



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

MCPB No. 19-067  
 Site Plan No. 81985107B  
 Flower Hill Parcels A-8 & A-9  
 Date of Hearing: June 13, 2019

**JUN 28 2019**

**RESOLUTION**

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on March 6, 1986, the Planning Board approved Preliminary Plan No. 1-85218 to create 1 lot on 15.42 acres of Planned Neighborhood Zone (PNZ) property located in the southwest corner of the intersection of Woodfield Road and Muncaster Mill Road/Snouffer School Road in the Gaithersburg Vicinity Master Plan ("Master Plan") area; and

WHEREAS, on March 26, 1986, the Planning Board approved Site Plan No. 8-85107 to allow construction of 14,370 square feet of commercial development including one drive-thru restaurant; and

WHEREAS, on January 25, 1990, the Planning Board approved Preliminary Plan No. 1-89244 to create 8 lots on 14.90 acres including Parcel A-5 at the intersection of Woodfield Road and Flower Hill Way ("Subject Property"); and

WHEREAS, on March 16, 2015, the Planning Board approved Site Plan No. 8-85107A to renovate the building's facades and trash enclosure and create and reconfigure the existing drive-thru lane on 2.23 acres of Parcel A-5 at the intersection of Woodfield Road and Flower Hill Way ("Subject Property"); and

WHEREAS, on October 17, 2018, Pettit Financial Investments, LLC. ("Applicant") filed an application for approval of an amendment to the previously approved site plan(s) to construct 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 on the Subject Property; and

Approved as to  
 Legal Sufficiency:

*Christina Sout* 6/17/19

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WHEREAS, the application to amend the site plan was designated Site Plan No. 81985107B, Flower Hill Parcels A-8 & A-9 (“Site Plan,” “Amendment,” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated June 3, 2019, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on June 13, 2019, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Cichy, seconded by Commissioner Patterson, with a vote of 5-0; Commissioners Anderson, Cichy, Dreyfuss, Fani-Gonzalez and Patterson voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 81985107B for 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 by adding the following conditions for Parcel A-8 and A-9:<sup>1</sup>

1. Density

The Site Plan is limited to a 15,659 square-foot restaurant and retail 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

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<sup>1</sup> For the purpose 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.

- 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.

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.

BE IT FURTHER RESOLVED that all other site plan conditions of approval for this project remain valid, unchanged and in full force and effect

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Flower Hill Parcels A-8 and A-9, Site Plan No. 81985107B, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and 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 Planning Board FINDS, with the conditions of approval, that:

*Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan, and all findings not specifically addressed remain in effect.*

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

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

1. 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) 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 Application, 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/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.

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 satisfies the APF requirement review, including the LATR requirements. See below 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.*

The Planning Board approves 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

	<b>Data Table: Chapter 59: NR Zone</b>	<b>Permitted/ Required</b>	<b>Approved</b>
<b>59.4.6.3</b>	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
<b>59.4.6.3</b>	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
<b>59.6.2.4 B</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
<b>59.6.2.C.3.b</b>	Parking Setback Front (from street r/w) (Section	6 Feet	21 Feet
<b>59.6.2.C.3.b</b>	Parking Setback (Right Side)	6 Feet	26 Feet
<b>59.6.2.C.3.b</b>	Parking Setback (Left Side)	6 Feet	58 Feet
<b>59.6.2.8. B.3</b>	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, microbioretention, 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 curb line 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. 1 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 Master Plan 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 recommends 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 million toward engineering and construction, as well as right-of-way assemblage; however, the project 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 Property 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 will 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.

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. 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. The projected traffic does not impact intersections per the Department's established CLV and delay standards. As such, no mitigation is required.

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 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 not more 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.

BE IT FURTHER RESOLVED that this Resolution 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 § 59-7.3.4.H; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUN 28 2019 (which is the date that this Resolution is mailed to all parties of record); and

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 Fani-González, seconded by Commissioner Cichy, with Chair Anderson and Commissioners Fani-González and Cichy voting in favor, and Vice Chair Dreyfuss and Commissioner Patterson absent at its regular meeting held on Thursday, June 27, 2019, in Silver Spring, Maryland.



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Casey Anderson, Chair  
Montgomery County Planning Board