any of the previous forest conservation requirements that are being met under the Cabin Branch Roads and Infrastructure Final Forest Conservation Plan, Plan Number 820050150 and associated amendments. The Final Forest Conservation Plan for the Gosnell development is being amended to show the most recent changes within the limit of disturbance (LOD) for the development as required under Section 22A.00.01.09B of the Forest Conservation Regulations.

The Gosnell project is 6.00 acres in size and zoned CRT, (previously MXPD) and is classified as a Mixed-Use Development. The project site contains no forest, no wetlands, no floodplain, and no stream buffer. There are no steep slopes (> 25%) on the Property, no highly erodible soils or sensitive environmental features. As such, the Gosnell property has an afforestation/reforestation requirement of 0.92 acres. This requirement has been satisfied by being incorporated into the overall Roads and Infrastructure FFCP.

The approval of the Application and landscape plans will amend the Final Forest Conservation Plan, which is tied to the approved Infrastructure Plan (820050150). The Site Plan Amendment provides greater detail for parcel and lot configurations, stormwater management locations, grades, and the limits of disturbance on the Subject Property. This Site Plan Amendment will supplement the existing information in the Infrastructure Forest Conservation Plan and provide

sufficient detail to allow the Applicant to meet the requirements necessary for the construction of this portion of the Cabin Branch development.

### **Stormwater Management**

The Montgomery County Department of Permitting Services - Water Resources Section approved the stormwater management concept on May 21, 2018. The stormwater management concept meets the stormwater management requirements via permeable pavement, micro bioretention and the use of existing downstream structures (Attachment 8).

### **Community Outreach**

The Applicant has met all signage, noticing, and submission meeting requirements. The Applicant posted three signs on the Property regarding the subject Site Plan Amendment. Staff has not received any correspondence on the proposed Amendment.

### **CONCLUSION**

The proposed modifications to the Site Plan will not alter the overall character or impact the development with respect to the original findings of approval. These modifications will not affect the compatibility of the development with respect to the surrounding neighborhood. Staff recommends approval of Site Plan Amendment 82006024A with conditions specified at the beginning of the report.

#### **Attachments:**

- Attachment 1 – Statement of Justification
- Attachment 2 – Previous Site Plan Resolution
- Attachment 3 – Development Plan G-806
- Attachment 4 – Binding Elements
- Attachment 5 – Previous Approval Tracking
- Attachment 6 – Site Plan – West Side
- Attachment 7 – Site Plan – East Side
- Attachment 8 – MCDPS Stormwater Concept Approval Letter
- Attachment 9 – DPS Fire Access Approval Letter
- Attachment 10 – Cabin Branch Town Architect Design Guidelines Approval Letter
- Attachment 11 – Impervious Surface Exhibit- West Side
- Attachment 12 – Impervious Surface Exhibit- East Side

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## MEMORANDUM

TO: PHIL ISAJA  
TIM HUFFMAN  
KEELEY LAURETTI

CC: SCOTT WOLFORD  
EDUARDO INTRIGO

FROM: JODY S. KLINE

DATE: 24 APRIL 2017

RE: STATEMENT OF JUSTIFICATION FOR GOSNELL CABIN BRANCH  
AMENDED SITE PLAN APPLICATION

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Dear Bill:

Here is the final revision.

Call if you need anything.

JSK:sda  
Enclosure

STATEMENT OF JUSTIFICATION

The Applicant in Site Plan Application No. 820060240, SMTM Cabin Branch, LLC/SMTM Cabin Branch West, LLC, hereby requests an amendment of its site plan approved by the Montgomery County Planning Board by Resolution 10-118 published on September 29, 2010.

Site Plan 820060240 approved future development of the subject property with up to 87,500 square feet of employment uses (hotel and two banks), 8,600 square feet of highway/auto related uses (car wash, gas station and convenience store) and parking waivers for the proposed uses.

In the more than eleven years since Site Plan Application No. 820060240 was filed, and in the more than six years since the Application was approved, there have been changes in the marketplace that require adjustments in the mix of uses in the Gosnell Cabin Branch development. This request for amendment is intended to explain how the essence of the original site plan remains intact although certain specific uses have changed.

EAST PARCEL

The only change of significance in the east side of the Gosnell Cabin Branch development is the substitution of a pharmacy (CVS) with a drive-thru window function in lieu of the previously approved bank with drive-thru. The proposed CVS meets the limited use requirements for a drive-thru, as discussed in more detail herein.

### Limited Use Analysis

The property is currently zoned CRT. However, Preliminary Plan No.12003110C and Site Plan No. 820060240 were approved under the prior MXPDP Zone. Staff of M-NCPPC has determined that the development standards for the proposed drug store use will be grandfathered under the previous Zoning Ordinance (*i.e.*, MXPDP Zone), but the drive-thru use will be subject to the standards of the current Zoning Ordinance (*i.e.*, CRT Zone). A drive-thru use is a limited/conditional use in the CRT Zone. As illustrated below, because the proposed use satisfies the requirements of Section 3.5.14.E.2 of the current Zoning Ordinance, the proposed drive-thru is classified as a permitted limited use:

2. *Use Standards*

a. *Where a Drive-Thru is allowed as a limited use, it must satisfy the following standards:*

i. *A Drive-Thru, including the queuing area, must be located a minimum of 100 feet from any property that is vacant or improved with a residential use in the Agricultural, Rural Residential, or Residential Detached zones.*

The drive-thru lane and queuing area for the drug store will be located more than 100 feet from the residentially zoned land, which confronts the Property to the north. There are no agriculturally zoned properties within 100 feet of the Property. The Property is confronted by land classified in the EOF and CRT zones on all other boundaries.

ii. *For a Restaurant with a Drive-Thru, access to the site from a street with a residential classification is prohibited.*



The Property is accessed off of Gosnell Farm Drive, which is classified as a business district street. As such, the Property is not accessed from a street with a residential classification (and, in this case, this section is inapplicable in any event).

- iii. *A drive-thru service window, drive aisle, or queuing area located between the street and the front main wall of the main building is prohibited.*

The drive-thru service window is located internal to the site, on the northeast corner of the proposed building. There is no drive aisle or stacking area associated with the drive-thru located between either Clarksburg Road or Gosnell Farm Drive and the retail building.

- iv. *A drive-thru service window, drive aisle, or stacking area may be located between the street and the side wall of the main building on a corner lot if permanently screened from any street by a minimum 3 foot high wall or fence.*

Although the Property is a corner lot, this provision is inapplicable because the drive aisle and/or stacking area will not be located between the building and the street.

- v. *Site plan approval is required under Section 7.3.4.*

The drive-thru is being proposed in connection with Site Plan Amendment 82006024A and will comply with the required findings for site plan approval under the prior Zoning Ordinance and in accordance with the prior Zoning Ordinance's MXPD zone requirements.

- vi. *A conditional use application for a Drive-Thru may be filed with the Hearing Examiner if the limited use standards under Section 3.5.14.E.2.a.i through Section 3.5.14.E.2.a.iv cannot be met.*

As demonstrated above, the proposed CVS with drive-thru satisfied each of the requirements listed in Section 3.5.14.E.2 of the current Zoning Ordinance, and as such, the proposed drive-thru is classified as a permitted limited use.

### Other Design Comments

The proposed drug store is set back a bit further from both new Clarksburg Road and Gosnell Farm Drive, but there are design advantages that flow from that revised building location.

As has been discussed with staff, it is not practicable to locate all of the parking for the CVS use behind the building because of the significant grade change on-site and the need to accommodate ADA access to the intersection. However, the Property as a whole has been designed so that the majority of parking is located in the rear (*i.e.*, not between the building and the street). Furthermore, the proposed layout will allow the Applicant to ensure the intersection of Gosnell Farm Drive and Clarksburg Road (the “Intersection”), which serves as a gateway entrance into the Cabin Branch retail center will be inviting. A proposed retaining wall and landscaping serve as a visual buffer of the parking from the street.

Orienting the only customer entrance towards the intersection will provide a focal point and convenient access for pedestrians. If the building orientation is rotated, the location of the front door will move to an interior position thereby minimizing street activation and substantially extends the ADA accessible route. This changed building location also allows the creation of more green and open space at the intersection of new Clarksburg Road and Gosnell Farm Drive for a better entry feature into the retail center.

### Summary

The changes to a single use in the East Parcel are *de minimis*. The hotel, the dominant improvement in this parcel, remains as originally proposed with much of its parking remaining in the same configuration. The site plan approved bank with drive-thru has been replaced by a pharmacy with drive-thru, which has not altered the basic building orientation and vehicle flow

through the East Parcel. Because the application meets all Limited Use requirements, as discussed herein, this amendment application can be processed without the necessity of a conditional use.

#### WEST PARCEL

The West Parcel of the Gosnell-1 Cabin Branch property was approved with a combination of highway oriented service uses including a bank with a detached drive-thru window, an automobile filling station with an associated convenience store/quick mart, a “quick serve” restaurant and a car wash. While that mix of uses has changed, the basic configuration of buildings, and the vehicle circulation system, has remained constant.

The bank with detached drive-thru window has been eliminated. That removal allowed the gas station and convenience mart to move to the northeast to be adjacent to Gosnell Farm Drive (rather than be more internal to the retail development). The convenience store will be accompanied by an adjacent wine store (approximately 1,920 square feet) The “quick serve” store remains but has been substantially reduced in size (from 3,545 square feet to approximately 1,000 square feet but the drive-thru function has been retained to accommodate a “coffee concept” food service use. The originally proposed car wash to be located at the western end of the site has also been replaced, in this case by a “Quik Lube” facility containing approximately 2,850 square feet of building area. Development on the West Parcel is limited by the owner to be not more than 8,420 square feet of building area. The size of individual structures described above may increase or decrease in size slightly but the total square footage will not exceed 8,420 square feet.

Each of the “development bays” remain accessible from an interior service roadway extending from Gosnell Farm Drive to the western end of the site with access prohibited from new Clarksburg Road.

In summary, the western parcel of this retail center remains essentially unchanged from the approved site plan except for a reduction in the number of buildings and uses and a commensurate increase in green space, separation between uses and area for ESD measures.

### CONCLUSION

For the reasons set forth above, this amended site plan application is in substantial conformance with the approved site plan and due to the features associated with the proposed pharmacy located in the East Parcel, there is no need to obtain conditional use approval in order to implement these modified plans.



SEP 29 2010

## MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

### Attachment 2

MCPB No. 10-118  
Site Plan No. 820060240  
Project Name: Gosnell Property  
Date of Hearing: April 26, 2010

## MONTGOMERY COUNTY PLANNING BOARD

### RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is vested with the authority to review site plan applications; and

WHEREAS, on November 18, 2005, SMTM Cabin Branch, LLC. / SMTM Cabin Branch West, LLC. ("Applicant"), filed an application for approval of a site plan for 87,500 square feet of employment uses (hotel and 2 banks), 8,600 square feet of highway/ auto-related retail uses (car wash, gas station, and convenience store), and parking waivers ("Site Plan" or "Plan") on 7.24 acres of MXPB zoned land, located along Clarksburg Road, approximately 0.25 miles west of I-270;

WHEREAS, Applicant's site plan application was designated Site Plan No. 820060240, Gosnell Property (the "Application");

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated April 16, 2010, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report");

WHEREAS, following review and analysis of the Application by Staff and the Staff of other governmental agencies, on April 26, 2010, the Planning Board held a public hearing on the Application (the "Hearing");

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on April 26, 2010, the Planning Board approved the Application subject to conditions on the motion of Commissioner Dreyfuss seconded by

Approved as to  
Legal Sufficiency:

8787 Georgia Avenue, Suite 200, Maryland 20910

www.MCParkandPlanning.org

Chairman's Office: 301.495.4605 Fax: 301.495.1320

E-Mail: mcp-chairman@mncppc.org

Commissioner Alfandre; with a vote of 3-0, Commissioners Alfandre, Dreyfuss and Hanson voting in favor, Commissioners Wells-Harley and Presley being absent.

**THE PLANNING BOARD RECOMMENDATION FOR FINAL WATER QUALITY PLAN:**

Approval of the Final Water Quality Plan for Site Plan 820060240 as described in the letter dated January 29, 2010 unless amended and approved by the Montgomery County Department of Permitting Services. The following conditions must be addressed in the initial submission of the detailed sediment control/stormwater management plan. All of the conditions not addressed from previous approvals are still applicable. This list may not be all inclusive and is subject to change based on available information at the time of the subsequent plan reviews:

1. Provide clear access to all stormwater management structures from a public right-of-way (structure G101, G106 and G108). If access to structure G108 is to be from Clarksburg Road, a driveway apron and full depth paving over the sidewalk will be required.
2. The Preliminary Water Quality Plan required that 150% of the MDE required recharge volume be provided due to the lack of open section roadways in this sensitive watershed and the deep cut and fill that is proposed. During the detailed review a geotechnical study must be provided to determine the feasibility of the proposed infiltration and recharge structures.
3. The proposed infiltration trench (structure G101) must be open to the surface.
4. If possible locate structure G107 in the green area between the Clarksburg Road right-of-way and the onsite drive aisle for ease of maintenance.
5. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
6. Due to the size of this development a full-time, third-party, onsite, sediment control inspector is required to assure that the goals of the Water Quality Plan are being met.

**THE PLANNING BOARD RECOMMENDATION FOR SITE PLAN 820060240:**

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board



APPROVES Site Plan No. 8200060240 for 87,500 square feet of employment uses, 8,600 square feet of highway/ auto related retail uses, a 12% parking reduction waiver on the east side of the property, and parking waivers granted for sections 59E-2.71 and 2.81(a) on 7.24 gross acres in the MXPDP zone, subject to the following conditions:

### **Environment**

Approval of site plan #820060240, including amendments to the forest conservation plan and the Special Protection Area water quality plan approved per Cabin Branch Infrastructure Site Plan #820050150, subject to the following conditions:

1. Compliance with the Planning Board conditions of approval for forest conservation plan #820050150 dated June 14, 2007, with amendment to reflect approval of the final forest conservation plan for Site Plan #820060240.
2. Amendment to Special Protection Area water quality plan approval for Infrastructure Site Plan #820050150 to incorporate revisions contained in DPS approval letter for Site Plan #820060240 dated January 29, 2010.
3. All other prior approvals and conditions from #820060240 related to environmental and water quality related issues remain in full force and effect

### **Site Plan**

4. Site Design
  - a. Update and coordinate the Project Data Table(s) with previous approvals and/or pending applications for the entire Cabin Branch Neighborhood development.
  - b. The remaining 0.41 acres of green area must to be fulfilled on another Cabin Branch site still within the MXPDP zone. Upon the designation of this green space area; Site Plan Staff will review the final landscape plans.
  - c. Locate benches in potential seating areas and provide site details for any benches and trash receptacles proposed on site.
  - d. The exterior architectural character, proportion, materials, and articulation will be re-evaluated upon re-submittal by M-NCPPC Development Review and Urban Design staff.
  - e. The surface parking facility (on the east side) directly adjacent to the existing public road shall be adequately buffered with an evergreen hedge and/or a masonry wall.

## 5. Landscaping

- a. The proposed plant materials must be installed to meet the standards of the American Standards for Nursery Stock (AAN) with regard to the correct size and type as specified within the plant list and planting plan.
- b. An alternate plant list may be provided on the Landscape and Lighting plan; to accommodate plant substitutions.
- c. The proposed plantings must be properly installed and maintained so as not to conflict with the public right of way, and/or cause damage to any existing public utilities.

## 6. Lighting

- a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for residential/commercial development.
- b. All onsite down- light fixtures must be semi cut-off fixtures.
- c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- d. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
- e. The height of the light poles shall not exceed 17 feet including the mounting base.

## 7. Design Guidelines

- a. The proposed development must comply with the Design Guidelines dated August 20, 2008 or as amended and approved by the Planning Board.
- b. A letter from the Town Architect must accompany each site plan application stating that the proposed development complies with all of the aspects of the Cabin Branch Design Guidelines.
- c. An approval form from the Town Architect must accompany each building permit application stating that the proposed building is in conformance with the approved certified site plan and with all of the aspects of the Cabin Branch Design Guidelines.
- d. Each building permit must be reviewed by the Planning Director or "designee" for conformance to the approved Design Guidelines. Unless the Director or designee rejects the permit for non-compliance with the Design Guidelines within ten (10) days of transmittal, it must be deemed approved. If the building permit application is regarded as not in

conformance with the guidelines, then the Director and Town Architect shall meet to discuss the discrepancy. If the two parties cannot agree on a suitable approach to provide conformance to the guidelines, then the Planning Board will decide the resolution.

- e. The Design Guidelines for the retail components and streetscape will be reevaluated with respect to architectural features, site design, layout and circulation.
- f. The administration of the Design Guidelines shall be the responsibility of the Town Architect and the Cabin Branch Management, with the exception of variations or exceptions to the guidelines, which shall be approved by the M-NCPPC Planning Director or designee. If the town architect and Planning Director do not agree, then the matter will need to go the Planning Board possibly as a minor amendment to the site plan.

#### 8. Landscape Surety

The Applicant must provide a performance bond in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a. The amount of the surety must include plant material, on-site lighting, recreational facilities, and site furniture within the relevant block of development. Surety to be posted prior to issuance of first building permit within each relevant block of development and shall be tied to the development program.
- b. Provide a cost estimate of the materials and facilities, which will establish the initial bond amount.
- c. Completion of plantings by block, to be followed by inspection and bond reduction. Inspection approval starts the 1 year maintenance period and bond release occurs at the expiration of the one year maintenance period.
- d. Provide a screening/landscape amenities agreement that outlines the responsibilities of the Applicant and incorporates the cost estimate. Agreement to be executed prior to issuance of the first building permit.

#### 9. 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. Street lighting and sidewalks must be installed within six months after street construction is completed. Street tree planting may wait until the next growing season.

- b. On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle racks must be installed prior to release of any building occupancy permit.
- 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.
- e. Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
- f. Pedestrian pathways and seating areas associated with each facility must be completed as construction of each facility is completed.
- g. Provide each section of the development with necessary roads.
- h. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, afforestation, trip mitigation, and other features.

#### 10. 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. Include the final forest conservation approval, stormwater management concept approval, development program, inspection schedule, and site plan resolution on the approval or cover sheet.
- b. Add a note to the site plan stating that "M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading".
- c. Modify data table to reflect development standards enumerated in the staff report.
- d. Ensure consistency of all details and layout between site plan and landscape plan.
- e. Provide a building envelope (with setbacks labeled on the site plan) that will account for any minor and/or major shifts in the final construction of the proposed buildings.

BE IT FURTHER RESOLVED, that all site development elements as shown on the Gosnell drawings stamped by the M-NCPPC on April 16, 2010, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified

herein), and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

- 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.*

The Development Plan (G-806) for the Cabin Branch Neighborhood established nine (9) binding elements for the entire community. This site specifically conforms to the following four (4) binding elements: trip reduction measures, street networks, street character and on-street parking. The remaining five (5) elements are not applicable to this site.

The Cabin Branch Local Area Transportation Review (dated December 19, 2005) proposes two (2) major phases of development for the complete build out of the public roadway networks. Planned road improvements shall identify potential problems and offer possible solutions in anticipation of future growth. Vehicular access is designed as an interconnected roadway system within a transit-oriented land use pattern. Four (4) roundabouts are proposed to serve as entry features, setting the character of the area and providing a means of facilitating traffic movements in an efficient manner. The existing Clarksburg Road (MD 121) will retain its rural character; while the new Clarksburg Road will transition to a four-lane major road. Two (2) out of the four (4) traffic circles are located along the new Clarksburg Road south of the Gosnell site. The business district streets are proposed as two-lanes with curbside parking. The proposed roadways will promote a pedestrian-friendly environment and are consistent with the requirements of the binding elements.

The internal roadways are aligned with a network of sidewalks and street crossings that channelize pedestrians efficiently to and from residential, commercial, open space, and recreational areas. The business district roadways, with curbside parking, provide an additional level of comfort and safety to the pedestrian by providing a buffer between moving vehicles and sidewalks.

- 2. The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The proposed uses are allowed in the MXPB Zone and the site plan specifically fulfills the purposes of the zone by providing the following: Design Guidelines that meet the overall goals of the Master Plan; a



comprehensive staging development program in accordance with the previous approvals; enhanced compatibility with the surrounding communities; and the provision of open spaces and site amenities that achieve the physical and aesthetic integration to benefit the community. In addition pedestrian circulation is encouraged and additional landscape plantings proposed are directly adjacent to the surface parking areas.

The Cabin Branch Design Guidelines set the overall tone for the entire development establishing feasible design principles for the proposed streetscapes, circulation systems, and compatible uses. The Infrastructure and Preliminary Plans approved the construction phasing for the major roadway improvements, stormwater management facilities, and underground utilities; prior to the submission of this site plan.

As the project data table indicates, the site plan meets all of the development standards of the zone. With respect to building heights, setbacks, and density the proposed development is under all the maximum standards allowed. With respect to green space, the proposed site has provided 2.49 acres. The remaining 0.41 acres will be fulfilled on another Cabin Branch site still within the MXP zone.

### **Requirements of the MXP zone**

The Staff Report contains a data table that lists the Zoning Ordinance required development standards and the developments standards proposed for approval. The Board finds, based on the aforementioned data table, and other uncontested evidence and testimony of record, that the Application meets all of the applicable requirements of the MXP Zone. The following data table sets forth the development standards approved by the Planning Board and binding on the Applicant.

### **Data Table**

Development Standards Approved by the Board are Binding on the Applicant

---

Gross Tract Area (ac/sf.):	7.24 acres 315,374 sq.ft.
Gross Floor Area	96,100 sq.ft.
Maximum Floor Area Ratio for the subject Parcel	0.30 FAR
<u>Gross Square Footage</u>	
Highway/ Auto Retail Related Uses	8,600 sq.ft.
Car Wash	1,800 sq.ft.
Quick Mart (gas station)	3,255 sq.ft.
Quick Serve (convenience store)	3,545 sq.ft.

<u>Employment Related Uses</u>	87,500 sq. ft.
Banks (2)	7,725 sq.ft.
Hotel/ Restaurant	79,775 sq.ft.
<u>Maximum Parking Space<sup>1</sup></u>	264 spaces <sup>2</sup>
East Side	159 spaces
West Side	105 spaces
Minimum Green Space Required	40%
Minimum Green Space	34% <sup>3</sup>
	2.49 acres
Minimum Internal Parking Green Space	10.6%
	15,682 sq. ft. (0.36 acres)
Maximum Building Coverage	14.09%
	44,518 sq. ft. (1.02 acres)
<u>Maximum Building Heights</u>	
East Side (Area A)	
Hotel	75 feet
Bank	35 feet
West Side (Area B)	
Car Wash	40 feet
Quick Serve	35 feet
Quick Mart	35 feet
Bank	35 feet
<u>Minimum Building Setbacks</u>	
From one family detached d.u.	100 feet
From adjoining properties	10 feet
From adjoining properties recommended for	
Residential zoning and land use	100 feet
From Commercial/ Industrial properties	10 feet
From the street right-of-way	4 feet
Minimum Bicycle Racks (2 racks)	14 spaces

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

<sup>1</sup> The required number of parking spaces is calculated in accordance to section 59-E Off-Street Parking; and is dependent on the provided use.

<sup>2</sup> Total number includes 12 handicap parking spaces.

<sup>3</sup> The remaining green space area (0.41 acres) must be fulfilled within the MXPDP zone on another Cabin Branch site.

a. Buildings and Structures

The buildings and structures of the proposed development are proposed along the new Clarksburg Road; which is appropriate for the character envisioned by the Master Plan. These locations provide easy access to the buildings from adjoining sidewalks and parking spaces. The Planning Board finds the locations of the buildings and structures to be adequate and efficient, while meeting the aesthetic concerns of the area, and do not pose any safety concerns on the site.

b. Landscaping and Lighting

The proposed landscape materials help to buffer and frame important major views along the property boundaries, and soften hardscape edges along the streetscape and retaining walls. Lighting is adequately used within the surface parking facilities. Both the lighting and landscape materials create a safe and comfortable environment for pedestrians.

c. Recreation Facilities

There are no recreational facilities required for this site plan, but benches and bicycle facilities are provided. Active green spaces and recreational facilities are primarily located closer to the residential components. However, the proposed circulation systems adequately and efficiently tie back into adjacent sites. Pedestrian access from adjacent sidewalks adequately and efficiently integrates this site into the surrounding area.

d. Vehicular and Pedestrian Circulation

Pedestrian patrons are welcomed with an open space plaza, kiosks, stairwells, and handicap accessible ramps and crosswalks located at every major intersection. The vehicular circulation design efficiently directs traffic into and through the site with minimal impacts to pedestrian circulation. The overall purpose of this development is to be a convenient resource to the surrounding residential properties.

The proposed landscaping helps to buffer the surface parking and driveway areas from the roadways and soften major views inward. Proposed stormwater management plantings will be reviewed by the Department of Permitting and Services (DPS). Traditional foundation plantings are provided at the base of the proposed buildings, and showy ornamental plantings have been added for aesthetic appeal. Interior lighting will create enough visibility to provide safety, however not enough

to cause glare on the adjacent roads or properties. The open spaces, landscaping, and site details adequately and efficiently address the needs of the proposed use and the recommendations of the Master Plan, while providing a safe and comfortable environment. The site design is in full compliance with the Master Plan and Cabin Branch Design Guidelines.

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

The subject property was designed to be integrated with other commercial/retail properties within the Cabin Branch Community, including Concordia Phase 2 – Retail (820060300). With respect to the height, use and building orientation, the proposed development is compatible with the adjacent and confronting uses.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

Channel protection measures will be provided via an extended detention dry pond (Pond#11). This structure will provide channel protection volume for the one-year storm with a maximum detention time of 12 hours per state standards. Quality control will be provided via a treatment train that consists of recharge structures, structural water quality inlets (both filtering and flow through), a bio-retention structure, an infiltration trench, the use of porous pavement and ultimately surface sand filters in series. Since open section roads are not feasible, additional water quality volume controls will be provided through large surface sand filters. This will be done by sizing these structures to treat the entire drainage area regardless of the upland area that is already providing full treatment. Recharge will be provided both on upland throughout the development and below the outlet pipe of the proposed surface sand filters where groundwater or bedrock is not encountered.

This special protection area requires the recharge volume to provide a total of 150% of the average annual predevelopment groundwater recharge volume. This exceeds the 2007 MDE regulations which require 100% of the average annual predevelopment groundwater recharge volume. The upland portion will provide 50% of the recharge volume before it drains to the SWM ponds. At the ponds the site will be treated for 100% of the required recharge volume. Infiltration trenches have been proposed throughout the site with small drainage areas to provide the upland recharge requirement. The small drainage areas spread the

recharge throughout the site which is consistent with the intent of the 2007 MDE regulations. The site also features pervious concrete parking areas to reduce the amount runoff and allow ground water recharge. Pervious concrete is one of the alternative surfaces preferred by the new MDE regulations. Additional upland recharge will be provided with future areas of development within the pond watershed.

BE IT FURTHER RESOLVED, that this resolution constitutes the written opinion of the Board in this matter and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

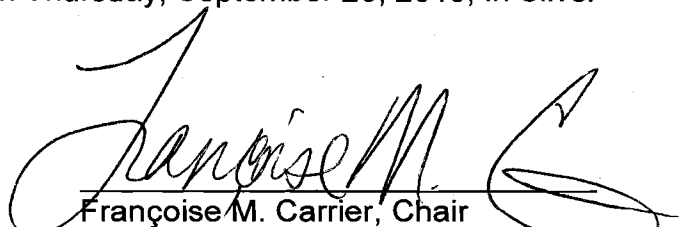
~~SEP 29 2010~~ BE IT FURTHER RESOLVED, that the date of this resolution is SEP 29 2010 (which is the date that this resolution is mailed to all parties of record); and ~~SEP 29 2010~~

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

\* \* \* \* \*

### CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Dreyfuss, seconded by Commissioner Presley, with Vice Chair Wells-Harley, Commissioners Alfandre, Dreyfuss, and Presley present and voting in favor of the motion, and Chair Carrier abstaining, at its regular meeting held on Thursday, September 23, 2010, in Silver Spring, Maryland.

  
Françoise M. Carrier, Chair  
Montgomery County Planning Board



# BINDING ELEMENTS

- Transferable Development Rights and Moderately Priced Dwelling Units**  
The property that is the subject of this application (283.5 acres) is part of a larger, mixed-use community planned for 535 acres shown on the Development Plan, of which the Applicants are also owners. The portion of the property not being rezoned MXP, is zoned RMX-1/TDR and will require the purchase of Transferable Development Rights (TDRs) for the development planned by Applicants. Based on calculations developed with M-MCPC staff, the total Master Plan residential density for the 535-acre community is 1,676 market rate units plus 210 Moderately Priced Dwelling Units. Assuming this density and the mix of unit types called for in the Master Plan for the entire Cabin Branch Neighborhood (including a maximum of 20% multifamily), the 535-acre project will require 635 TDRs. The Preliminary Plan of Subdivision application(s) for the MXP area and the remaining RMX-1/TDR area shall require the purchase of TDRs in conformance with this calculation.
- Off-site Amenities and Features**  
By the time of issuance of building permits for the 100<sup>th</sup> dwelling unit in the Cabin Branch Community, which consists of the larger, mixed-use community of 535 acres shown on the Development Plan, the Applicants will dedicate the sites shown on the Development Plan for an elementary school, a local park and a recreation facility. The school site will be rough-graded at a time determined at the earliest Preliminary Plan of Subdivision application for the Cabin Branch Community, subject to Montgomery County Public School approval.
- Trip Reduction Measures**  
At the time of Preliminary Plan of Subdivision, the Applicants, M-MCPC, Transportation Planning staff, and Department of Public Works and Transportation (DPWT) staff will consider mutually acceptable trip reductions measures. The parking ratios for non-residential uses in the Cabin Branch Community will be determined at Site Plan, considering trip reduction goals.
- Street Network**  
A network of public streets shall be provided, supplemented by private streets, in a grid pattern that promotes interconnectivity. Public streets will consist of Master Plan streets and additional business and residential streets to form blocks that with the exception of Area D defined on the Development Plan, are substantially similar to the street system shown in the Road Hierarchy Plan of the Development Plan and that are subject to MNCPPC and DPWT approvals.
- Area D Street Network**  
Area D will be designed with a public or private street connecting First Avenue (Route A-304) and Newcut Road (Route A-302) in a grid pattern with a particular emphasis on a building line to frame Newcut Road Extended, with parking in the rear.
- Street Character**  
All streets will adhere to a pedestrian-friendly design to the extent practicable, which places particular emphasis on a building line to frame the street, with parking in the rear, excluding retail and entertainment uses. Within the core, pedestrian friendly uses including retail, residential, or office will be located on the first floor. The entire MXP area will conform to a Cabin Branch Community Streetscape Plan that is designed to integrate the entire community, which will be submitted at Site Plan and is subject to MNCPPC and DPWT approvals.

- Special Roads**  
A-307 will be designed as an open section arterial road with wide green edges to provide a gateway to Black Hill Regional Park, subject to MNCPPC and DPWT approvals. The rural character of West Old Baltimore Road will be maintained by minimizing environmental impacts and providing generous green edges.
- Service/Public Uses**  
Service/Public uses may include up to 500 units for independent living for Senior Adults or persons with disabilities, assisted living, life care, or continuing care.
- On-street Parking**  
Applicants will include on-street parking on streets adjacent to retail facilities. (Excluding MD Route 121, Wellspring Street and Goldeneye Avenue.)
- No single retail store will have a gross floor area that is greater than 50,000 square feet, which will be a condition of site plan approval and will be referenced on the Certified Site Plan.
- The retail uses located in Area C will be neighborhood retail.

RE-1/TDR

## Recreation Amenities:

Group	Recreation Amenities
1	Tot-Lots, Multi-Age Playgrounds
2	Pocket Parks, Seating
3	Streetscapes, Pedestrian walkways, Bikesways
4	Employment Plaza
5	Stream Valley Buffer Park (dedicated to public use)
6	Local Park (dedicated to public use)
7	Elementary School (dedicated to public use)
8	Recreation Facility
9	Historic
Section	Recreation Amenities
MXP Area	A, 3, 4
B	1, 2, 3, 4
C	1, 2, 3, 4
D	5, 4
RMX-1/TDR Area	E, 1, 2, 3, 5, 6, 7, 8, 9

The recreation amenities listed above provide a conceptual reference to activities within Areas A, B, C, and D of the MXP Zone, and the RMX-1/TDR Zone. The final location of amenity type and location to be determined at Preliminary Plan and Site Plan. Area E is a portion of RMX-1/TDR Zone not included in MXP Zoning Application.

Future RMX - 1/TDR ZONE  
Not Included in MXP Zoning Application

## PHASING KEY



## DEVELOPMENT PROGRAM

Subject to further refinement during the Preliminary Plan of Subdivision and Site Plan stages, and to proposed road improvements and related staging capacity, the anticipated sequence of construction within the MXP area will be as follows:

- mass grading of site;
- installation of common elements (water and sewer lines, public utilities, storm drain, stormwater management, sediment control and primary road access, including related sidewalks and pathways);
- fine grading of initial development area (expected to be in Area A, B and C);
- construction of initial employment and retail facilities in Area A & B;
- construction of parks and open space areas in Area B & C;
- construction of initial employment and retail in Area C;
- construction of additional structures, recreational facilities, transportation facilities and open space in all Areas.

Other areas outside of the MXP area which is the subject of the rezoning but part of the Cabin Branch Community, will be coordinated with the phasing of development in the MXP area.

## GENERAL NOTES

- The development plan depicts the overall concept for the orderly and staged development of Cabin Branch, a large scale, mixed use community made up of several interdependent neighborhoods. This development plan depicts that element of the Cabin Branch Community that is to be developed in accordance with provisions of the Zoning Ordinance applicable to the MXP Zone. It is anticipated that revisions to the development plan may become necessary as the entire Cabin Branch Community evolves. This development plan reflects the proposed Community as it is presently envisioned.
- Densities, heights, and the mix of uses are as specified in the appropriate table for Areas A, B, C, & D. Building and parking locations will be approximately as shown. Specific building locations, footprints, parking locations and other design details will be refined and finalized during subsequent subdivision and site plan proceedings.
- The total area to be rezoned MXP is 283.5 Acres including Adventist property 142.8 ac, Faller property 13.0 ac, and Gossnell property 127.7 ac.
- The maximum residential density shall not exceed 44 dwelling units per acre for residential areas shown on the development plan. Where residential development is proposed to be located within a proposed commercial area, the maximum residential density for such areas shall not exceed 75 dwelling units per acre.

Area	# Units	Residential Acres	Units Per Acre
A	0	Varies	Varies
B	275 - 750	32.8 ac	8.4 - 23.0
C	350 - 875	36.0 ac	9.7 - 24.3
D	0 - 200	12.8 ac	0 - 15.6
Subtotal	625 - 1,925	82.6 ac	8.3 - 24.1
Total	1128	283.5 ac	4.0

\*Note: Residential Density may vary based on distribution, mix of uses, and internal/adjacent open space.

DPA 13-02

# LAND USE PLAN OF THE DEVELOPMENT PLAN

# CABIN BRANCH

Clarksburg, Maryland

May, 2013

Figure I

# Attachment 3

**Predominantly Employment  
Includes Retail, Entertainment,  
Senior Facilities, And Public Uses  
Up To 12 Story Height  
Approximately 38 Acres Area**

Employment	SF	Parking Spaces
Office	0 - 700,000	0 - 1,000
Retail	0 - 450,000	0 - 5,050
Total	0 - 1,150,000	0 - 6,050
Other	SF/Units	Parking Spaces
Public Use	0 - 7,500	0 - 25
Senior	0 - 100	0 - 200

**Mixed Use- Includes Retail  
Employment, Entertainment, Senior  
Facilities, Public and Residential Uses  
Up To 6 Story Height  
Approximately 47 Acres area**

Residential	# Units	Parking Spaces
Detached	0 - 100	0 - 200
Attached	150 - 325	300 - 650
Multifamily	125 - 325	250 - 650
Total	275 - 750	550 - 1,500
Employment	SF	Parking Spaces
Office	0 - 300,000	0 - 1,200
Retail	0 - 150,000	0 - 750
Total	0 - 450,000	0 - 1,950
Other	SF/Units	Parking Spaces
Public Use	0 - 7,500	0 - 50
Senior	150 - 500	150 - 1,000

**Predominantly Employment  
Includes Public Uses,  
Retail and Residential Uses  
Up To 8 Story Height  
Approximately 72 Acres area**

Residential	# Units	Parking Spaces
Detached	0 - 100	0 - 200
Attached	250 - 425	500 - 850
Multifamily	100 - 350	200 - 700
Total	350 - 875	700 - 1,750
Employment	SF	Parking Spaces
Office	0 - 1,425,000	0 - 5,700
Retail	0 - 30,000	0 - 150
Total	0 - 1,455,000	0 - 5,850
Other	SF/Units	Parking Spaces
Public Use	0 - 27,500	0 - 95
Senior	150 - 500	150 - 1,000

**Predominantly Employment  
Includes Public Uses,  
Retail and Residential Uses  
Up To 8 Story Height  
Approximately 22 Acres area**

Residential	# Units	Parking Spaces
Detached	0 - 50	0 - 100
Attached	0 - 50	0 - 100
Multifamily	0 - 100	0 - 200
Total	0 - 200	0 - 400
Employment	SF	Parking Spaces
Office	0 - 300,000	0 - 1,200
Retail	0 - 10,000	0 - 50
Total	0 - 310,000	0 - 1,250
Other	SF/Units	Parking Spaces
Public Use	0 - 20,000	0 - 60
Senior	0 - 100	0 - 200

MXP Yield Summary	
Residential	Units
Detached	Not to Exceed 100 Units
Attached	Not to Exceed 600 Units
Multifamily	Not to Exceed 439 Units
Total	Not to Exceed 1,139 Units
Employment	SF
Office	Not to Exceed 1,936,000 SF
Retail	Not to Exceed 484,000 SF
Total	Not to Exceed 2,420,000 SF
Other	SF/Units
Public Use	Not to Exceed 75,000 SF
Senior	Not to Exceed 500 Units

**NOTES:**  
Number of bedrooms range from 1 to 3 bedrooms per unit. The average number of bedrooms per unit is 2.5 in the proposed MXP Zone.  
The maximum total residential, employment, public use, and retail densities noted in the MXP Yield Summary Chart located above, in no way reflect the sum of each maximum density and/or sq. feet in Areas A, B, C and D. These maximum quantities are justified in allowing flexibility within further stages of development at the MXP section of the Cabin Branch Community.  
\*Includes uses such as office, R&D, hotel, entertainment, and light industrial.  
\*\*Includes uses such as offices of worship, child care, and community building.

## NOTES CONTINUED:

- Develop a commercial/industrial density in the mixed use planned development zone that should be compatible with any gross floor area or floor area ratio recommended in the master plan. The maximum density shall not exceed a floor area ratio of 0.75.  
**Current Commercial/Industrial Yields are as follows:**
- | Area                | Total SF      | Employment Acres | Floor Area Ratio |
|---------------------|---------------|------------------|------------------|
| A                   | 0 - 1,100,000 | 14.4 ac          | 0.081            |
| B                   | 0 - 450,000   | 14.4 ac          | 0.071            |
| C                   | 0 - 1,455,000 | 36.0 ac          | 0.082            |
| D                   | 0 - 310,000   | 20.8 ac          | 0.034            |
| Subtotal            | 0 - 3,315,000 | 108.2 ac         | Varies           |
| Residential Acreage |               | 69.8 ac          |                  |
| RAW Acreage         |               | 105.0 ac         |                  |
| Total               |               | 283.5 ac         | 0.20             |
- \*Note: Employment density may vary based on distribution, mix of uses, and internal/adjacent open space.  
\*\*Note: Not to exceed 2,420,000 SF.
- The maximum population proposed is approximately 3,800 people.
  - The amount of green area required for the residential portion of a mixed-use planned development shall be no less than 50 percent of the total area shown for residential use. The maximum green space requirement for the commercial/industrial portion of a mixed-use planned development shall be 40 percent of the total area devoted to commercial/industrial uses.
  - The maximum total residential, employment, public use, and retail densities are noted in the MXP Yield Summary Chart located above. These numbers in no way reflect the sum of each maximum density and/or sq. feet in Areas A, B, C and D. These maximum quantities are justified in allowing flexibility within further stages of development in the MXP section of the Cabin Branch Community.
  - Rights of way for the following Master Plan roads will be dedicated as required at Preliminary Plan of subdivision:  
A-27 Maryland Route 121  
A-307 First Avenue and Second Avenue  
A-304 Newcut Road / Little Seneca Parkway  
F-1 I-270 RW # Newcut Road Interchange RW to be placed in reservation  
10. Off-street parking shall be provided in accordance with the requirements of article 59-E.  
11. On-street parking shall be provided on master plan roads A-304 (First Avenue and Second Avenue) and local roads.
  - Section E is a portion of RMX-1/TDR Zone that is not included in MXP Zoning Application.
  - The property, including the open space, will be subject to the site plan review. At the time of site plan review the owner on behalf of itself, or its successors and assigns, will enter into a Site Plan Review Agreement providing for perpetual maintenance of open space areas and other areas used for recreational, common or quasi-public purposes.
  - Preliminary Water Quality Plan for Cabin Branch  
SM File # 207133, was approved by Montgomery County Department of Permitting Services by letter dated June 4, 2003.  
Designates potential SWM features.  
The final location and type of stormwater management facilities will comply with all applicable regulations and will be specified on the Final Water Quality Plan at the time of site plan.

Office of Zoning and  
Feb 12 2014  
Administrative Hearings

**OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS CERTIFICATION**  
THIS IS A TRUE COPY OF THE DEVELOPMENT PLAN (EXHIBIT NUMBER 1326) APPROVED BY THE DISTRICT COUNCIL ON February 4, 2014, BY RESOLUTION NUMBER 17-1002, IN APPLICATION NUMBER DPA 13-02.  
HEARING EXAMINER: Lynn A. Robinson  
DATE: 2/12/2014  
HEARING EXAMINER'S NAME PRINTED

**RODGERS CONSULTING**  
Knowledge • Creativity • Enduring Values

19847 Century Boulevard  
Suite 200  
Germantown, Maryland 20874  
Ph: 301.948.4700 (Main)  
Ph: 301.253.6609 (Frederick)  
Ph: 301.948.6256  
www.rodgers.com

Revisions	Date	Revisions	Date
Development Plan Revision	09/09/03	Development Plan Revision	07/24/13
Development Plan Revision	01/26/13	Development Plan Revision	07/26/13
Development Plan Revision	06/26/13	Development Plan Revision	07/26/13
Development Plan Revision	07/26/13		



## APPENDIX (Binding Elements)

### BINDING ELEMENTS

1. Transferable Development Rights and Moderately Priced Dwelling Units

The property that is the subject of this application (283.5 acres) is part of a larger, mixed-use community planned for 535 acres shown on the Development Plan, of which the Applicants are also owners. The portion of the property not being rezoned MXPB, is zoned RMX-1/TDR and will require the purchase of Transferable Development Rights (TDR's) for the development planned by Applicants. Based on calculations developed with M-MCPPC staff, the total Master Plan residential density for the 535-acre community is 1,676 market rate units plus 210 Moderately Priced Dwelling Units. Assuming this density and the mix of unit types called for in the Master Plan for the entire Cabin Branch Neighborhood (including a maximum of 20% multifamily) the 535-acre project will require 635 TDR's. The Preliminary Plan of Subdivision application(s) for the MXPB area and the remaining RMX-1/TDR area shall require the purchase of TDR's in conformance with this calculation.

2. Off-site Amenities and Features

By the time of issuance of building permits for the 100<sup>th</sup> dwelling unit in the Cabin Branch Community, which consists of the larger, mixed-use community of 535 acres shown on the Development Plan, the Applicants will dedicate the sites shown on the Development Plan for an elementary school, a local park and a recreation facility. The school site will be rough-graded at a time determined at the earliest Preliminary Plan of Subdivision application for the Cabin Branch Community, subject to Montgomery County Public School approval.

3. Trip Reduction Measures

At the time of Preliminary Plan of Subdivision, the Applicants, M-MCPPC Transportation Planning staff, and Department of Public Works and Transportation (DPWT) staff will consider mutually acceptable trip reductions measures. The parking ratios for non-residential uses in the Cabin Branch Community will be determined at Site Plan, considering trip reduction goals.

4. Street Network

A network of public streets shall be provided, supplemented by private streets, in a grid pattern that promotes interconnectivity. Public streets will consist of Master Plan streets and additional business and residential streets to form blocks that, with the exception of Area D defined on the Development Plan, are substantially similar to the street system shown in the Road Hierarchy Plan of the Development Plan and that are subject to M-MCPPC and DPWT approvals.

5. Area D Street Network

Area D will be designed with a public or private street connecting First Avenue (Route A-304) and Newcut Road (Route A-302) in a grid pattern with a particular emphasis on a building line to frame Newcut Road Extended, with parking in the rear.

6. Street Character

All streets will adhere to a pedestrian-friendly design to the extent practicable, which places particular emphasis on a building line to frame the street, with parking in the rear, excluding retail and entertainment uses. Within the core, pedestrian friendly uses including retail, residential, or office will be located on the first floor. The entire MXPB area will conform to a Cabin Branch Community Streetscape Plan that is designed to integrate the entire community, which will be submitted at Site Plan and is subject to M-NCPPC and DPWT approvals.

7. Special Roads

A-307 will be designed as an open section arterial road with wide green edges to provide a gateway to Black Hill Regional Park, subject to M-NCPPC and DPWT approvals. The rural character of West Old Baltimore Road will be maintained by minimizing environmental impacts and providing generous green edges.

8. Service/Public Uses

Service/Public uses may include up to 500 units for independent living for Senior Adults or persons with disabilities, assisted living, life care, or continuing care.

9. On-street Parking

Applicants will include on-street parking on streets adjacent to retail facilities. (Excluding MD Route 121, Wellspring Street and Goldeneye Avenue.)

10. No single retail store will have a gross floor area that is greater than 50,000 square feet, which will be a condition of site plan approval and will be referenced on the Certified Site Plan.

11. The retail uses located in Area C will be neighborhood retail.

Case No.	Opinion	Type of Plan	Uses Approved	Status
G-806	9/9/2003	Local Map Amendment w/ PWQP	Rezoned 283.5 acres to MXPDP. Development Plan 535 acres to allow 1,886 dwelling units, 2,240,000 sf. of commercial and 500 senior housing units.	Approved
DPA 13-02	2/4/2014	Development Plan Amendment	Modified G-806 to split commercial uses to specifically allow up to 484,000 sq. ft. of retail and 1,936,000 sq. ft. of office.	Approved
Preliminary Plans				
120031100 & 12003110A	6/22/2004	Preliminary Plan w/ PWQP	1,600 dwelling units, 500 senior housing units, 1,538,000 sf. commercial space, transportation improvements, LATR review, road construction phasing on 535 acres of land.	Approved
12003110B	10/6/2008	Preliminary Plan w/ PWQP (based on previous approvals)	1,886 dwelling units (including MPDUs), 2,420,000 sf. commercial space, 500 senior housing units.	Approved
12003110C	12/23/2014	Preliminary Plan Amendment w/ PWQP	Modified APF to increase retail from 120,000 sq. ft. to 484,000 sq. ft., and to decrease office from 2.3 million sq. ft. to 1.96 million sq. ft.	Approved
Associated Mandatory Referrals				
08001-WSSC-1	3/24/2008	Mandatory Referral – Water Storage Tank	750,000 gallon storage tank (24-hour operation), intended to serve approximately 15,000 people in the 760A Zone by year 2020.	Approved
MR2014049	6/2/2014	Mandatory Referral	Preliminary/Final Water Quality Plan and Forest Conservation Plan associated with the construction of MD 121 & I-270.	Approved

Case No.	Opinion	Type of Plan	Uses Approved	Status
SITE PLANS				
820050150	09/19/2007	Infrastructure Site Plan w/ FWQP	Roads only. Density per 12003110B, maximum 635 TDRs, 236 MPDUs, 28.32 acres green space, public water and sewer (W-3), Master Plan Unit Mix, 2,436,000 sf. retail and employment.	Approved
82005015A	6/9/2008	Infrastructure Site Plan Amendment	Modifications to the conditions of approval and roadway cross-section of Old Baltimore Road.	Approved
82005015B	3/7/2012	Infrastructure Site Plan Amendment	Revisions to FCP, SMW and FWQP.	Approved
82005015C	11/27/2012	Infrastructure Site Plan Amendment	Revisions to FCP, SMW and FWQP.	Approved
82005015D	5/2/2013	Infrastructure Site Plan Amendment	Modifications to Grading Plan, additional turn lane and additional pavement removed.	Approved
82005015E	6/2/2014	Infrastructure Site Plan Amendment	Revisions to the FCP (category I easements and mitigation project.	Approved
82005015F	9/23/2014	Infrastructure Site Plan Amendment	Revisions to the FCP including adjustments to the LOD.	Approved
82005015G	7/25/17	Infrastructure Site Plan Amendment	Revisions to the LOD and Category I Conservation easements for a new culvert and mitigation.	Approved
820060290	10/20/2008	Winchester I Site Plan w/ FWQP	428 dwelling units, including multi-family, attached and detached one-family homes, 64 MPDUs, 128 TDRs, 62.55 green space.	Approved

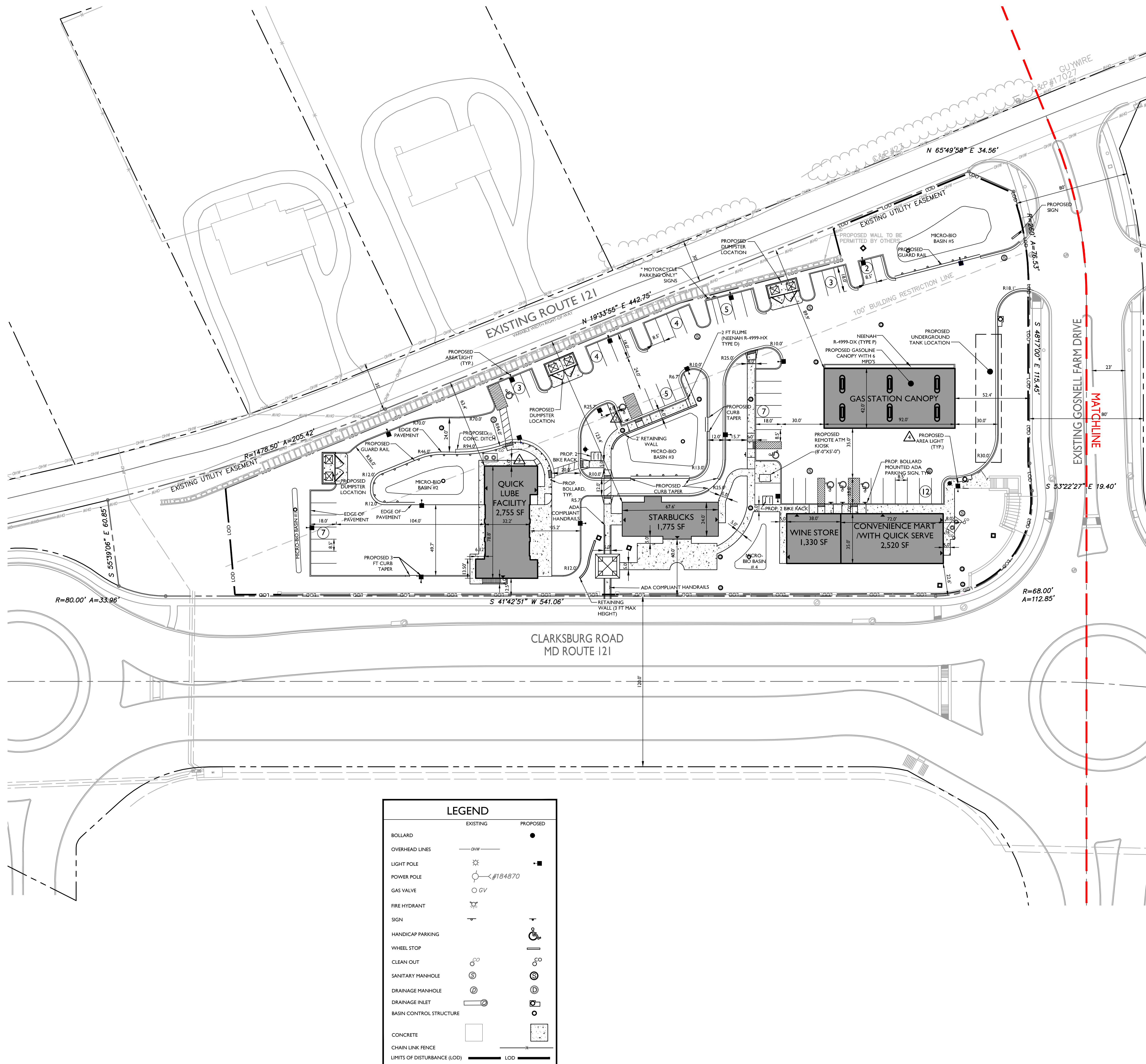
Case No.	Opinion	Type of Plan	Uses Approved	Status
82006029A & 820110080	7/11/2012	Winchester I & II Site Plan Amendment w/ FWQP	400 dwelling units in the MXPDP and RMX-1/TDR Zones, 341 dwelling units in the MXPDP and RMX-1/TDR Zones	Approved
820120150	4/4/2013	Winchester III Site Plan Amendment w/ FWQP	RMX-1/TDR zone w/ 185 dwelling units (including 10 MPDUs), consisting of 128 one-family detached and 57 one-family attached units using 56 TDRs.	Approved
820060240	9/29/2010	Gosnell Property Site Plan w/ FWQP	Hotel, banks (employment), 87,500 sf (hotel) and 8,600 sf. (retail) auto-related uses w/ parking waiver.	Approved
82006024A		Gosnell Site Plan Amendment	Revise size and location of buildings, Modify mix of retail uses, reconfigure parking and on-site circulation	Under Review
820070140	5/2/2013	Toll Brothers I & Site Plan w/ FWQP	435 dwelling units, including 239 one-family detached, 68 one-family attached and 128 multi-family units.	Approved
82007014A	11/9/2016	Toll Brothers I Amendment	Review for final design of the Dovekie Lawn and Seneca Ellipse Open Spaces, adjust lot lines and MPDU locations.	Approved
82007014B	3/29/2016	Toll Brothers I Amendment	Redesign of the community center including additional bicycle parking, new handicap parking and accessibility, and new architecture	Approved
820100030	5/2/2013	Toll Brothers II Site Plan w/ FWQP	RMX-1/TDR-3 Zone w/ 168 dwelling units (including 128 one-family detached and 40 one-family attached units) with	Approved

Case No.	Opinion	Type of Plan	Uses Approved	Status
			10 MPDUs using 63 TDRs on 46.35 acres.	
820140160	12/23/2014	Premium Outlets Site Plan	MXPD development containing 450,000 square feet of retail and restaurant uses.	Approved
82014016A	4/25/16	Premium Outlets Admin Amendment	Revised grading, SWM, circulation and other minor changes to landscaping.	Approved
82014016B		Premium Outlets Admin Amendment	Removal of a median in the loop drive, improvements to hardscape and landscape materials, and adjustments to retaining walls.	Under Review
820180060		Multi-Family W/ FWQP	272 Multi-family dwelling units in two buildings including 25% MPDUs	Under Review



## Attachment 6

PLANNING DEPARTMENT USE ONLY (E-PLANS)

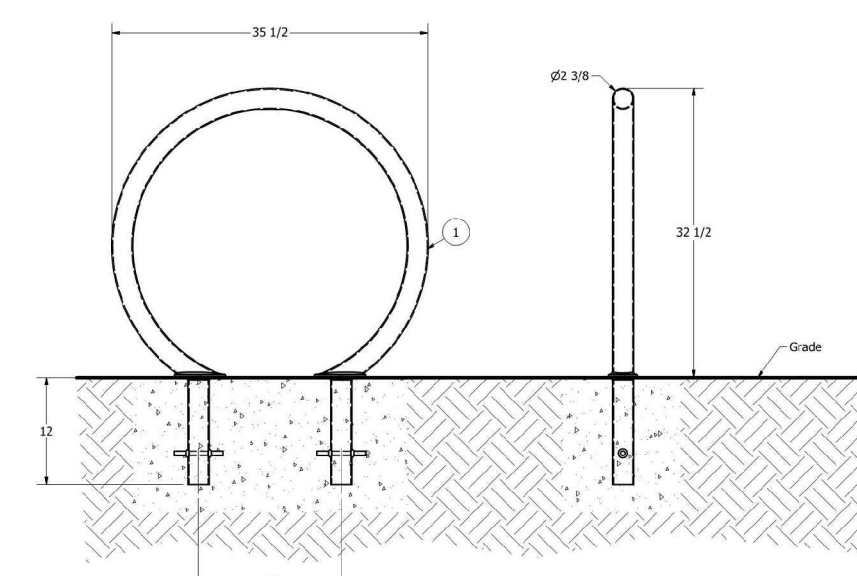
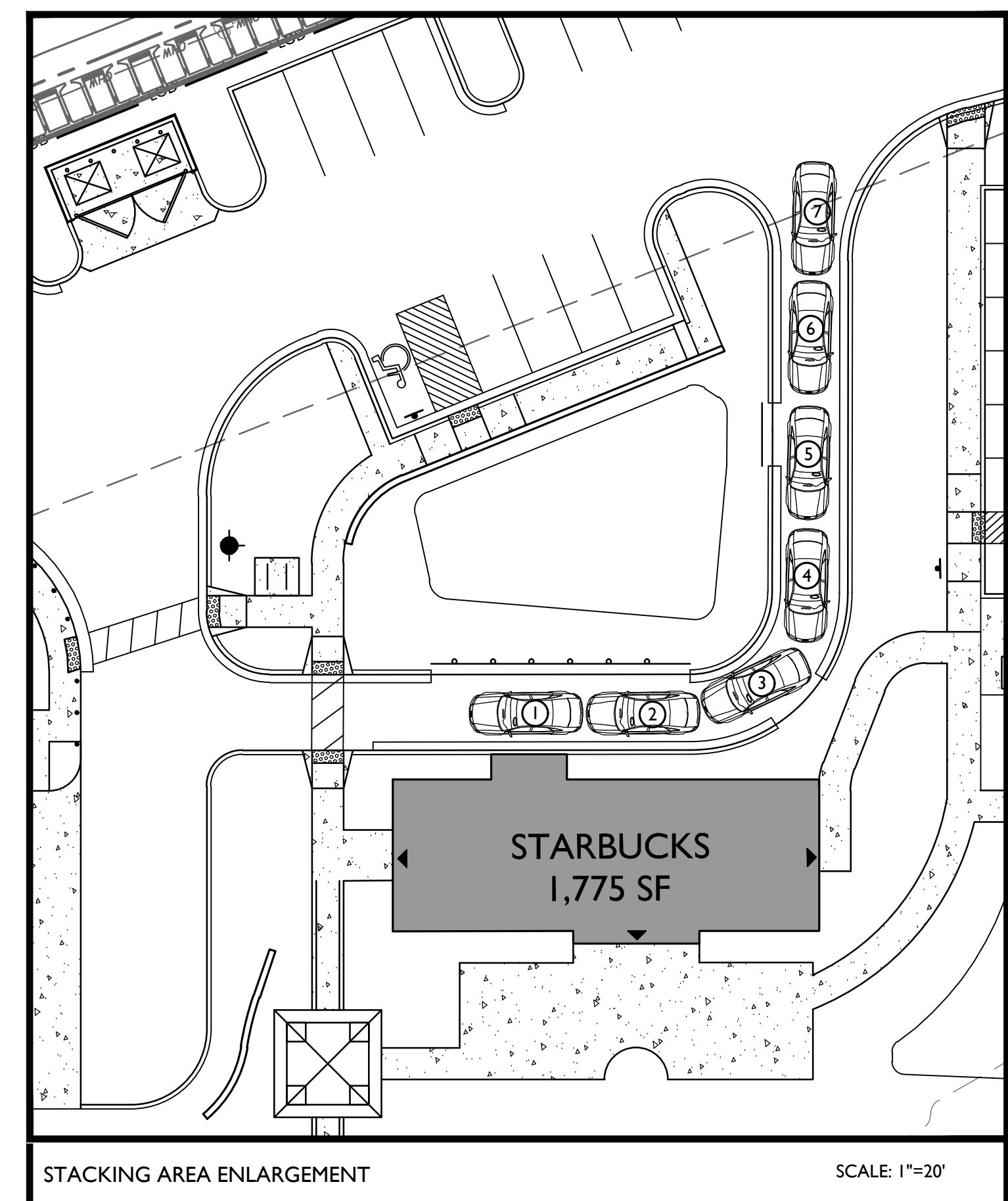


### SITE PLAN AMENDMENT CHECKLIST ITEMS

- 1 EAST PARCEL THE APPROVED BANK WITH DRIVE-THRU WILL BE SUBMITTED WITH A PHARMACY (CVS) WITH DRIVE-THRU.
- 2 WEST PARCEL THE APPROVED BANK WITH DRIVE-THRU IS BEING ELIMINATED.
- 3 APPROVED CAR WASH WILL BE REPLACED BY A QUICK LUBE.
- 4 GAS STATION, CONVENIENCE STORE AND QUICK SERVE WILL REMAIN WITH SOME ADJUSTMENTS.
- 5 PARKING, WALL AND HOTEL LANDSCAPING REVISIONS.

NOTES:

1. NORTHERLY RETAINING WALL INFORMATION ARE SHOWN PER SHOP DRAWINGS, PRECAST MODULAR BLOCK RETAINING WALLS PREPARED BY THIELE GEOTECH INC. ENTITLED "CABIN BRANCH", PROJECT NUMBER 16276.00.
2. SOUTHERLY RETAINING WALL AND GRADING INFORMATION ARE SHOWN PER CAD FILES PROVIDED BY SOLTESZ NAMED SITDATA\_2017-03-28.DWG.
3. DEVELOPMENT ON THE WEST PARCEL IS LIMITED BY THE OWNER TO BE NOT MORE THAN 8,420 SQUARE FEET OF BUILDING AREA. THE SIZE OF INDIVIDUAL STRUCTURES DESCRIBED ABOVE MAY INCREASE OR DECREASE IN SIZE SLIGHTLY BUT THE TOTAL SQUARE FOOTAGE WILL NOT EXCEED 8,420 SQUARE FEET.

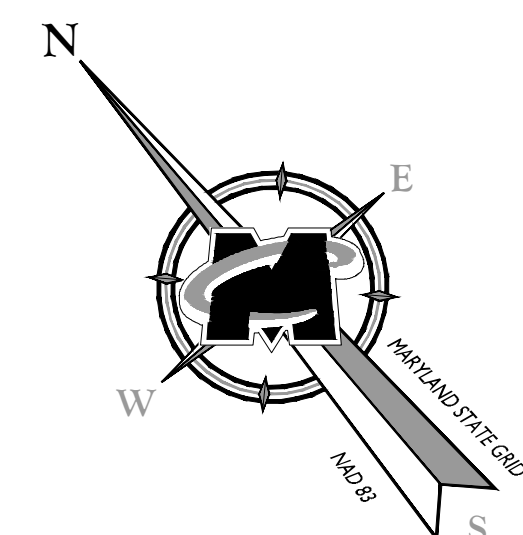


RELIANCE FOUNDRY, MODEL R-8224-EM OR EQUIVALENT

PROPOSED BIKE RACK DETAIL  
N.T.S.

NOTES:

1. ALL CURB RADII ARE 5', UNLESS OTHERWISE NOTED.
2. RETAINING WALL SOURCE
3. PERGOLA AND WALL SOURCE



SCALE : 1" = 30'

<b>DEVELOPER'S CERTIFICATE</b> The undersigned agrees to assume all the features of the Site Plan Approval. No. 82006024A, including Approval Conditions, Development Program, and Certified Site Plan.	
Developer's Name: SMTM Cabin Branch West, LLC - Company	Barry Gossnell Contact Person
Address: 8130 Boone Blvd, Suite 100, Vienna, VA 22182	
Phone: (703) 893-1221	
Signature:	

[illegible]

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672	673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688	689	690	691	692	693	694	695	696	697	698	699	700	701	702	703	704	705	706	707	708	709	710	711	712	713	714	715	716	717	718	719	720	721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736	737	738	739	740	741	742	743	744	745	746	747	748	749	750	751	752	753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	775	776	777	778	779	780	781	782	783	784	785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899	900	901	902	903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	931	932	933	934	935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960	961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	983	984	985	986	987	988	989	990	991	992	993	994	995	996	997	998	999	1000
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**EDUARDO J. INTRIAGO**  
MARYLAND PROFESSIONAL  
ENGINEER - LICENSE NUMBER: 46513

#82006024A  
SITE PLAN

FOR  
PETROLEUM  
MARKETING  
GROUP

PARCEL P204,  
SUBDIVISION 0001  
DEED BOOK 28928, FOLIO 00393  
CLARKSBURG ROAD

MONTGOMERY COUNTY  
MARYLAND



SCALE: AS SHOWN	DATE: 05/04/17	DRAWN BY: RCS	CHECKED BY: Eji
PROJECT NUMBER: 1600899A		DRAWING NAME: C-LAYT	

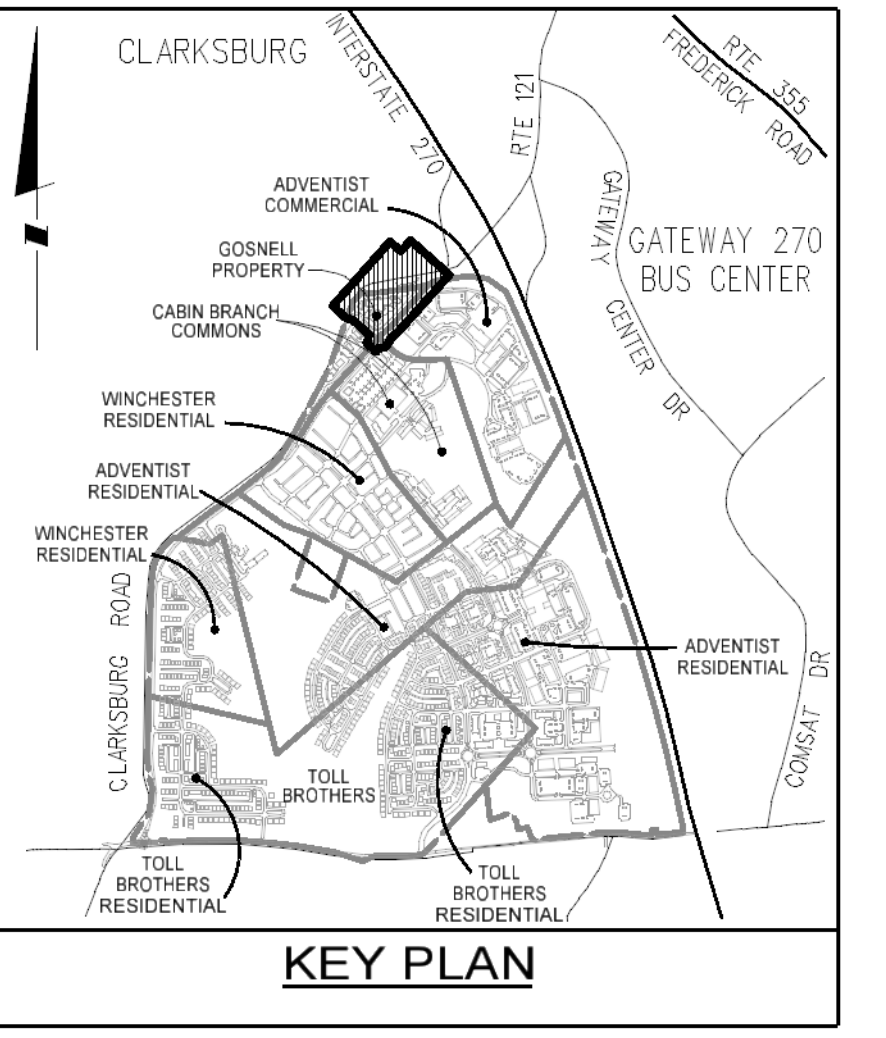
SHEET TITLE:

SITE PLAN

SHEET NUMBER: SI.2



Attachment 7

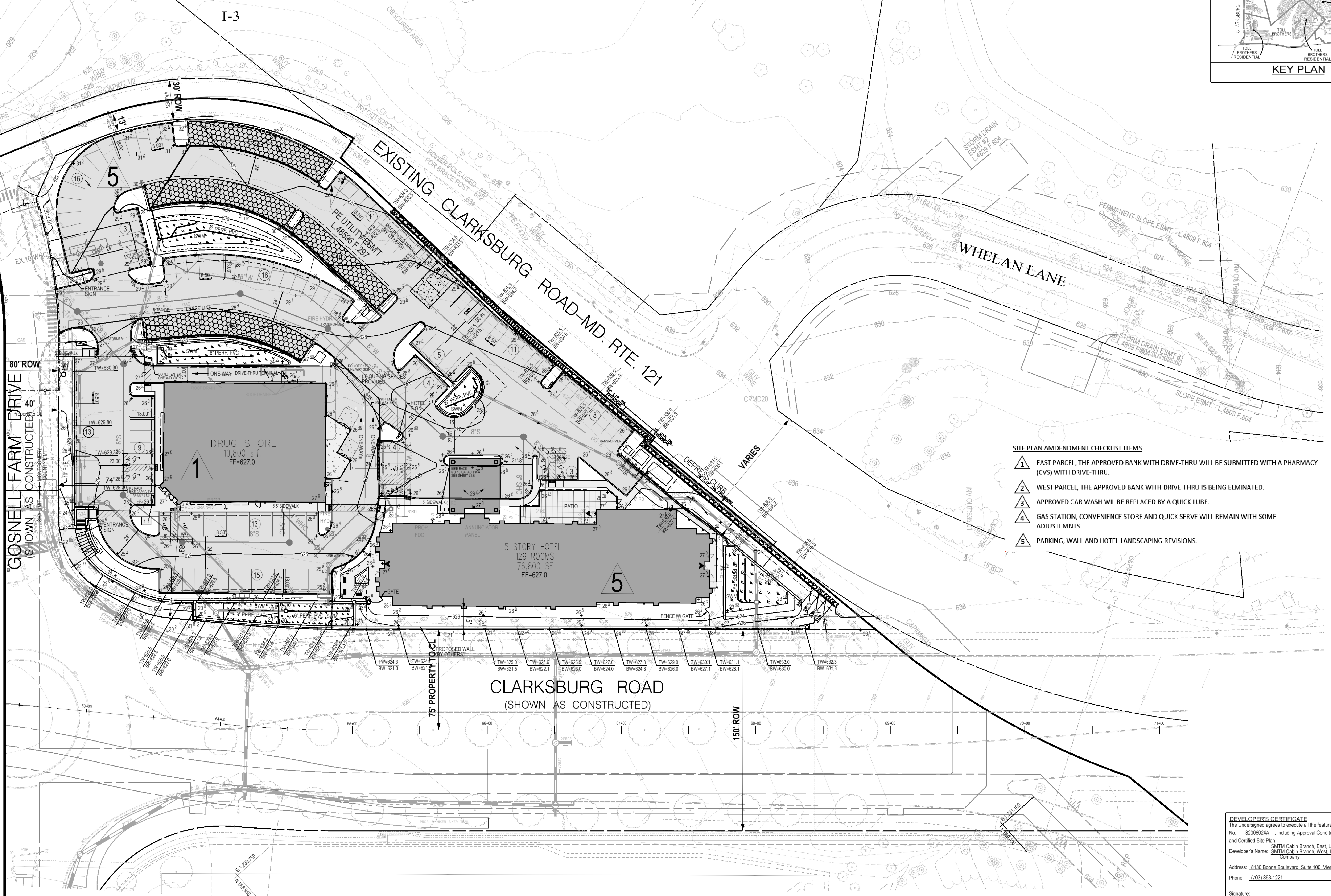


PLANNING DEPARTMENT USE ONLY (E-PLANS)

SCALE: 1"=30'  
NAD 83 DATUM

ZONED  
I-3

MATCH LINE SEE SHEET 4



- SITE PLAN AMENDMENT CHECKLIST ITEMS**
- 1 EAST PARCEL, THE APPROVED BANK WITH DRIVE-THRU WILL BE SUBMITTED WITH A PHARMACY (CVS) WITH DRIVE-THRU.
  - 2 WEST PARCEL, THE APPROVED BANK WITH DRIVE-THRU IS BEING ELIMINATED.
  - 3 APPROVED CAR WASH WILL BE REPLACED BY A QUICK LUBE.
  - 4 GAS STATION, CONVENIENCE STORE AND QUICK SERVE WILL REMAIN WITH SOME ADJUSTMENTS.
  - 5 PARKING, WALL AND HOTEL LANDSCAPING REVISIONS.

**LEGEND:**

	EXISTING GRADE
	PROPOSED GRADE
	EXISTING TREES
	EXISTING RIGHT OF WAY
	PROPOSED WATER LINE
	PROPOSED SEWER
	PROPOSED STORM DRAIN
	EXISTING STORM DRAIN
	PROPOSED PROPERTY LINE
	SPECIAL PROTECTION AREA
	SITE LIGHTING
	PERVIOUS PAVING

ADVENTIST HEALTHCARE  
L. 28928 F. 640  
ZONED MXPD

**PROFESSIONAL CERTIFICATION**  
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.  
LICENSE NO. \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_

**SITE PLAN EAST SIDE - 30 SCALE**  
**SITE PLAN 82006024A**

**GOSNELL-1**  
**CABIN BRANCH**  
**CLARKSBURG, MARYLAND**

**DEVELOPER'S CERTIFICATE**  
The undersigned agrees to execute all the features of the Site Plan Approval No. 82006024A, including Approval Conditions, Development Program, and Certified Site Plan.  
Developer's Name: SMTM Cabin Branch, East, LLC & SMTM Cabin Branch, West, LLC  
Company: Barry Gosnell  
Address: 8130 Boone Boulevard, Suite 100, Vienna, VA 22182  
Phone: (703) 893-1221  
Signature: \_\_\_\_\_

**SOLTESZ**  
Rockville Office  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.948.2750 F. 301.948.9067  
www.soltesz.com

NO.	REVISIONS	BY	DATE
1	DESIGNED: KDL		
2	CAD STANDARDS VERSION: MicroStation V8 S16 2004		
3	TECHNICAL KDL		
4	CHECKED: KDL		

**MISS UTILITY NOTE**  
INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT MISS UTILITY AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**OWNER/DEVELOPER/APPLICANT**  
COMPANY NAME: SMTM Cabin Branch, East, LLC & SMTM Cabin Branch, West, LLC  
ADDRESS: 8130 Boone Boulevard, Suite 100  
CITY STATE: Vienna, VA 22182  
PHONE #: 703.893.1221  
FAX #: 703.893.6630  
CONTACT NAME: Barry Gosnell

MAP: TAX MAP	GRID: 8, 9
W-1&2; E-1&2; EV-5&2 & EV-122	ZONING CATEGORY: MXPD
WESC 200 SHEET: 231 NW 13,14	
230 NW 13,14	
SITE DATUM	
HORIZONTAL: _____	
VERTICAL: _____	

DATE: JUNE 2017	DESIGNED: KDL
CHECKED: KDL	

PROJECT NO. 82006024A  
SHEET **S1.3**  
PROJECT NO. 0582-58-00





## Attachment 8

### DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Diane R. Schwartz Jones  
Director

May 21, 2018

Mr. Timothy Hoffman  
Soltesz, Inc.  
2 Research Place  
Rockville, Maryland 20850

Re: **COMBINED FINAL WATER QUALITY  
PLAN/SITE DEVELOPMENT STORMWATER  
MANAGEMENT PLAN** for Cabin Branch-  
Gosnell  
Preliminary Plan #: 1-03110A  
SM File #: 236470  
Tract Size/Zone: 5.57 acres/MXPD  
Total Concept Area: 5.57 acres  
Lots/Block: N/A  
Watershed: Little Seneca Creek  
Clarksburg Special Protection Area

Dear Mr. Hoffman:

Based on a review by the Department of Permitting Services Review Staff, the Final Water Quality Plan for the above-mentioned site is **acceptable**. The Final Water Quality Plan proposes to meet required stormwater management goals via permeable pavement, micro bioretention and the use of existing downstream structures. This approval is for the elements of the Water Quality Plan of which DPS has lead agency responsibility, and does not include limits on imperviousness or buffer encroachments.

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

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. Micro bioretention drainage areas are to be limited to 20,000 square feet. Also, additional curb cuts may be required for larger overland flows. Inflow protection is required at all curb cuts and other inflow points to the micro bioretention structures. This may require stone and/or reinforced turf matting for wide inflow areas.
3. Landscaping shown on the approved Landscape Plan as part of the approved Site Plan and within the micro bioretention areas are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.



255 Rockville Pike, 2<sup>nd</sup> Floor, Rockville, Maryland 20850 | 240-777-0311  
[www.montgomerycountymd.gov/permittingservices](http://www.montgomerycountymd.gov/permittingservices)

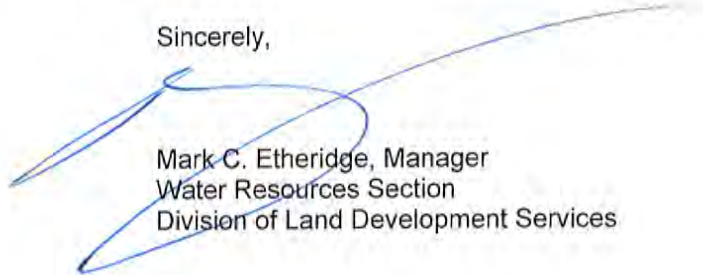
Timothy Hoffman  
May 21, 2018  
Page 2

This list may not be all-inclusive and may change based on available information at the time. A stream monitoring fee for the site area and a BMP monitoring fee for the disturbed area in the SPA is 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 Water Quality 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 Leo Galanko at 240-777-6242.

Sincerely,



Mark C. Etheridge, Manager  
Water Resources Section  
Division of Land Development Services

MCE: lmg

cc: N. Braunstein  
SM File # 236470

ESD: Required/Provided 29,942 cf / 24,848 cf  
PE: Target/Achieved: 2.1"/1.8"  
STRUCTURAL: 14,402 cf (off site)  
WAIVED: 0 ac.

## Attachment 9



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### Department of Permitting Services Fire Department Access and Water Supply Comments

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**DATE:** 03-Apr-18  
**TO:** Keely Lauretti  
Loiederman Soltesz Associates, Inc  
**FROM:** Marie LaBaw  
**RE:** Cabin Branch Gosnell-1  
82006024A (see 820060240)

---

#### PLAN APPROVED

1. Review based only upon information contained on the plan submitted **03-Apr-18** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

Cabin Branch Town Architect  
c/o KTG Y Group Inc.  
8609 Westwood Center Drive, Suite 600  
Tysons, VA 22182  
T 703-992-6116 F 703-992-6428

**Cabin Branch Management, LLC**  
c/o Jim Greene  
Cabin Branch Management, LLC  
6905 Rockledge Drive, Suite 800  
Bethesda, MD 20817

June 12, 2018

**RE: Town Architect Review of *The Gosnell Site Plan (East & West Parcels)* –  
Conditional Approval**

Good Afternoon Mr. Greene,

We have completed the review of *The Gosnell Site Plan* at the request of M-NCPPC. Both John Gosnell & Soltesz Company have been very supportive of the review process and helped to ensure this project benefits the greater Cabin Branch Community.

The Gosnell site plan encompassing an East & West Parcel, as represented in the drawings received from Soltesz Co., on May 18, 2018 and supplemental documents received on June 04, 2018 are recommended for approval, subject to the following conditions:

1. Provide color renderings of the elevations for the following buildings; Jiffy Lube, 7-11 Convenience Mart, & Starbucks.
2. Provide an exterior material schedule for the Hampton Inn Hotel.

To the best of our knowledge, the proposed East & West parcels of the Gosnell Site plan, meet the intent of the Cabin Branch Community Guidelines, and we are pleased to recommend that this site plan be approved pending the above conditions.

If we can be of any further assistance we are happy to help.

Thank you,

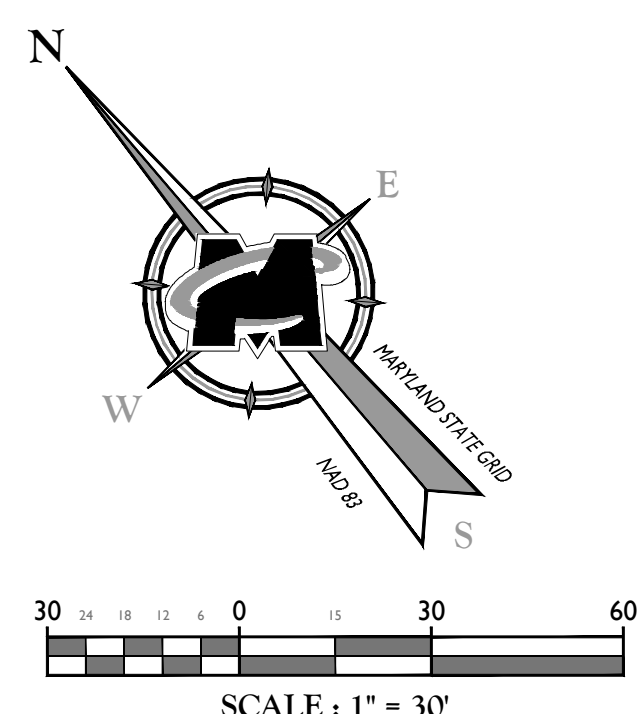


Smita Anand  
Principal  
KTGY Group, Inc.

Date: June 12, 2018

CC Saul Soto, John Gosnell, Mike Kingsley, Keely Lauretti



 PROPOSED PERVIOUS AREA

SITE IMPERVIOUS CALCULATION:	
TOTAL SITE AREA:	117,926 SF
TOTAL PERVIOUS AREA:	50,521 SF
TOTAL IMPERVIOUS AREA:	67,405 SF
PERCENT PERVIOUS (%):	42.84%
PERCENT IMPERVIOUS (%):	57.16%

**DEVELOPER'S CERTIFICATE**  
The Undersigned agrees to execute all the features of the Site Plan Approval No. 8206024A, including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: MTM Cabin Branch West, LLC Barry Gosnell  
Company Contact Person

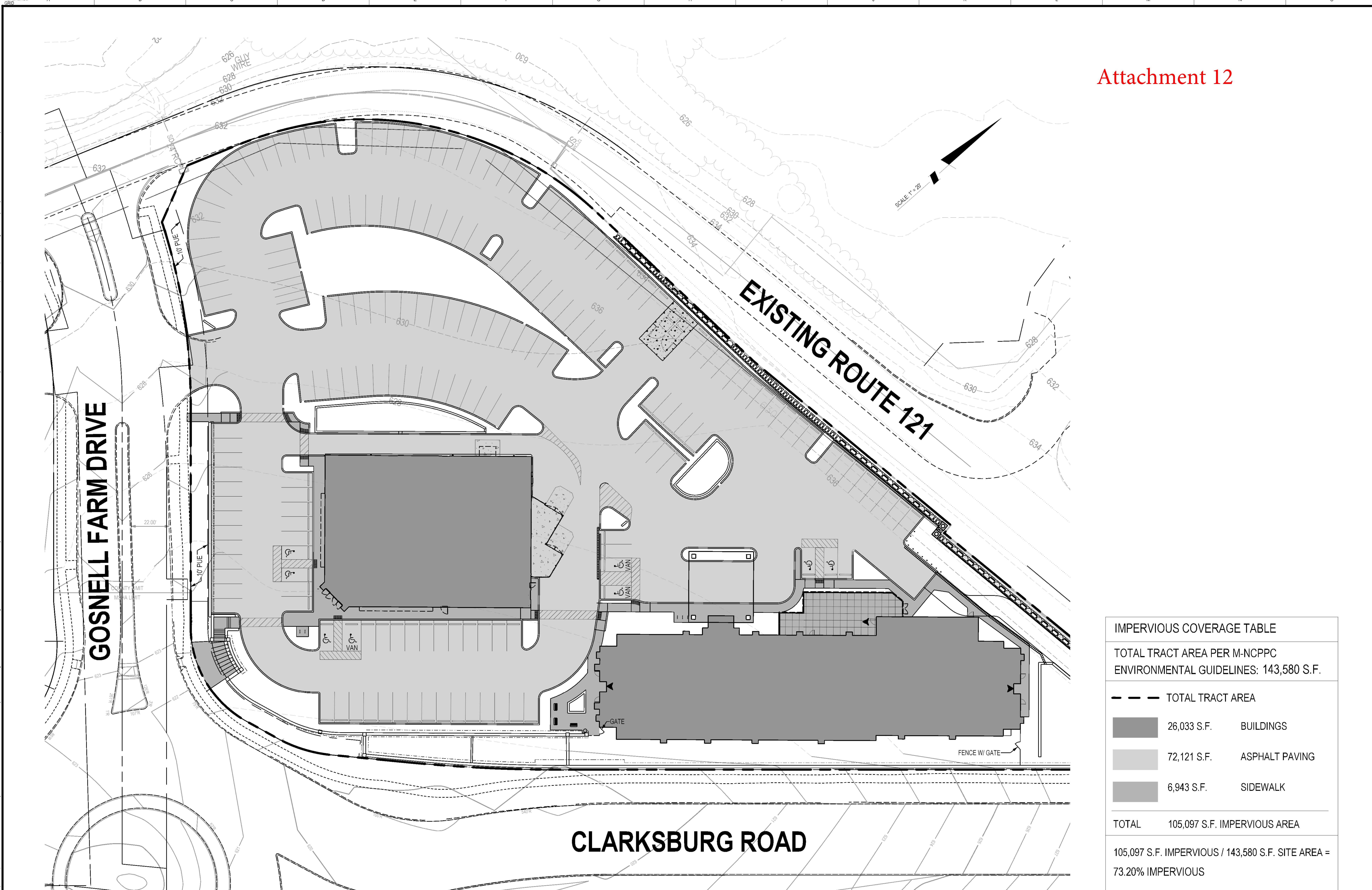
Address: 8130 Boone Blvd., Suite 100, Vienna, VA 22182

Phone: (703) 893-1221

Signature: \_\_\_\_\_



The original of this drawing document was prepared by Soltesz, Inc. (SOLTESZ). This document was not obtained directly from SOLTESZ and/or it was transmitted electronically. SOLTESZ cannot guarantee that unauthorized changes and/or alterations were not made by others. If verification of the information contained herein is needed, contact should be made directly with SOLTESZ. SOLTESZ makes no warranties, express or implied, concerning the accuracy of any information that has been transmitted by electronic means.



Attachment 12

IMPERVIOUS COVERAGE TABLE		
TOTAL TRACT AREA PER M-NCPPC ENVIRONMENTAL GUIDELINES: 143,580 S.F.		
--- TOTAL TRACT AREA		
	26,033 S.F.	BUILDINGS
	72,121 S.F.	ASPHALT PAVING
	6,943 S.F.	SIDEWALK
TOTAL 105,097 S.F. IMPERVIOUS AREA		
105,097 S.F. IMPERVIOUS / 143,580 S.F. SITE AREA = 73.20% IMPERVIOUS		

**SOLTESZ**  
Engineering  
Surveying  
Planning  
Environmental Sciences

Rockville Office  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.948.2750 F. 301.948.9067  
www.solteszco.com

Rockville  
Lanham  
Waldorf  
Leonardtown  
Frederick  
Soltesz DC, LLC

NO.	DATE	REVISIONS	BY	DATE	
1	JULY 2016	CAD STANDARDS VERSION 18 - 2000			
DESIGNED:	D.F.S.	TECHNICIAN:	D.F.S.	CHECKED:	P.R.I.

**MISS UTILITY NOTE**  
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8130 Boone Boulevard  
Suite 100  
Vienna, Va 22182  
703.893.1221  
703.893.6630  
Barry Gosnell

MAP: 4928	GRID: 0.4
TAX MAP: W-182 E-182 EV-562 & FV-122	ZONING CATEGORY: CRT-0.5
WISC 200 SHEET: 231 NW 13.14 230 NW 13.14	
SITE DATUM: HORIZONTAL: NAD 83/9 VERTICAL: NGVD 27	

**IMPERVIOUS EXHIBIT**

**GOSNELL CABIN BRANCH CLARKSBURG, MARYLAND**

CLARKSBURG (2ND ELECTION DISTRICT) MONTGOMERY COUNTY, MARYLAND

P:05825800/058258-GOS11EXHIBIT1Impervious32-IMPERVIOUS-82005024A-002.sht Scale= 20.0000 ft/in. User= klaureti PLTdrw= PDF\_Grey\_150.pltcdy Penltb= TEXT\_SUB 101 6/28/2016 9:44:37 PM

SHEET **2** OF **2**

PROJECT NO. 0582-58-00