






Flower Hill Parcels A-8 & A-9, Site Plan No. 81985107B

-  Troy Leftwich, Planner Coordinator, Area 2 Division, troy.leftwich@montgomeryplanning.org, 301-495-4553
-  Patrick Butler, Supervisor, Area 2 Division, patrick.butler@montgomeryplanning.org, 301-495-4561
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Staff Report Completed: 6/3/19

Description

Request to allow for an additional 15,659 square feet of non-residential uses to be developed only on Parcel A-9, which includes 7,829 square feet of restaurant uses and 7,830 square feet of retail/service uses; and will feature a green roof and roof top restaurant and bar.

Location: Southeast quadrant of the intersection of Woodfield Road and Muncaster Mill Road.

Zone: PNZ.

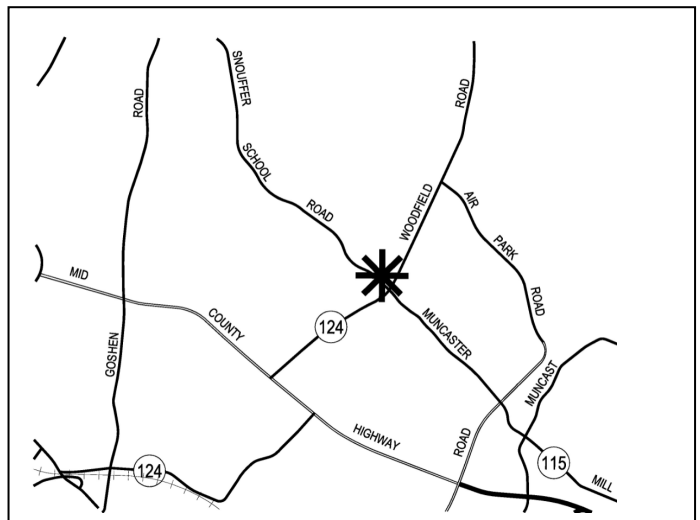
Master Plan: 1996 *Gaithersburg Vicinity Master Plan*.

Size: 3.269 acres.

Application Accepted: October 17, 2018.

Applicant: Pettit Financial Investments, LLC.

Review Basis: Chapter 59, Zoning Ordinance, and Chapter 22A, Forest Conservation Law.



Summary

- Staff recommends approval with conditions.
- The Application meets the requirements of Chapter 59, the Zoning Ordinance and Chapter 22A, the Forest Conservation Law.
- The proposed building meets all required development standards for the applicable zone under the standard method of development.
- Staff has not received any correspondence regarding this Application.
- This Application is within the total 58,370 square feet of commercial use approved per Development Plan Amendment (DPA) 09-03.

SECTION 1: RECOMMENDATION AND CONDITIONS

Staff recommends approval of Site Plan 81985107B to allow construction for a 15,659 square feet retail/service establishment and restaurant uses on the Subject Property. 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 except as modified by the following additional conditions for Parcel A-8 and A-9.¹

Density, Height and Housing

1. Density

The Site Plan is limited to 15,659 square feet of restaurant and/or retail/service establishment uses on Parcel A-9 in addition to the existing 4,868-square-foot restaurant on Parcel A-8 on the Subject Property for a total of 20,527 square feet.

2. Height

The development is limited to a maximum height of 30 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

3. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities.

Site Plan

4. Site Design

a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheet AS-3 of the submitted architectural drawings, as determined by M-NCPPC Staff.

5. 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 proposed 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.

¹ For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.

Environment

6. Forest Conservation

Prior to any clearing or grading, the limits of disturbance must be staked, and an on-site preconstruction meeting scheduled with the forest inspector to verify the limits of disturbance and determine if tree protection is necessary.

7. Stormwater Management

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept letter dated April 22, 2019 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

Open Space

8. The Applicant must provide the required minimum 10% of Amenity Open Space. The Amenity Open Space must be provided as shown in the Site Plan.

Transportation and Circulation/Adequate Public Facility (APF) Review

9. Pedestrian and Bicycle Circulation

- a) The Applicant must provide three (3) short-term bicycle parking spaces.
- b) The short-term spaces must be an inverted-U rack (or approved equal) installed in a location convenient to the main entrance. The specific location of the short-term bicycle rack must be identified on the Certified Site Plan.

10. Adequate Public Facilities Validity

The Adequate Public Facilities (APF) will remain valid for sixty (60) months from the date of mailing of the Planning Board Resolution for the Site Plan.

11. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated February 14, 2019, 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.

12. State Highway Administration

The Planning Board accepts the recommendations of the State Highway Administration (SHA) in its letter dated December 21, 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 SHA may amend if the amendments do not conflict with other conditions of Site Plan approval.

13. Department of Permitting Services-Right-of-Way

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Right-of-Way Permitting Section in its letter dated February 4, 2019, 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 Site Plan approval.

14. 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 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, mailbox pad sites, trash enclosures, fences, railings, sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and street lights. 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.

15. Development Program

The Applicant must construct the development in accordance with the development program table, subject to review and approval by Staff before Certified Site Plan.

16. Certified Site Plan

Before 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 stormwater management concept approval letter, development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
- c) Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- d) Add a note stating all binding elements listed in Development Plan Amendment 09-03 by Council Resolution No. 16-1144 for Flower Hill Commercial Subdivision.

SECTION 2: SITE LOCATION

Site Location & Description

The Property (Outlined in red in Figure 1 below, Property or Subject Property) is located on the Southeast side of the intersection of Woodfield Road and Muncaster Mill Road. The Property is located within the Flower Hill Shopping Center and Professional Center. The surrounding area is comprised primarily of industrial uses, residential single-family homes, townhouses and condominiums. The Property is south of the Montgomery Village Airpark which is characterized by large box service and warehouse uses. The Flower Hill Shopping Center and Flower Hill Professional Center is comprised of small and big retail storefronts, four pad sites (McDonald's, Liberty Gas Station, M&T Bank, and restaurant), and four office buildings.

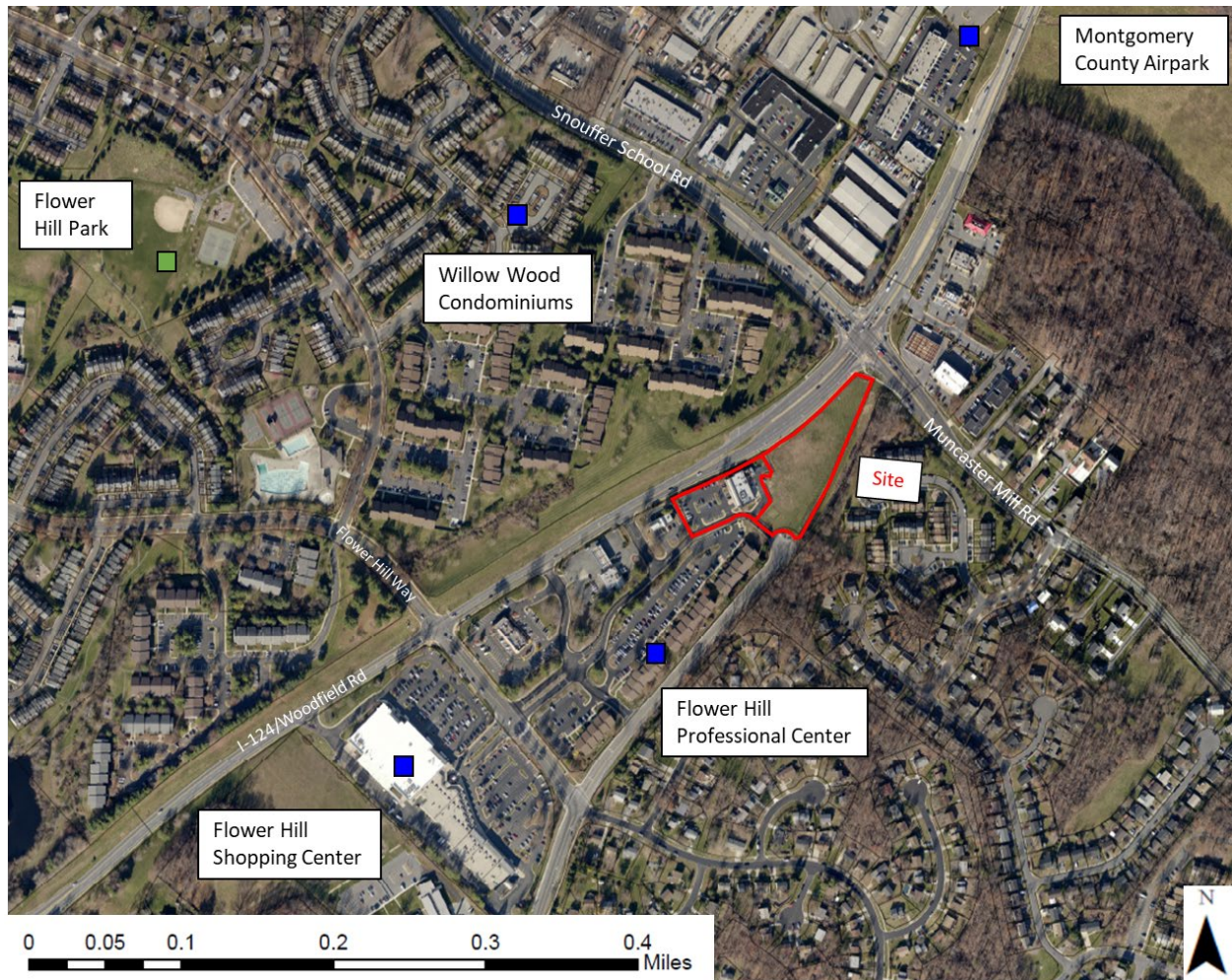


Figure 1- Vicinity Map



Figure 2- Site Aerial



Figure 3 – Existing Site Photos

SECTION 3: PLAN HISTORY

The District Council approved rezoning G-420 with Development Plan, which included the Subject Property A-5 as part of Parcel 31 in June 25, 1985;

The Planning Board approved Preliminary Plan No. 1-85218 granting Parcel 31 entitlements;

The Planning Board approved Site Plan No. 8-85107 for Parcel 31 for commercial development including McDonald's Restaurant;

The Planning Board approved Preliminary Plan No. 1-89244 subdividing Parcel 31 into 8 lots including McDonald's on the new Parcel A-5;

The District Council approved subsequent Development Plan Amendments 07-2 and 09-3 for modifications to parcels surrounding Parcel A-5; and

On March 12, 2015, the Planning Board approved Site Plan No. 819851070A for the Flower Hill Commercial Subdivision on Parcel A-5, which permitted minor revisions to update the building façade, reconfigure drive-thru and surface parking, renovate trash enclosure, and expand area of the pick-up window for the McDonald's drive-thru restaurant.

SECTION 4: PROPOSAL

The proposed Site Plan will allow for up to 15,659 square feet of restaurant and retail/service uses to be developed only on Parcel A-9, approximately 3.269 acres, zoned Planned Neighborhood Zone (PNZ), in accordance with DPA 09-03. The proposal includes 7,829 square feet of restaurant uses and 7,830 square feet of retail/service uses, which includes the addition of 80 new surface parking spaces, a right-in vehicular access point from Woodfield Road through Parcel A-8 to A-9, and seven (7) new retail/commercial store fronts. The building will also provide 11,800 gross square feet for a green roof. The rooftop amenities will also include a roof top bar/restaurant.



Figure 4- Proposed Plan

Architecture



Figure 5- Front Elevation, as viewed from Woodfield Road



Figure 6 – Side Elevation

SECTION 5: SITE PLAN ANALYSIS AND FINDINGS

Per Section 7.3.4 of the Zoning Ordinance, the Planning Board must make the following findings when reviewing and approving a Site Plan:

E. Necessary Findings

1. When reviewing an application, the approval findings apply only to the site covered by the application.

The findings are applicable to the improvements on Parcels A-8 and A-9.

2. To approve a site plan, the Planning Board must find that the proposed development:

- a. satisfies any previous approval that applies to the site;

Per the conditions of approval, the Applicant must satisfy and comply with all previous approvals for Preliminary Plan No. 119852180, Preliminary Plan No. 119892440, Site Plan No. No. 81985107A, and DPA 09-03.

- b. satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;

The Application satisfies all the eleven (11) the binding elements for DPA 09-03, as follows:

1. *The development is limited to an additional 58,320 square feet of commercial uses for an estimated total of 161,320 square feet (total on Parcels A-3 thru A-9 to be confirmed or adjusted at APF review) resulting in a maximum of 3 additional buildings. Parcel A-3 is shown on this Plan for purposes of parking calculations.*

The Site Plan proposes a total of 15,659 square feet of restaurant and retail/service establishment uses. This is consistent with the maximum allowable commercial density for the Flower Hill Commercial Subdivision, which leaves a remainder of 42,661 square feet of commercial development.

2. *The total new development is limited to those commercial uses, which would generate no greater than 134 additional new morning peak hour vehicular trips and 139 additional new evening peak hour vehicular trips.*

The Parcel A-9 improvements meets the requirement by providing 79 new morning peak hour vehicular trips and 48 new evening peak hour vehicular trips.

3. *The Applicant shall submit a Landscape Plan to be approved in conjunction with site plan approval.*

The Applicant has provided a Landscape and Lighting Plan with the proposal, which satisfies all applicable landscaping and lighting standards of the Zoning Ordinance.

4. *The area of the Project intended for common or quasi-public use is noted and shown as Parcel A-10. Parcel A-10 is owned by the Flower Hill Business Association (the "Association"), which has sole responsibility for the maintenance and repair of Parcel A-10. Covenants applicable to all parcels of the Property were recorded on September 11, 1990 at Liber 9473, folio 324 in the Land Records of Montgomery County, Maryland. The Applicant is a participating member of the Association.*

Not applicable.

5. *Access to the Project shall be by seven (five existing and two proposed) vehicular entrances and exits. Three entrances/exits are on Woodfield Road, two existing and one proposed (right-in right-out or right out to be confirmed at Site Plan), on the north side of the Property, leading to a private access road which runs the length of Parcel A-10. On the south side of the Property, there are two existing entrances/exits from Washington Grove Road and one proposed entrance entrance/exit directly connected to Parcel A-9. Cross easements for parking and access applicable to all parcels on the Property were recorded in the Land*

Records of Montgomery County, Maryland on September 11, 1990 at Liber 9473, folio 324.

The Project's primary vehicular access point will be on Woodfield Road (MD 124), which will operate as a "right-in" only access point. This access point will prohibit vehicles from exiting onto Woodfield Road (MD 124) from the Subject Property. Exiting the property will occur from Washington Grove Lane through Parcel A-8, which functions as an additional entrance. The Flower Hill Shopping Center provides existing internal drives that allow for connections to Flower Hill Way, Woodfield Road, and Washington Grove Lane.

6. *The maximum building coverage on Parcels A-3, A-4, A-8, & A-9 will be 20% of the total site area of Parcels A-3, A-4, A-8, & A-9.*

The Site Plan meets the requirement for a maximum building coverage of 15.30 percent for all parcels. On Parcel A-8 the building coverage is approximately 9.6 percent; and on parcel A-9 the coverage is 16.9 percent. See the following table for all building coverage percentages per parcel:

Building Coverage on Parcels			
Parcel	Building Foot print (sq. ft.)	Site Area (sq. ft.)	Percent Coverage
A-3	8,000	60,919	13.1
A-4	30,000	177,926	16.9
A-8	4,792	49,758	9.6
A-9	15,659	92,652	16.9
Total	58,451	381,255	15.3

7. *The minimum setbacks will be 70 feet from Woodfield Road, 15 feet from Washington Grove Road, and 15 feet from Flower Hill Way.*

This Project meets this requirement by providing a setback of 89 feet from Woodfield Road, 44 feet from Washington Grove Road, and does not abut Flower Hill Way.

8. *At the time of APF review, the applicant must satisfy the County Council's newly enacted FY 2007-2009 Growth Policy that includes:*

(a) For Local Area Transportation Review (LATR), satisfying a lower Critical Lane Volumes (CLV) congestion standard for the policy areas;

(b) A Policy Area Mobility Review (PAMR) test that requires trip mitigation of developments located in certain policy areas.

The Site Plan as proposed satisfied the APF requirement review, including the LATR requirements. Please see Finding h. on page 16 of this report regarding the LATR requirements. The PAMR requirement is not applicable, because it is no longer part of the Subdivision Staging Policy.

9. *At site plan review the applicant must show a detailed plan of the necessary lead-in sidewalks, internal sidewalks, pedestrian crosswalks, handicapped ramps, and pedestrian access in the southeast corner of the subject site.*

Staff has approved the proposed layout for lead-in sidewalks, internal sidewalks, pedestrian crosswalks, handicapped ramps, and pedestrian access. These facilities provide safe and adequate circulation for pedestrians.

10. *The applicant must provide inverted-U bike racks for customers and employees with the ultimate number and location to be determined at site plan review.*

The Applicant is providing two (2) inverted-U bike racks.

11. *The maximum height of all proposed buildings shall be 30 feet in accordance with the standards of the C-1 Zone as set forth in Section 59-C.4.342 of the Zoning Ordinance.*

This Application meets this element by providing a maximum height of 30 feet for the proposed retail building.

- c. satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;

Not applicable.

- d. satisfies applicable use standards, development standards, and general requirements under this Chapter;

The Property is zoned PNZ and must meet the standards of Neighborhood Retail (NR) for any commercial use under Article 59-3. The following shows how the Project satisfies applicable use standards, development standards, and general requirements:

Table 1 – Data Table

	Data Table: Chapter 59: NR Zone	Permitted/ Required	Proposed
59.4.6.3	Minimum Lot Area	N/A	3.269 AC
	R/W Dedication for Woodfield Road MD 124) Note: Existing R/W width is in compliance w/ approved Master Plan.	Not required	0 SF
	Minimum Lot Width at Front Building Line	N/A	-----
	Maximum FAR (DPA 09-03) (for Parcels A-3, A-4, A-8, A-9)	58,320	Parcel A-9: 15,659 sq. ft. Parcel A-8 existing 4,868 sq. ft.
	Maximum Lot Coverage (Parcels A3 thru A9) (58,451/381,255)	20%	15.4
	Maximum Building Height (C-1 Zone, 59-C.4.342)	30 Feet	30 Feet
	Minimum Building Front Setback (from street R/W) (DPA 09-03)	72 Feet	89 Feet
	Minimum Building Side Setback	6 Feet	50 Feet
	Minimum Building Rear Setback (Washington Grove Lane R/W) (DPA 09-03)	15 Feet	44 Feet
59.4.6.3	Amenity Open Space %	10%	10%
	Minimum Parking Lot Internal Landscaping	5%	9%
	Parking Lot Tree Canopy	25%	38%
	Minimum Sign Setback at Entrance	2.5 Feet	6 Feet
	Maximum Sign Height	26 Feet	26 Feet
59.6.2.4 B	Minimum Parking Required () 7,829 SF of Retail Area = 7829 X .005 = 39.2 7,830 SF of Restaurant Area = .004 X .50* 7830) = 15.7 (50% Interior Patron Area or 3,915 SF)	55	80
59.6.2. C.3.b	Parking Setback Front (from street r/w) (Section	6 Feet	21 Feet
59.6.2.C.3.b	Parking Setback (Right Side)	6 Feet	26 Feet
59.6.2.C.3.b	Parking Setback (Left Side)	6 Feet	58 Feet
59.6.2.8. B.3	Loading (On-Site) Based on Use & GFA ()	1 Required	1

Per Chapter 59 6.2, "Parking, Queuing, and Loading." Chapter 59 § 6.2.4.C. the minimum number of parking spaces required for the Project is 55 spaces, and a total of 80 surface parking spaces are proposed for the Project to meet anticipated market demands. The proposed parking spaces are in addition to 465 existing surface parking spaces located on Parcels A-3 thru A-8 that serve the existing non-residential development at the Flower Hill Commercial Subdivision.

Bicycle Parking

The Applicant is required to provide two (2) racks total in either of the zone categories for § 6.2.4.C. Because only 15 percent (15%) of the spaces required are to be long-term in either category. The Applicant is not proposing to provide long-term bicycle parking spaces, and instead proposes to exceed its two (2) space requirement by providing three (3) short-term bicycle parking spaces fronting the site near the building tenants' main entrances.

Loading

One loading space is proposed along the rear of the Project. The loading space complies with all of the dimension, location and maneuvering requirements identified in Section 59.6.2. of the Zoning Ordinance.

- e. satisfies the applicable requirements of:

i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and

A stormwater management concept plan was deemed acceptable by the Montgomery County Department of Permitting Services on April 22, 2019. Stormwater treatment approaches will include a green roof, permeable pavement, microbio retention, and a structural sand filter. Flows exceeding the treatment capacity of these devices will be routed to an existing Regional Stormwater Pond.

ii. Chapter 22A, Forest Conservation.

A Natural Resources Inventory (NRI) and Forest Conservation Exemption (No. 42018189E) was approved on May 4, 2018. The NRI documented that the site contains no streams or their buffers, wetlands or wetland buffers, steep slopes, 100-year floodplains, forests, or known occurrences of rare, threatened or endangered species. The plan as submitted is in compliance with Chapter 22A, Forest Conservation, and in conformance with the *Environmental Guidelines for the Management of Development in Montgomery County*.

- f. provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;

Vehicular Site Access

The Applicant proposes to provide its main vehicular access on Woodfield Road (MD 124). The proposed curb cut will only allow right-in access and will prohibit exits onto Woodfield Road to ensure operations and safety between the driveway and the intersection of Woodfield Road (MD 124) and Snouffer School Road/ Muncaster Mill

Road (MD 115). Additional vehicular access is provided via the shopping center's existing curb cuts on Woodfield Road (MD 124) and an existing connection to the Washington Grove Lane cul-du-sac. Exiting vehicles will make use of existing internal circulation routes and access points.

Pedestrian Access and Facilities

Pedestrian access is provided via reconstructed and newly proposed sidewalks. The Applicant proposes to pull the existing sidewalk further from the curbline on Woodfield Road (MD 124) to accommodate a larger buffer between the vehicle travel lanes and sidewalk, which will be wide enough for new street trees. The Applicant will provide a flush, continuous crossing over the new Woodfield Road site driveway so pedestrians will not have to ramp down and up to meet the grade of the driveway. To the south of the site, the Applicant will provide a new five (5)-foot-wide sidewalk around the cul-du-sac to facilitate pedestrian access from Washington Grove Lane and existing paved trails connecting to the Montgomery Manor community to the east.

Open Space

Pursuant to Section 59-4.6.3 .C. I of the Zoning Ordinance, the Project is required to provide 10% amenity open space. The Application is providing 10 % of amenity open space for both Parcels A-8 and A-9, in the form of outdoor seating areas and pedestrian circulation systems.

As shown in the Development Standards table and findings above, the proposed Site Plan meets all the general requirements and development standards of Divisions 59-4.4 and 59-4.5 of the Zoning Ordinance, and the general development requirements of Article 59-6 of the Zoning Ordinance.

- g. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan; The Property is subject to the 1996 Approved and Adopted Gaithersburg Vicinity Master Plan (the "Master Plan"), which identified the entirety of the Flower Hill Commercial Subdivision as Parcel 31. The Master Plan recommends retail and commercial uses at the Property under the Planned Neighborhood (PNZ) zoning classification. The Master Plan also recommended a convenience retail shopping center of at least ten (10) acres in size along Woodfield Road to serve existing and future residential development. The addition of 15,659 square feet of restaurant and retail/service uses for the Flower Hill Commercial Subdivision is in accordance with the Master Plan's recommendations.

Master Planned Roadways

Flower Hill Parcel A-9 fronts Woodfield Road (MD 124) and is bounded by Washington Grove Lane to the east and Muncaster Mill Road (MD 115) to the north. Woodfield Road is classified as Major Highway A-90 and meets its master-planned width of 120 feet. Muncaster Mill Road (MD 115) is classified as arterial M-13, and the portion of right-of-way adjacent to the site meets its master-planned width of 100 feet.

Maryland State Highway Administration's (SHA) 2018 Capital Transportation Program (CTP) currently includes project #MO6322, which calls for the reconstruction of Woodfield Road (MD 124) between Midcounty Highway and points south of Airpark Road. The County contributed \$5.0 million toward engineering and construction, as well

as right-of-way assemblage; however, the plan has been placed on hold. As such, the 2018 CTP reduced the project for FY 2018 and 2023 by \$2.8 million.

Master Planned Bicycle Facilities

The northern tip of the subject site is adjacent to the western side of Muncaster Mill Road, and the Bicycle Master Plan network calls for a sidepath on the west side of the road. To comply with the master plan, the Applicant proposes to construct a 10-foot wide sidepath adjacent to the site, which will tie into the adjacent sidewalk system along the western side of Muncaster Mill Road. A portion of the sidepath crosses into private property, and the Applicant has agreed to provide a public infrastructure easement (PIE) for the extent of the sidepath on private property.

The Bicycle Master Plan network also calls for a sidepath along the east side of Washington Grove Lane. While there is right-of-way adjacent to the eastern side of Parcel A-9, it has not been improved to extend to Muncaster Mill Road due to topography, conservation, and intersection alignment. If Washington Grove Lane was to be extended through this forested location, the result would be in a fifth intersection leg at the intersection of MD 124 (Woodfield Road) and MD 115 (Snouffer School Road/ Muncaster Mill Road). The Applicant will neither implement the road nor bicycle facility at this location.

The Bicycle Master Plan calls for a sidepath facility on the western side of Woodfield Road (MD 124), across from the site. The sidepath would potentially be implemented through SHA project #MO6322.

- h. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;

Local Area Transportation Review (LATR)

Based on the expected transportation impact of the project, the Applicant submitted a transportation impact study and transportation exemption statement to satisfy the LATR requirement. Table 2, below, shows the Site's projected peak-hour vehicle trips based on the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (10th Edition). The number of policy area adjusted peak hour vehicle trips are presented in Table 3.

Table 2 – Vehicle Trip Generation

Vehicle Trip Generation (ITE 10 th Edition, Land Use Codes)	AM	PM
Shopping Center (7,830 SF)	7	30
Sit-Down Restaurant (7,829 SF)	78	76
Total Pass-By Trip Credit	0	54
Total Site Generated Vehicle Trips (Driver)	85	52
Montgomery Village/Airpark Policy Area Adjustment	93% of ITE Rate	
Net New Vehicle Trips (Driver)	79	48

The Applicant converted its peak hour vehicle trips to person trips to determine whether a full vehicle capacity analysis and associated pedestrian, bicycle, and transit adequacy assessments were required. Table 3 shows the Applicant's multimodal trip generation, which establishes the thresholds for the Applicant's required analyses.

Table 3 – Multimodal Trip Generation and Local Area Review Adequacy Tests

Multimodal Trip Generation (LATR Guidelines, Montgomery Village/Airpark Policy Area)	Percentage	AM	PM
New Vehicle Driver Trips (see "Vehicle Trip Generation" Table)	67.70%	79	48
New Vehicle Passenger Trips	25.10%	29	18
New Transit Trips	1.70%	2	1
New Non-Motorized Trips	5.40%	6	4
Net New Person Trips	100.00%	116	71
Local Area Transportation Review Adequacy Tests		AM	PM
Local Area Transportation Review Required? (Are AM or PM person trips > 50?)		Yes	Yes
Pedestrian Adequacy Test Required? (Are non-motorized + transit trips > 50?)		No	No
Bicycle Adequacy Test Required? (Are non-motorized trips > 50?)		No	No
Transit Adequacy Test Required? (Are transit trips > 50?)		No	No

The trip projections in Table 3 demonstrate that the Applicant meets the threshold for an LATR vehicle capacity analysis on both the morning and evening peak hours, but does not meet the pedestrian, bicycle, or transit analyses thresholds.

The Applicant's LATR vehicle capacity spanned three (3) intersections within the vicinity of the project, including:

1. Woodfield Road (MD 124) and Snouffer School Road/Muncaster Mill Road (MD 115);
2. Woodfield Road (MD 124) and Flower Hill Way; and
3. Washington Grove Lane and Flower Hill Way/Mineral Springs Drive

The site is located on the border of the Montgomery Village/Airpark Policy Area, and intersections #1 and #3 split the policy area boundary with Derwood, which requires an intersection delay analysis. As such, the Applicant prepared delay analyses for these intersections to meet the requirements of the LATR Guidelines. The Applicant's Critical Lane Volume (CLV) and delay analyses included background volumes from nine (9) projects within the vicinity that are pending approval or have been approved but are yet to be constructed. Table 4 below shows that the projected traffic does not impact intersections per the Department's established CLV and delay standards. As such, no mitigation is required.

Table 4 – Vehicle LATR Capacity Analysis

Intersection Capacity Analysis	Policy Area Congestion Standard	AM CLV (delay sec/veh)		PM CLV (delay sec/veh)	
		Existing	Future	Existing	Future
Woodfield Road (MD 124) and Snouffer School Road/Muncaster Mill Road (MD 115)	1475 (59)	965 (41.4)	1009 (41.9)	969 (42.5)	1002 (43.1)
Woodfield Road (MD 124) and Flower Hill Way	1425	919	1010	944	985
Washington Grove Lane and Flower Hill Way/Mineral Springs Drive	1475 (59)	345 (3.1)	369 (3.1)	354 (4.1)	406 (4.2)

Transit Service

Ride On routes 57, 58, 60, and 90 serve bus stops adjacent to the Flower Hill Shopping Center. The 57, 58, and 60 lines provide service between points in Montgomery Village and the Shady Grove WMATA Metrorail Station, with roughly twenty (20) minutes to half hour headways on weekdays. The 90 line has half hour headways on weekdays and provides service to points in Germantown and Damascus.

The surrounding area is developed and public services such as water, sewer and storm drainage are readily available to serve the proposed development. The parcel is already platted and the improvements will not significantly impact the surrounding transportation network.

- i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and

Not applicable, Property is zoned PNZ.

- j. on a property in all other zones, is compatible with existing and approved or pending adjacent development.

The Project is compatible with the character of the adjacent PNZ, Commercial Residential Town (CRT), Light Industrial (IL), and single-family detached (R-60) zoned properties. The Project is adequately setback and buffered from the nearest residential uses. The Project is less than 30 feet tall in accordance with Binding Element No. 11 of DPA 09-03, which ensures that the massing is appropriate for the context of the Property.

SECTION 6: COMMUNITY CORRESPONDENCE

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Applications. Staff has received no correspondence on the proposed development.

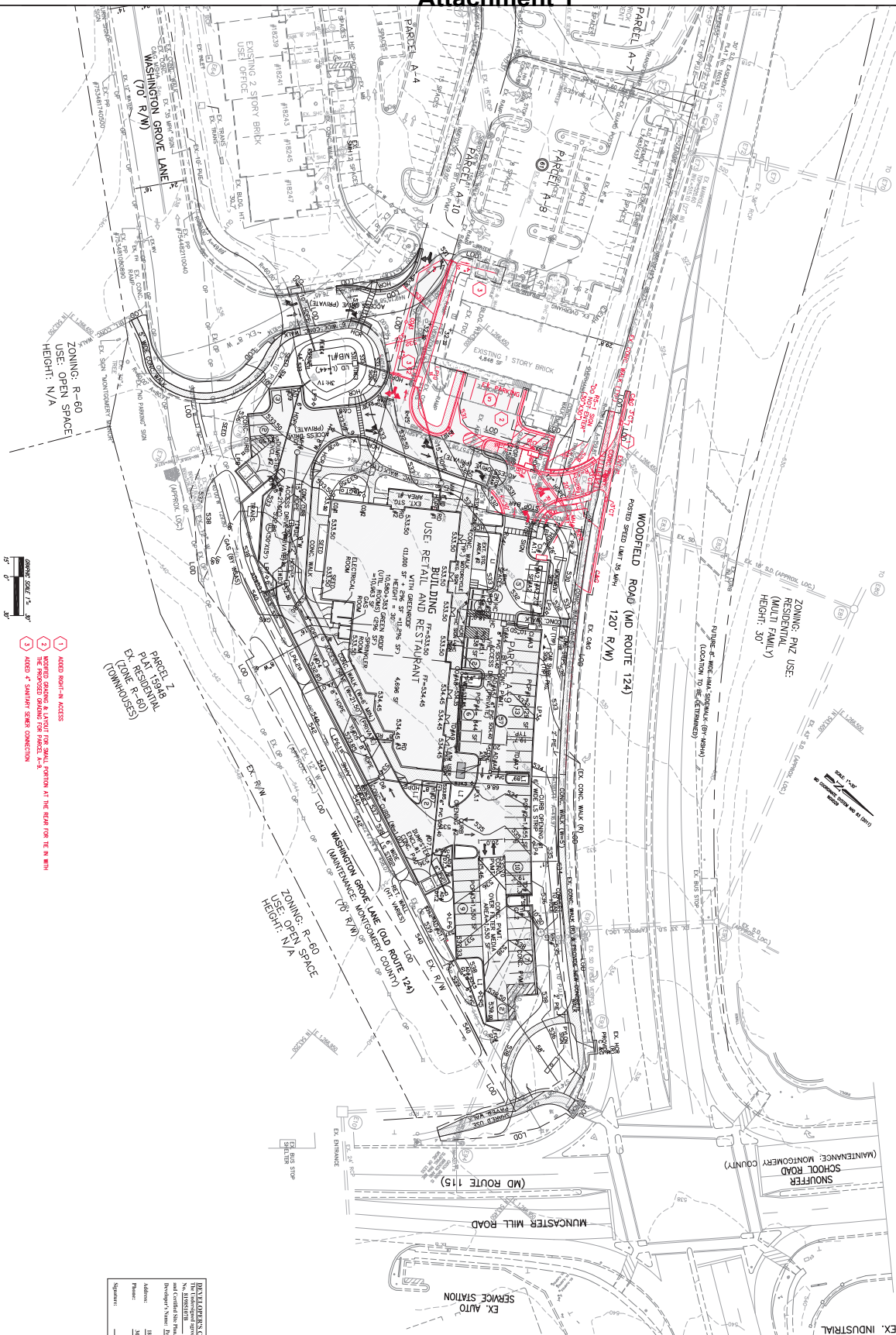
SECTION 7: CONCLUSION

The Applications meet all requirements established in the Zoning Ordinance. It meets all the applicable requirements of Chapter 22A, forest conservation law. Access and public facilities will be adequate to serve the proposed lots and, as conditioned, the proposed project conforms with the Master Plan and the general requirements of Chapter 59. The Application has been reviewed by other applicable County agencies, all of which have recommended approval of the plan. Staff recommends approval of the Site Plan Amendment with the conditions listed at the beginning of the Staff Report.

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Approval Letters



DESIGN ENGINEERING INCORPORATED
 18229-A FLOWER HILL WAY GAITHERSBURG, MARYLAND 20879
 PHONE (301) 258-1173X102 CONTACT: PRITAM ARORA, P.E.
 www.delus.com EMAIL: parora@delus.com

Attachment 2



Department of Permitting Services Fire Department Access and Water Supply Comments

DATE: 14-Feb-19
TO: Pritam Arora - parora@deius.com
Design Engineering Inc
FROM: Marie LaBaw
RE: Flower Hill Parcels A-9/A-8
81925107B

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **14-Feb-19** .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.

***** If building is not addressed off Flower Hill Way, resubmit for FD access plan amendment review *****



Attachment 2

DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Diane R. Schwartz Jones
Director

April 22, 2019

Mr. Pritam Arora, P.E.
Design Engineering Incorporated
18229 A Flower Hill Way
Gaithersburg, MD 20879

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
Flower Hill
Preliminary Plan #: 81985017B
SM File #: 284231
Tract Size/Zone: 2.13 Acres PNZ
Total Concept Area: 2.41 Acres
Lots/Block: na
Parcel(s): A-9
Watershed: Great Seneca Creek

Dear: Mr. Arora

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via Green Roof, Permeable Pavement, Microbioretention, Structural Sand Filter, and a Regional Pond.

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. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Please note that the permeable pavement is not to exceed 10,000 square feet in treatment area due to soils not reaching a 0.52" per hour as required.
5. Once the site reaches a Pe of 1.00" then the remaining volume is to be provided in a Structural Sand Filter and then to an existing Regional Pond with a stormwater management waiver fee.

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

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



255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850 | 240-777-0311
www.montgomerycountymd.gov/permittingservices

Attachment 2

Mr. Pritam Arora, P.E.
April 22, 2019
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unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Andrew Kohler at 240-777-6275.

Sincerely,



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

MCE: 284231

cc: N. Braunstein
SM File # 28423

ESD: Required/Provided 13343 cf / 6356 cf
PE: Target/Achieved: 2.15"/1.00"
STRUCTURAL: 6987 cf
WAIVED: N/A ac.

December 21, 2018

Mr. Glenn Cook
The Traffic Group
9900 Franklin Square Drive, Suite H
Baltimore, Maryland, 21236

Dear Mr. Cook:

Thank you for the opportunity to review the Traffic Impact Study (TIS) prepared by The Traffic Group, dated November 14, 2018 (received on December 4, 2018), for the (Flower Hill Center development – SHA Tracking #18-AP-MO-033-xx) in Montgomery County, Maryland. The State Highway Administration (SHA) review is complete and we are pleased to respond.

- Proposed access to the contain 7,830 square feet of retail space and a 7,829 square foot high turnover sit-down type restaurant is via right-in only access along MD 124 and a full-movement access on Washington Grove Lane (County road).
- The following intersections were analyzed under existing, background and future conditions:
 - MD 124 and MD 115
 - MD 124 and Flower Hill Way
 - Washington Grove Lane and Flower Hill Way
- The report concludes that the study intersections will continue to operate at acceptable levels of service under future conditions.

Based on the information provided, please address the following comments in a point-by-point response:

Regional and Intermodal Planning Division (RIPD) Comments (By: Kandese Holford):

1. Please note the State's fiscally constrained FY 2019-2024 Consolidated Transportation Program (CTP) includes projects under construction and/or development and evaluation. The CTP includes a project to widen MD 124 (Woodfield Road) from Midcounty Highway to south of Airpark Road affecting facilities analyzed in this TIS. This project has been on hold since 2015. If and when such improvements proceed, they may affect right-of-way.

Attachment 2

Mr. Cook
SHA Tracking No.: 18-AP-MO-033-xx
Page 2 of 3
December 21, 2018

2. Please note the State's fiscally unconstrained Highway Needs Inventory (HNI), the State's long-range plan, includes projects that are critical to Maryland's transportation needs. The HNI includes widening of MD 124 (Woodfield Road) from Midcounty Highway to Warfield Road affecting facilities analyzed in this TIS. If and when such improvements proceed, they may affect right-of-way.
3. Please note transit provider Montgomery County Ride On serves the development site. All roadway improvements to MDOT SHA roadway facilities should provide for and maintain full ADA-compliant access to existing and future transit facilities.
4. Please note the May 2018 M-NCPPC Bicycle Master Plan, as approved, includes
 - a. A proposed separated bikeway, also referred to as a side path, along the west side of MD 115 (Muncaster Mill Road) from MD 124 (Woodfield Road) to Muncaster Road;
 - b. A proposed separated bikeway, also referred to as a side path, along the West side of MD 124, between Warfield Road and Emory Grove Road.

All roadway improvements to MDOT SHA roadway facilities should provide for and maintain bicycle facilities as well as full ADA-compliant pedestrian facilities.

Travel Forecasting and Analysis Division (TFAD) Comments (By: Scott Holcomb):

1. In Exhibit 5, Background Development No.3 is located in Gaithersburg City. Checking the Montgomery County LATR Guidelines publication, it is our understanding that the adjusted trips rate should be 86% instead of 102%.
2. Trip generation for the Site and Background Development are in accordance with the ITE Trip Generation Manual 10th Edition.
3. In the report, the generated trips were assigned to a right-in only driveway along MD 124 and the driveway at the end of Washington Grove Lane. The report mentioned that using other driveways in the adjacent development is an option to go to the site, but it would require maneuvering through the existing parking lot. It seems likely that most vehicles will take advantage of other driveways (the driveway next to M&T Bank has full access to MD 124), instead of traveling via Flower Hill Way and Washington Grove Lane. Site traffic should be assigned to this access and the access analyzed.
4. In the report it is stated that the site will have a high turnover sit-down type restaurant. However, in the scoping letter, it is stated that the site will have a quality restaurant. Please verify the difference in the descriptions.
5. In the scoping letter, it is noted that the site will access MD 124 by the current full movement access of the shopping center. However, in the report the site has right-in only access along MD 124. Please verify the difference in the descriptions.

Attachment 2

Mr. Cook
SHA Tracking No.: 18-AP-MO-033-xx
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December 21, 2018

Traffic Development & Support Division (TDSD) Comments (BY: Eric Waltman):

TDSD has completed our review of the revised TIA and we have no critical comments.

District 3 Traffic Comments (By: Alvin Powell):

1. The developer indicates that the restaurant component of the development will be a high turnover restaurant. However, the developer uses the high-quality restaurant land use code of the ITE Trip Generation Manual to compute the projected trips. This has resulted in an artificially low trip generation for the site. Please correct.
2. One right-in-only access is proposed from MD 124. Other access will be off Washington Grove Lane; a Montgomery County owned and operated roadway. The developer indicates that in order to prevent vehicles from queueing from the site and onto MD 124, inbound traffic will have right-of-way as they enter the internal roads. Side street traffic will be stop controlled. This arrangement must be implemented on the site development plan.
3. We have no further comments to offer at this time.

Please submit a CD containing the traffic impact study, all supporting documentation, and a point-by-point response addressing the comments noted above to the District 3 Access Management Division at 9300 Kenilworth Avenue, Greenbelt, MD 20770, to the attention of Mr. Kwesi Woodroffe. For electronic submissions create an account with our new online system <https://mdotsha.force.com/accesspermit>. Please reference the SHA tracking number on any future submissions. Please keep in mind that you can view the reviewer and project status via SHA Access Management Division web page at <http://www.roads.maryland.gov/pages/amd.aspx>. If you have any questions, or require additional information, please contact Mr. Kwesi Woodroffe at 301-513-7347, by using our toll free number in Maryland only at 1-800-876-4742 (x7347) or via email at kwoodroffe@sha.state.md.us or shaamdpermits@sha.state.md.us.

Sincerely,



For Andre Futrell,
District Engineer, District 3, SHA

AF/TS

cc: Ms. Kandese Holford, SHA – RIPD
Mr. Alvin Powell, SHA – D3 Traffic
Ms. Rebecca Torma, Montgomery County Planning Department
Mr. Eric Waltman, SHA – TDSD

Attachment 2
DPS-ROW CONDITIONS OF APPROVAL

February 4, 2019

81985107B Flower Hill Parcels A-8 and A-9

Contact: Sam Farhadi at 240 777-6333

We have reviewed site and landscape plans files:

“07-SITE-81985107B-004.pdf V4” uploaded on/ dated **“2/4/2019”** and
“08-BLL-81985107B-001.pdf V5” uploaded on/ dated **“2/4/2019”** and

The followings need to be addressed prior to the certification of site plan:

1. A "Declaration of Covenants for Maintenance and Liability within a Storm Drain Easement" is needed at the time of ROW permit for the proposed improvements in the existing onsite storm drain easement. However, no structure is permitted within the easement.
2. At Washington Grove Lane cul-de-sac, provide:
 - a. approved minor species street trees in the green panel;
 - b. handicap ramps for the sidewalk crossing at the existing private drive.