



## The Shops at Sumner Place, Site Plan No. 820200060

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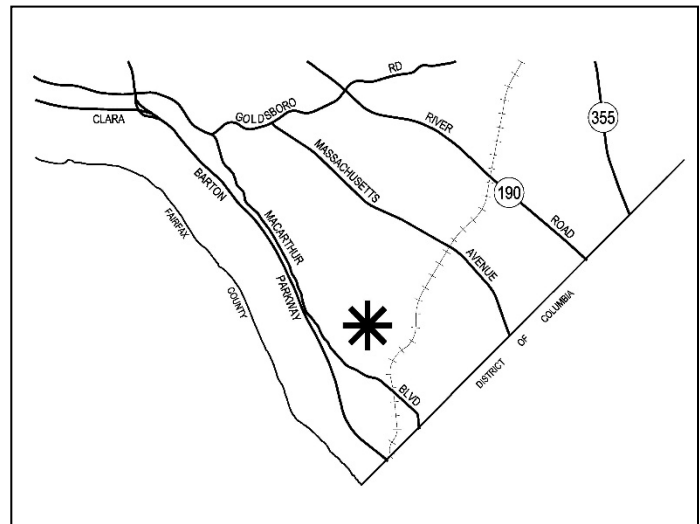
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Completed: 02/28/2020

### Description

- Request to add a freestanding drive-thru automated teller machine (ATM) within an existing shopping center surface parking lot.
- Current use: Shopping center surface parking lot
- Located on Sentinel Drive 400 feet east of Sangamore Road.
- 0.09 acres (3,741 SF) zoned NR 0.75 H-45' in the 1990 *Bethesda Chevy Chase Master Plan*
- Applicant: J.P. Morgan Chase & Co.
- Accepted: October 18, 2019



### Summary

- Staff recommends **approval** of Site Plan 820200060, with conditions.
- As allowed by Section 59.7.3.4.A.5 of the Montgomery County Zoning Ordinance, which states that “a site plan application may encompass all or any part of a property...”, the proposed drive-thru ATM is located within a small 0.09-acre (3,741 square feet) portion of the approximately 6.98 acre (304,073 square feet) Sumner Place Shopping Center.
- The use of this provision is appropriate in this particular case because this Site Plan is proposing only a drive-thru ATM within an existing shopping center subject to an approved Preliminary Plan, is adding no density, and is allowed as a limited/conditional use only with Site Plan review. Were the proposal to be adding additional density, Staff would have pursued a Preliminary Plan Amendment and a Site Plan covering the entire shopping center site.
- The Sumner Place Shopping Center is subject to the previously approved Preliminary Plan No. 119852020. All conditions of that approval remain binding on the entire site, including the portion covered by this Site Plan application.

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## SECTION 1 – RECOMMENDATIONS AND CONDITIONS

**SITE PLAN NO. 820200060:** Staff recommends approval of the Site Plan for the addition of a drive-thru ATM on the subject site. All site development elements are shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC except as modified by the following conditions.

- 1) Preliminary Plan  
The Applicant must comply with the conditions of approval for Preliminary Plan No. 119852020 as listed in the associated MCPB Resolution dated October 2, 1986.
- 2) Maintenance of Public Amenities  
The Applicant is responsible for maintaining all publicly accessible amenities constructed as part of this Site Plan including, but not limited to hardscape elements, lighting, and landscaping.
- 3) Design  
The architectural character, proportion, materials, and articulation must be substantially similar to the illustrative elevations shown on the Certified Site Plan, as determined by Staff.
- 4) Landscaping
  - a) The Applicant must install the on-site and off-site elements as shown on the landscape plans submitted to M-NCPPC or Staff approved equivalent within 4 months of final inspection.
  - 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 Staff.
- 5) Lighting  
The Applicant may provide downward facing security lighting within the drive-thru ATM structure.
- 6) Site Plan Surety and Maintenance Agreement  
Prior to issuance of any construction permit or sediment control permit, 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, bollards, parking wheel stops, and elements related to directing vehicular flow for ATM use.

- 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.

7) Certified Site Plan

Before approval of the Certified Site Plan, the following revisions must be made and/or submitted to Staff for review and approval:

- a) Amend previously approved Final Forest Conservation Plan No. 119852020 to reflect updates associated with this Site Plan, as required under Forest Conservation Regulations Section 22A.00.01.01(B)(2)(a).
- b) Ensure consistency of all details and layout between Site and Landscape plans.

## SECTION 2 - SITE LOCATION AND DESCRIPTION

### Vicinity

The subject site is located within the Shops at Sumner Place Shopping Center (“Shopping Center”), which is zoned NR 0.75 H-45’, and lies at the intersection of Sangamore Road and Sentinel Drive. Located in the northern portion of the surface parking lot, the site is generally bounded by R-30 zoned townhouses along Sentinel Drive to the north and the Sumner Village residential community in the R-30 zone to the east. To the west, land uses include the Defense Intelligence Agency’s Intelligence Community Campus-Bethesda location and single-family housing in the Brooks Ridge subdivision, both in the R-90 zone, along Sangamore Road and Brooks Lane. Within the Shopping Center, nonresidential uses and associated surface parking lie to the south. There are no known rare, threatened, or endangered species on site.



*Figure 1 – Aerial Map of Preliminary Plan Boundary (Approx. Site Plan area shown in yellow)*

### Site Analysis

As allowed by Section 59.7.3.4.A.5 of the Montgomery County Zoning Ordinance, which states that “a site plan application may encompass all or any part of a property...”, the proposed drive-thru ATM is located within a small 0.09-acre (3,741 square feet) portion of the approximately 6.98 acre (304,073 square feet) Sumner Place Shopping Center. The use of this provision is appropriate in this particular case because this Site Plan is proposing only a drive-thru ATM within an existing shopping center subject to an approved Preliminary Plan, is adding no density, and is allowed as a limited/conditional use only with Site Plan review. Were the proposal to be adding additional density, Staff would have pursued a Preliminary Plan Amendment and a Site Plan covering the entire shopping center site.

Currently the Site Plan area features three parking spaces and a parking island. Along the northern edge of the site area, a row of 4 Red Oak trees are planted along an approximately 10' wide sidewalk bordering Sentinel Drive. Immediately east of the Site Plan area, an existing crosswalk provides pedestrian access to the Shopping Center from the adjacent neighborhood.

Retail/shopping establishments lie to the southern portion of the site, including a standalone PNC Bank with attached drive-thru ATM element and a J.P. Morgan Chase occupied retail space.



*Figure 2 – Aerial Map (Site Plan Area)*

### **Access & Circulation**

Vehicular access to the Site Plan area is proposed directly from the existing Shopping Center site access point on Sentinel Drive. Sentinel Drive is currently improved as a two-lane street within a 70-foot wide public right-of-way. Sentinel Drive has two travel lanes and a parking lane along the westbound (opposite) side of the street. Sentinel Drive connects to the regional transportation network via Sangamore Road, which is designated as an arterial roadway (A-63) within the Bethesda Chevy Chase Master Plan area.

Vehicles bound for the proposed ATM kiosk will access the site via this existing driveway and will circulate within the existing parking lot drive aisles in a counter-clockwise direction. As proposed, the ATM kiosk drive aisle provides two travel lanes to accommodate both ATM kiosk customers and a by-pass lane for those who need to exit any queues that may exist on-site. Pedestrian access to the Site will remain unchanged as a result of the proposal, with pedestrian accommodation provided on the public sidewalk

along Sentinel Drive and via the existing lead walk into the existing Shopping Center. This access configuration allows the Site to function in a safe and efficient manner.

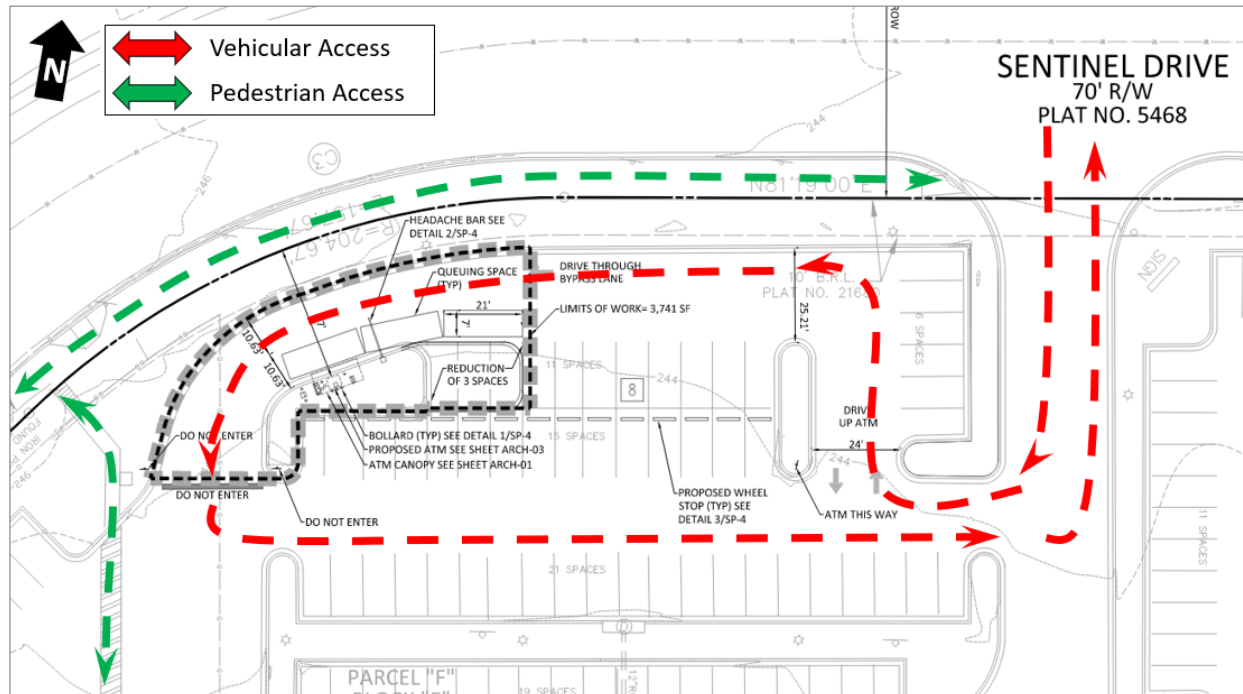


Figure 3 - Pedestrian and Vehicular Circulation

#### Adequate Public Facilities

A transportation exemption statement, dated October 1, 2019, satisfied the Local Area Transportation Review for the Subject Application because the Project generates fewer than 50 net new peak hour person trips. The proposed development is estimated to generate 12 new morning peak-hour person trips (7 vehicle trips) and 35 new evening peak-hour person trips (21 vehicle trips) (Table 1).

Table 1: Project Peak Hour Trip Generation

Proposed	Vehicle Rates		Adjusted Vehicle Rates		Person Trips	
	AM	PM	AM	PM	AM	PM
Drive-in Bank Single Lane <sup>1</sup>	9	27	7	21	12	35
<b>Net New Trips<sup>1</sup></b>	<b>9</b>	<b>27</b>	<b>7</b>	<b>21</b>	<b>12</b>	<b>35</b>

<sup>1</sup> ITE LUC 912, 10<sup>th</sup> Edition

Source: Lenhart Traffic Consulting Transportation Statement, dated October 1, 2019.

## **SECTION 3 – APPLICATION AND PROPOSAL**

### **Previous Regulatory Approvals**

#### Preliminary Plan

On May 6, 1986, the Planning Board approved Preliminary Plan No. 1119852020 for the development of the Shopping Center property under C-1 zone for up to 46,000 square feet of retail space on 4.90 acres of land. This approval also included a preliminary forest conservation plan.

In 2014, the property was rezoned from the C-2 zone to the NR-0.75 zone under the comprehensive rezoning of Montgomery County.

### **Proposal**

#### Site Plan

Site Plan No. 820200060 proposes to construct a free standing a drive-thru ATM to be located in the currently underutilized portion of the surface parking lot. The Site is currently improved with three parking spaces and a parking island. Per the previously approved Preliminary Plan, the existing parking island was to be planted with two Zelkova, however only one Zelkova is currently planted at this time. The previously approved Preliminary Plan similarly included one additional Zelkova in the parking island immediately south of the Site Plan area which is not found onsite today. Within this Site Plan application, the Applicant proposes to plant the two previously approved, and currently missing, Zelkova along with one additional Zelkova in the proposed, enlarged parking island. The expansion of the existing parking island will remove three existing parking spaces. However, however the Shopping Center will remain in compliance with the previously approved parking requirements.

Additionally, the Applicant proposes understory planting of 14 Inkberry Holly along to north of the Site Plan area. These shrubs will be place between 4 existing Red Oaks that border the drive through lane and will serve to further buffer exterior pedestrian circulation from ATM drive-through users.

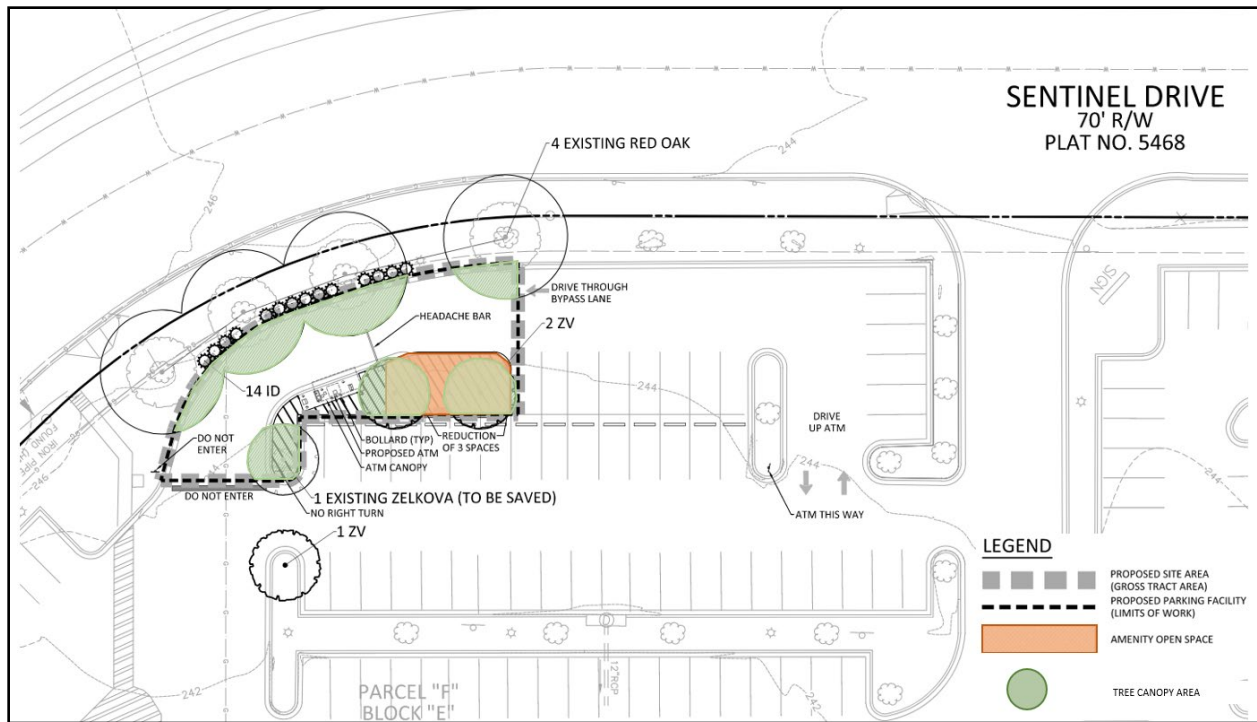


Figure 4 – Landscape Plan & Amenity Open Space

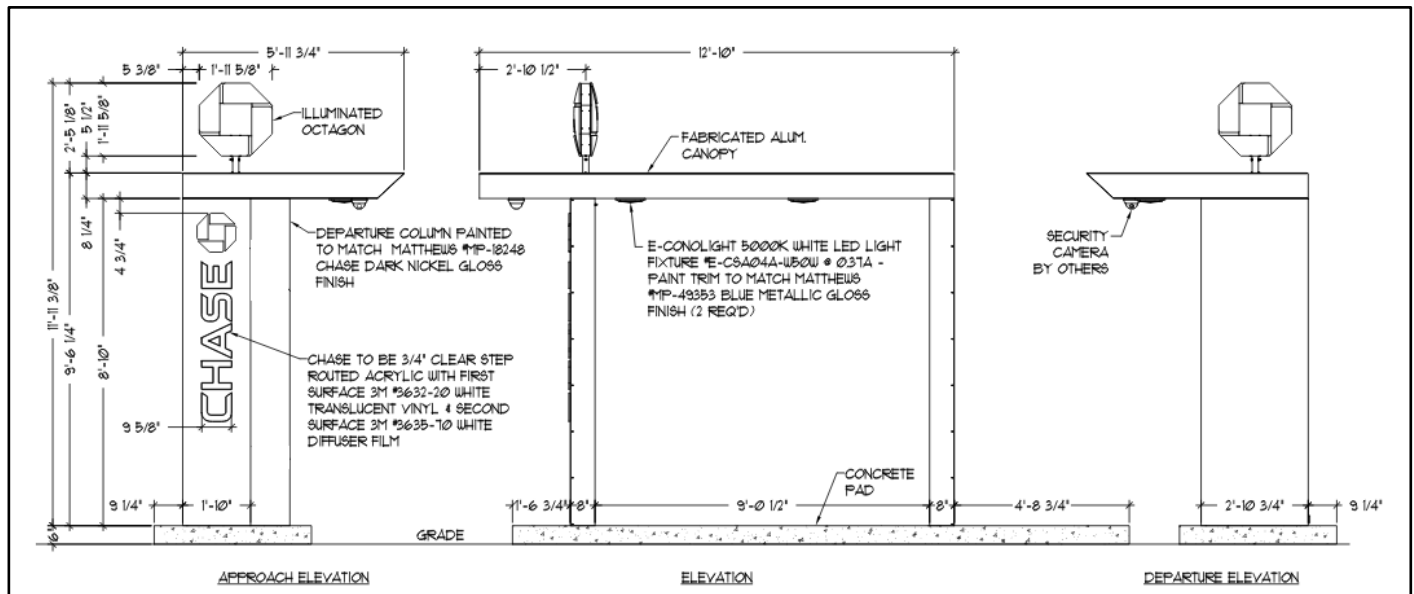


Figure 5 – Proposed Drive-Thru ATM

## SECTION 4 - PUBLIC NOTICE

The Applicant has met all signage, noticing, and submission meeting requirements. As required by the Zoning Ordinance, the Applicant held a pre-submission community meeting on Wednesday, September 18<sup>th</sup> at the Little Falls Community Library located at 5501 Massachusetts Avenue, Bethesda, Maryland 20816. The meeting was attended by five community members, none of whom expressed opposition to the proposed Site Plan. Pursuant to Section 7.3.4.b.2.h of the Zoning Ordinance, the Applicant has provided the meeting minutes, sign-in sheet, and notice materials with this Site Plan Application. Staff has received no inquiries regarding the proposed Site Plan.

## SECTION 5 – ANALYSIS AND FINDINGS - Site Plan No. 820200060

### Findings – Chapter 59

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;*

The Site Plan conforms to the relevant conditions of Preliminary Plan No. 119852020 approved on May 6, 1986 by the Montgomery County Planning Board. All additions proposed by the Subject Application maintain compliance with the development standards associated with this Preliminary Plan.

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;*

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

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;*

This section is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

d. *satisfies applicable use standards, development standards, and general requirements;*

Drive-Thru Use

The Applicant's proposed drive-thru ATM is permitted as a limited use in the NR Zone. Pursuant to Section 3.5.14.E.1 of the Zoning Ordinance, a Drive-Thru is a type of Accessory Commercial Use defined as a "facility where the customer is served while sitting in a vehicle." Banks are included as a Drive-Thru use. Accordingly, the Application satisfies the limited use standards under Section 3.5.14.E.2, as follows:

- i. *A Drive-Thru, including 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 subject Application complies with this standard. The ATM Drive-Thru and queuing area will 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.

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

This provision is not applicable. This Site Plan application is not for a Restaurant with a Drive-Thru use.

- 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.*

This Site Plan application does not propose a drive-thru service between the street and the front wall of a main 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.*

This Site Plan application does not propose a drive-thru service between the street and the side wall of a main building on a corner lot.

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

As addressed below in Section VII, the Planning Board will be able to make the necessary findings to grant Site Plan approval and permit the proposed drive-thru ATM.

- 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.*

A conditional use application for the proposed ATM Drive-Thru is not needed. The application satisfies the applicable limited use standards under the Zoning ordinance.

- e. *satisfies the applicable requirements of:*

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

*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 Application is exempt from the applicable permitting requirements under Chapter 19 as it is a minor land-disturbing activity that satisfies the associated criteria found under Chapter 59 sec. 19-2(b)(1). In accordance with sec. 19-31(c), the proposed development is exempt

from stormwater management requirements because it will not disturb more than 5,000 square feet of land area.

ii. Chapter 22A, Forest Conservation

The Shopping Center is subject to existing Forest Conservation Plan No. 119852020. The ATM and associated improvements are proposed to be located within a portion of the existing surface parking lot of the Shopping Center. The Applicant is proposing to provide additional plantings to ensure the Site Plan area complies with the approved Forest Conservation Plan. Final site conditions, which include additional canopy tree and shrub plantings will be represented on an amended Final Forest Conservation Plan accompanying the Subject Application, as conditioned in the beginning of this report.

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

i. Parking and Circulation

The Site Plan provides for safe and well-integrated parking and circulation patterns on the Subject Property. The overall property circulation is maintained, while circulation within the Site Plan area maintains drive aisle with bypass lanes to allow for the unimpeded flow of vehicles. Pedestrian circulation is unchanged.

As previously stated, the Application proposes the elimination of 3 parking spaces which will be repurposed to expand landscape area and amenity open space. The previously approved Preliminary Plan provided 840 parking spaces, the proposed Site Plan will provide 837, which remains above the required 824 parking spaces for the entire Shopping Center.

ii. Public Open Spaces and Amenities

The Applicant is not required to provide open space on site.

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 located within Bethesda Chevy Chase (BCC) Master Plan ('Master Plan'); more specifically, the Property falls within the Palisades-Western BCC region which is bounded on the north by River Road, on the south by the Potomac River, on the east by the District of Columbia, and on the west by I-495 as depicted on page 64 of the Master Plan. The Master Plan emphasizes the environmental sensitivity of this area, but also highlights the importance of its three neighborhood shopping centers, including The Shops at Sumner Place (referred to in the Master Plan as Little Falls Mall, the site's former name).

Specifically, on page 71, the Master Plan references the need to enhance the role of Little Falls Mall as a "community oriented retail center" and proposes that efforts be made to improve its economic viability. By providing additional banking opportunities, the Applicant's proposed drive-thru ATM enhances the role of the Shopping Center as a destination that serves the community. The presence of the proposed Chase ATM may also attract customers to the Shopping Center who otherwise may have found other convenient banking options.

- 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.*

The proposed drive-thru ATM will be served by adequate public facilities. The provided traffic statement details that the proposed use will generate 12 net new morning peak hour person trips and 35 net new evening peak hour person trips.

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

The Subject Property is not located in a Rural Residential or Residential zone. The Property is within the Neighborhood Retail (NR) Employment Zone.

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

The proposed drive-thru ATM is compatible with the existing and adjacent commercial/non-residential uses within the Shopping Center. It will serve as an extension of the Chase Bank retail space currently within the Shopping Center and help to stimulate further utilization of the Shopping Center. The traffic study shows that anticipated traffic will not adversely impact the adjacent public streets. The Applicant proposes the use of existing light fixtures which will provide sufficient illumination for the drive-thru ATM while remaining within compatible with the existing conditions of the site and surrounding area.

- 3. To approve a site plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.*

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

- 4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.*

Not applicable, the Subject Property is not zoned C-1 or C-2.

## **SECTION 6: CONCLUSION**

The Application meets all requirements established in the Zoning Ordinance. Access and public facilities will be adequate to serve the proposed drive-thru ATM. Staff finds the Applicant has adequately addressed the recommendations of the *Bethesda Chevy Chase Master Plan*. Staff recommends approval of Site Plan No. 820200060, with the conditions as enumerated in the beginning of this Staff Report.