



Snowdens Manor, Preliminary Plan No. 120200230

AG Angelica Gonzalez, Planner Coordinator, Upcounty Planning, Angelica.Gonzalez@Montgomeryplanning.org, 301-495-4583
 SP Sandra Pereira, Supervisor, Upcounty Planning, Sandra.Pereira@Montgomeryplanning.org, 301-495-2186
 PB Patrick Butler, Chief, Upcounty Planning, Patrick.Butler@montgomeryplanning.org, 301-495-4561

Completed: 1/15/21

Description

Snowdens Manor: Preliminary Plan No. 120200230:
Application to create one lot and two parcels for a 5,000 square foot restaurant use and associated outdoor seating area.

Location: Approximately 800-feet north of the intersection of New Hampshire Avenue and Briggs Chaney Road.

Zone: NR-0.75 H-45

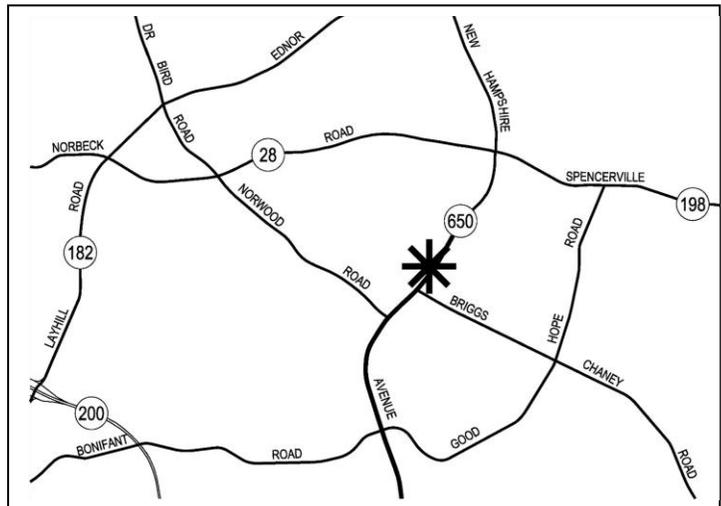
Property Size: 27,364 square feet (net tract)

Master Plan: 1997 *Cloverly Master Plan*

Applicant: Shahzad Haider

Acceptance Date: June 19, 2020

Review Basis: Chapter 50, Chapter 59, & Chapter 22A



Recommendation – Approval with conditions.

Summary

- Staff recommends approval with conditions of the Preliminary Plan Application No. 120200230.
- The Application was granted Forest Conservation Exemption No. 42019018E.
- The Application provides two access easements for future inter-parcel connectivity to adjoining parcels on the northeast and southwest property lines consistent with the 1997 *Cloverly Master Plan*.
- The amount of imperviousness will remain within the 10 to 15 percent range for the watershed as recommended in the Master Plan.
- The Applicant will provide a ten-foot-wide shared use path along the subject property’s frontage consistent with the recommendations of the 2018 *Bicycle Master Plan*.
- Staff has not received any citizen correspondence on this Application to date.

SECTION 1 – RECOMMENDATION AND CONDITIONS

PRELIMINARY PLAN NO. 120200230: Staff recommends approval of the Preliminary Plan subject to the following conditions.

- 1) This approval is limited to one (1) lot for a 5,000 square foot restaurant use and associated outdoor seating area.
- 2) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated April 7, 2020 and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 3) The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated December 22, 2020, and hereby incorporates them as conditions of the Preliminary Plan 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 the Preliminary Plan approval.
- 4) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated July 31, 2020, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 5) Prior to issuance of access permits, the Applicant must satisfy the provisions for access and improvements as required by the Maryland State Highway Administration (“SHA”).
- 6) The Applicant must dedicate and show on the record plat(s) a minimum right-of-way of one hundred (100) feet, as measured from the opposite right-of-way line along the Subject Property frontage.
- 7) Prior to the issuance of a building permit for the proposed building, the Applicant must construct a 10-foot-wide shared use path along the property frontage on New Hampshire Avenue as shown on the Certified Preliminary Plan.
- 8) The Applicant must provide a minimum of four (4) short-term bike parking spaces located near the main entrance of the establishment, as shown on the Certified Preliminary Plan.
- 9) Prior to record plat, the Applicant must record in the Land Records of Montgomery County a covenant to provide a reciprocal access easement between the Subject Property and Parcel 915 and Parcel 816. The covenant must be approved by the Commission’s Office of the

General Counsel prior to recordation. The recordation references for the covenant shall be noted on the record plat.

- 10) The Applicant must provide two (2) access easements on the northeast and southwest portions of the Property as shown on the Certified Preliminary Plan to allow for future vehicular inter-parcel connectivity consistent with the 1997 *Cloverly Master Plan*.
- 11) The record plat must show all necessary easements.
- 12) The Applicant must provide a primary entrance along New Hampshire Avenue as shown on the Certified Preliminary Plan.
- 13) The Applicant must provide landscaping along New Hampshire Avenue as shown on the Certified Preliminary Plan.
- 14) Prior to the issuance of a building permit, a landscape and lighting plan consistent with the Parking Lot Landscaping and Outdoor Lighting requirements under Chapter 59 under Sect. 6.2.9 must be submitted to and approved by M-NCPPC Staff.
- 15) The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
- 16) The Applicant must install the five 2-inch caliper mitigation trees as shown on the approved Tree Save Plan, Plan No. 42019018E, as directed by M-NCPPC Forest Conservation Inspection Staff.
- 17) The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Tree Save Plan, Plan No. 42019018E.
- 18) Before approval of the Certified Preliminary Plan, the following revisions must be made and/or information provided subject to Staff review and approval:
 - a. The Applicant must include the stormwater management concept approval letter and other applicable agency approval letters, development program, and Preliminary Plan resolution on the approval or cover sheet(s).
 - b. The Certified Preliminary Plan must contain the following note:

“Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of approval of a building permit. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board’s approval.”
 - c. Ensure consistency between the data table in the Staff Report and the Preliminary Plan.

SECTION 2 – SITE LOCATION AND DESCRIPTION

Site Location

The subject property (“Subject Property” or “Property”) is located approximately 800-feet north of the intersection of Briggs Chaney Road and New Hampshire Avenue (MD 650). The Property consists of two adjoining parcels along New Hampshire Avenue and offsite residual parcels identified as A and B in Figure 1 below that are bisected by a stormwater facility owned by the Maryland Department of Transportation State Highway Administration (“SHA”). The Subject Property is in the Neighborhood Retail (NR) 0.75 H-45 Zone and is located in the Cloverly Commercial Area, of the 1997 *Cloverly Master Plan* (“Master Plan”).

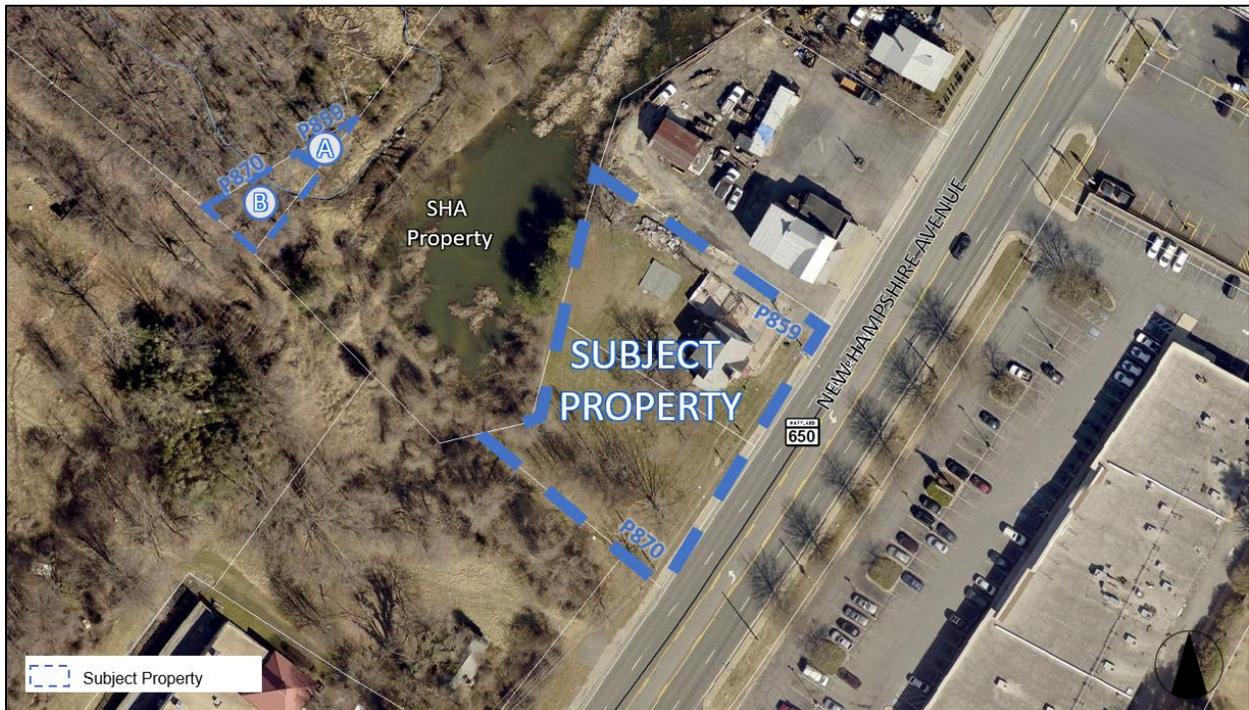


Figure 1 – Aerial View

Site Vicinity

Retail uses exist to the northeast and east of the Subject Property in the NR-0.75 H-45 Zone (Figure 2). Directly southwest of the Subject Property consists of a single-family detached dwelling unit in the NR-0.75 H-45 Zone. To the west is a stormwater facility owned by SHA that bisects the Property in the RE-2 Zone. The WMATA Z2 line operates along New Hampshire Avenue with low-frequency 60-minute headways. The nearest bus stops are located approximately 500-feet east and west of the Subject Property.

Site Description

The 28,262 square foot (tract area) Subject Property consists of two parcels. The northern parcel, identified as Parcel 859 is 13,707 square feet and shares access with the property to the north via an existing shared driveway. This parcel is improved with an existing single-family detached house along with associated accessory structures. The southern parcel, identified as Parcel 870, is 14,555 square

feet, undeveloped and does not have vehicular access. The residual portions consist of 2,615 square feet of the Subject Property and are identified as A and B as shown above.

The Subject Property is located within the Northwest Branch watershed and does not contain any streams, forests, floodplains, wetlands or steep slopes that are beyond 25 percent. There are no known burial sites located on the Property.

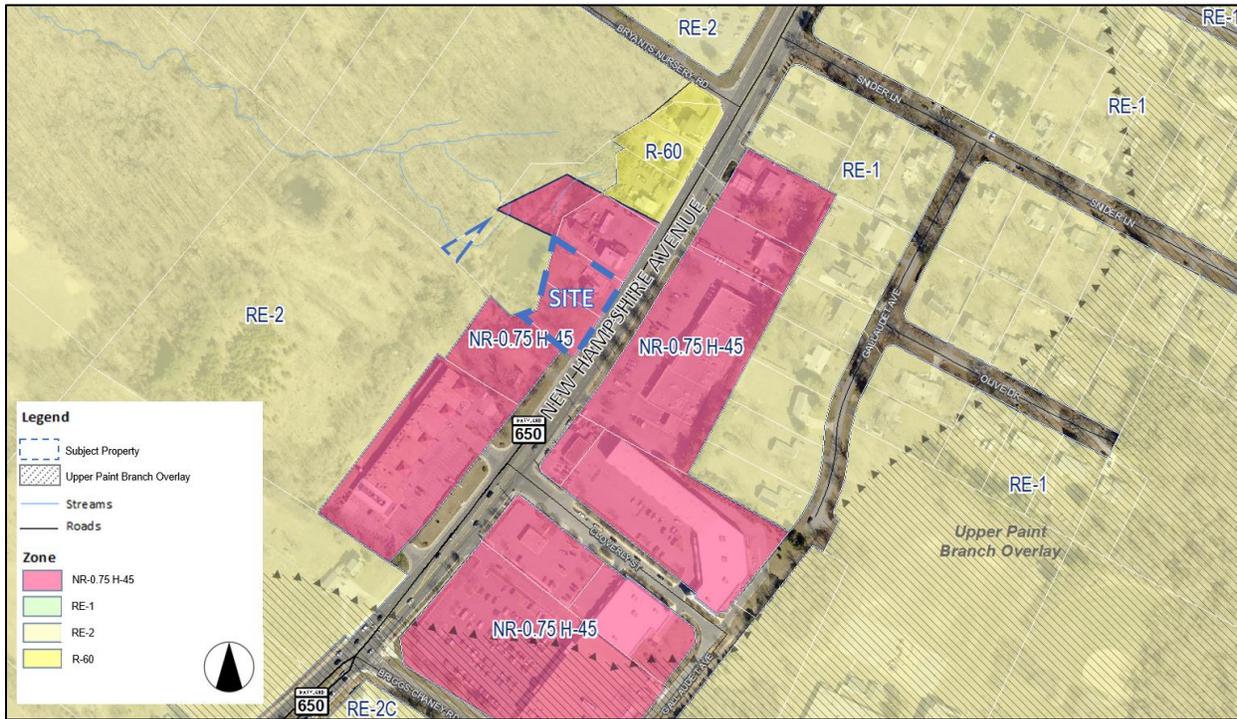


Figure 2 – Zoning Map

SECTION 3 – APPLICATION AND PROPOSAL

Previous Applications

Concept Plan: 520160010

Concept Plan No. 52016010 was reviewed for a retail use and a medical/dental office in a similar layout as proposed in this Application. The various development review agencies provided preliminary comments on the proposed layout and design on August 7, 2015.

Current Application

Preliminary Plan No. 120200230

Preliminary Plan No. 120200230 proposes to create one lot as shown in Figure 3 that is for a 5,000 square foot commercial building, specifically, a restaurant with associated outdoor seating area located in the northeast portion of the Subject Property (“Preliminary Plan” or “Application”).

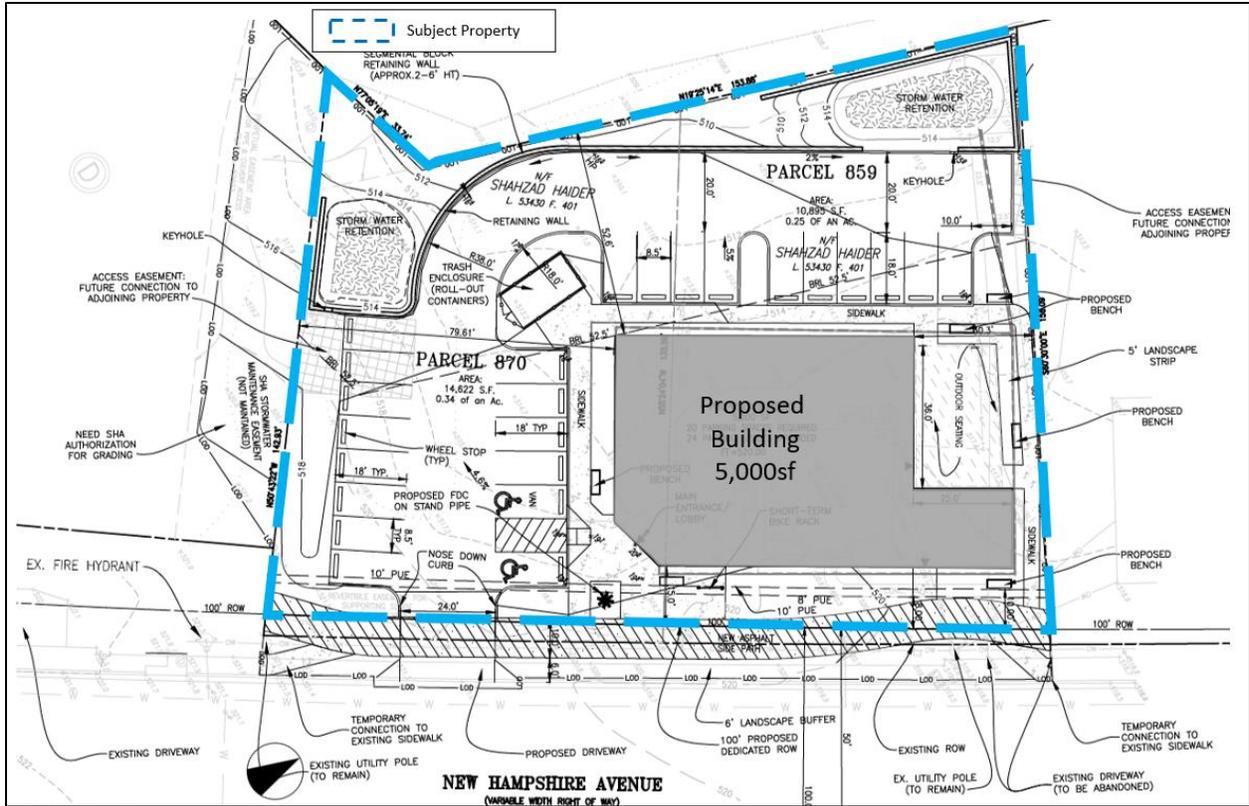


Figure 3 – Proposed Lot

As part of the Application, offsite portions of Parcel 859 and 870 will be left as residual parcels (Figure 1). A total of 898 square feet of the Subject Property will also be dedicated for the New Hampshire Avenue right-of-way resulting in a 27,364 square foot net tract area.

The existing shared driveway off New Hampshire Avenue will be removed from the Property and vehicle access to the Subject Property will be provided via a new driveway in the southeast corner of the Property off New Hampshire Avenue to the associated parking area. As part of this proposal, 21 parking spaces will be provided and a total of four (4) short-term bicycle parking spaces will be included as part of the Application and located near the entrance.

SECTION 4 – ANALYSIS AND FINDINGS

1. *The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59;*

The Preliminary Plan meets all applicable sections of the Subdivision of Land Article of the County code. The proposed lot size, width, shape and orientation is appropriate for the location and for the proposed restaurant use and associated outdoor seating area. The proposed lot was also reviewed for compliance with the Montgomery County Code, Chapter 59 and the Application meets the dimensional requirements for the NR Zone as specified in the Zoning Ordinance. A summary of this

review is included in Table 1 below. The Preliminary Plan has been reviewed by other applicable county agencies, all of which have recommended approval.

Table 1 – Development Standards in the Neighborhood Retail Zone

Development Standards - NR Zone	Required by the Zone	Proposed for Approval
Tract Area	n/a	28,262 square feet
Net Tract Area	n/a	27,364 square feet
Lot Area	n/a	24,749 square feet
Residual Parcel 859	n/a	2,262 square feet
Residual Parcel 870	n/a	353 square feet
Dedication Area	n/a	-898 square feet
Amenity Open Space (minimum)	10 percent	10 percent
Density: FAR (maximum)	0.75 FAR	0.20 FAR
Setbacks for Principal Building (minimum)		
Front	0 feet	0 feet
Side	0 feet	0 feet
Rear	See Sect. 4.1.8A ¹	52.5 feet
Setbacks for Accessory Structure (minimum)		
Front	0 feet	0 feet
Side	0 feet	0 feet
Rear	Equal to principal building setback	52.5 feet
Principal Building Height (maximum)	45 feet	45 feet
Accessory Structure Height (maximum)	25 feet	25 feet
Vehicle Parking	Minimum: 20 Maximum: 60	21
Bicycle Parking	1 short term	4 short term

Amenity Open Space

Amenity open space is provided north, east and south of the building where sidewalks are provided. The proposal includes 10.4 percent amenity open space and therefore, the Application provides adequate amenity open space.

Compatibility Requirements and Landscaping Requirements, Sect. 4.1.8 & Sect. 6.2.9

Pursuant to the Zoning Ordinance under Sect. 4.1.8.1 additional setback requirements are applicable since the NR-zoned Property is identified as an employment zone that *i. abuts a property in an Agricultural, Rural Residential, Residential Detached or Residential Townhouse zone that is vacant or improved with an agricultural or residential use; and ii. proposes development of an apartment, multi-unit or general building type.* Therefore a 52.5-foot setback is required for the primary building and associated accessory structures since the Subject Property abuts an RE-2 zoned property. The proposed primary building and any future accessory structures will be located 52.5-feet from the rear

¹ The Property abuts residential zoned Property in the rear and therefore requires a 52.5-foot setback.

which conforms to the compatibility requirements. The Application must also meet height compatibility requirements under Sect. 4.1.8.A.1.a.ii which requires that the proposed building must be 45 feet or less. The proposed building is 30-feet in height and therefore, conforms to the height requirement.

The Application must also demonstrate that adequate parking lot landscaping is provided under Sect. 6.2.9. An exhibit is provided below demonstrating how Sect. 6.2.9 is being met. As conditioned in the Preliminary Plan, the Application meets the parking lot landscaping requirements.

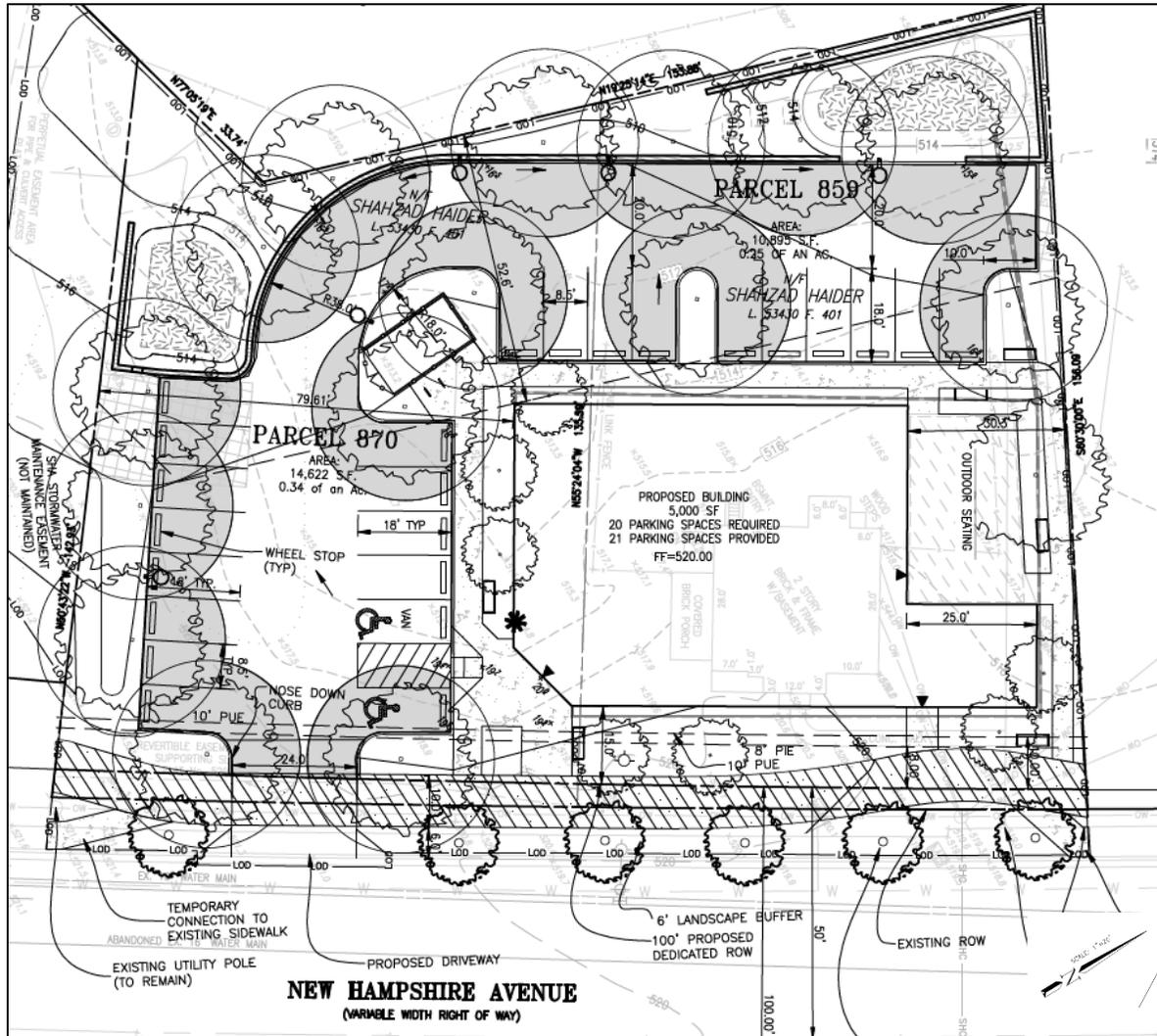


Figure 4 – Illustrative Landscape Plan

2. The Preliminary Plan substantially conforms to the master plan;

The Preliminary Plan substantially conforms to the 1997 *Cloverly Master Plan* ("Master Plan"). The Subject Property is in the Cloverly Commercial Area of the Plan as shown in Figure 5 below.

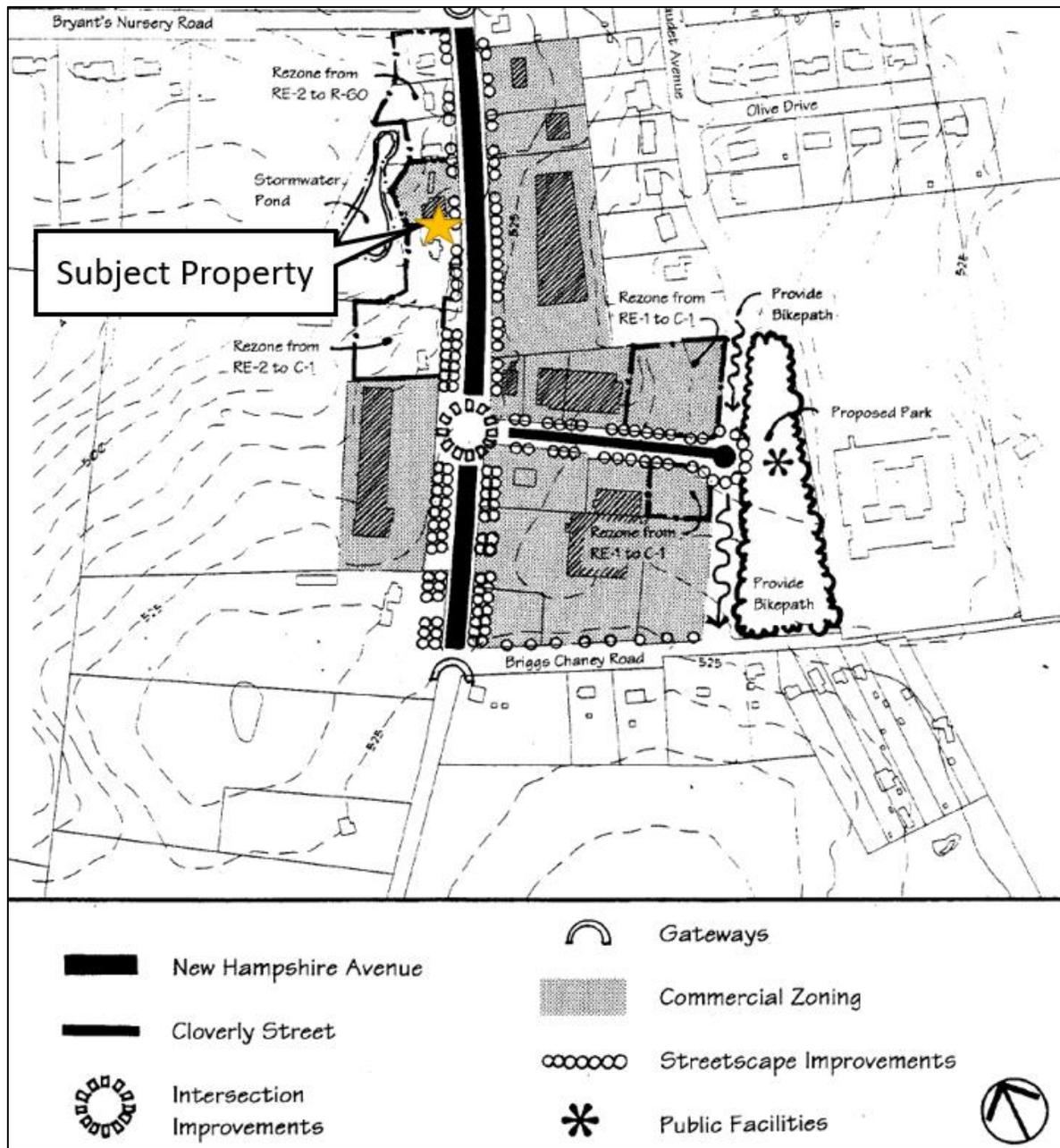


Figure 5 – 1997 Cloverly Master Plan, Commercial Cloverly Area (p. 25)

The Cloverly Commercial Area at the intersection of New Hampshire Avenue and Briggs Chaney Road is the primary retail area and center of Cloverly. On page 22 of the Master Plan, and within the text on the Cloverly Commercial area, the Plan provides the following general guidance – in considering redevelopment proposals, the Planning Board should carefully weigh the significant benefit to the Cloverly community of an expanded commercial area against the environmental constraints of the site.

There are no site-specific recommendations for the Subject Property. However, there are general Commercial Area recommendations. As recommended in the Master Plan, the Application provides

street-oriented development along New Hampshire Avenue to encourage a walkable, pedestrian-friendly commercial area that promotes social gathering. Street oriented development is also achieved by locating the proposed building close to the street where the primary entrance is located along New Hampshire Avenue. Sidewalks are also enhanced with tightly spaced street trees, seating areas, and lighting. The current design provides a ten-foot shared use path, as shown in Figure 6 below. Therefore, the Application is consistent with the Master Plan.

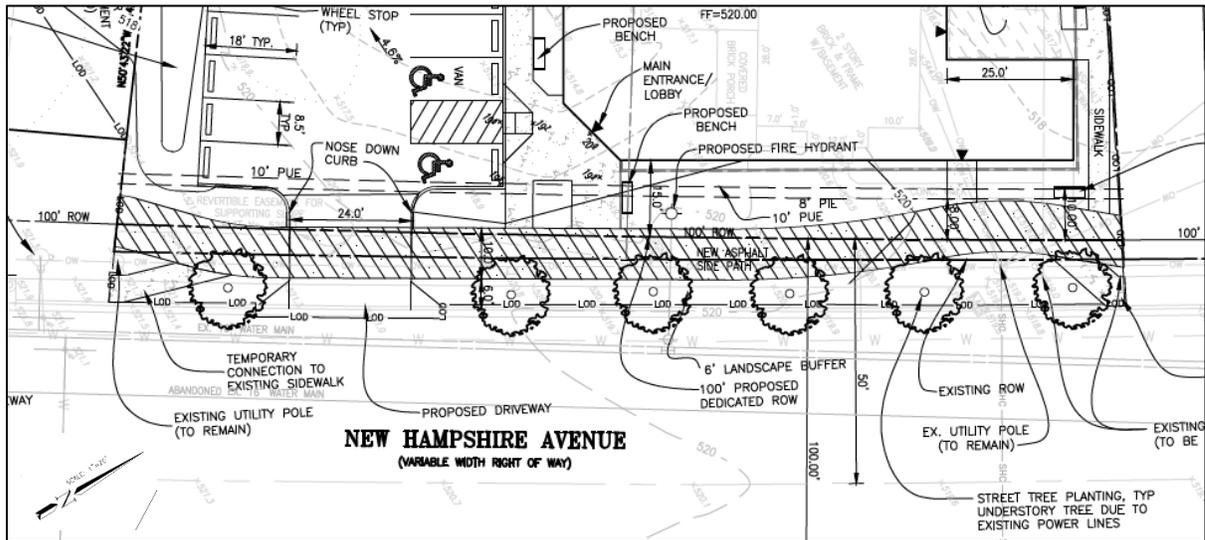


Figure 6 – Proposed New Hampshire Avenue Streetscape

The Master Plan emphasizes interconnectivity between parcels as they redevelop to keep as much traffic off New Hampshire Avenue in this area. The current design provides access easements that will allow a future inter-parcel connection between the Subject Property and the properties to the north and south of the Subject Property. This will allow for interconnected parking lots and shared access between independently owned properties, which will ultimately reduce traffic on New Hampshire Avenue.

The Subject Property is located outside of any Special Protection Area, the Primary Management Area (“PMA”) for either the Patuxent or Hawlings Rivers or an overlay zone that limits imperviousness. However, the Subject Property is located within the Bryants Nursery Run subwatershed which is one of the headwater sources for the larger Northwest Branch watershed. The Master Plan recommends to “Protect headwater streams in the Northwest Branch by assuring that ultimate subwatershed imperviousness remains within the 10 to 15 percent range...” (p. 88). The Bryants Nursery Run subwatershed currently has an imperviousness level of approximately 11.69 percent, which includes the impervious surfaces proposed by the approved RCCG Jesus House Application (120160040), Mar Thoma (120200080) and Hill Farm (620200100) developments. This Application proposes approximately 17,114 square feet of impervious surfaces for the construction of the building, sidewalks, access drive and parking lot, resulting in 61.0 percent impervious cover on the proposed lot. Although this amount of impervious surface is moderately high for an individual project site, this higher level of imperviousness is caused by the small size of the Subject Property and the development requirements placed on the Applicant for this project. Although the Subject Property’s impervious

square feet on New Hampshire Avenue. Also, the 2018 *Bicycle Master Plan* requires a 10-foot-wide shared use path to be built along the frontage of New Hampshire Avenue, in which the Applicant proposes to construct. Pedestrian access will be provided via an existing sidewalk that connects to the proposed path on New Hampshire Avenue. Frontage improvements will include an ADA sidewalk running from the proposed side path directly to the main building entrance, then continuing in a loop formation around the proposed building to provide efficient pedestrian circulation.

Local Area Transportation Review

The proposed application is for a 5,000 square foot Quality Restaurant (ITE code 931). According to the Institute of Transportation Engineer’s (ITE) 10th Edition Trip Generation Manual and adjusted for the Cloverly Policy Area, the Application will result in four (4) AM and fifty (50) PM peak-hour person trips. The Applicant is not required to submit a traffic study to satisfy the LATR test because the proposed land use generates fewer than 50 peak-hour net new person trips within the weekday morning and evening peak periods after the application of a 15 percent pass-by credit for this Application resulting in 42 total peak hour person trips.

Table 2: Site Vehicle Trip Generation

Use	Development	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Existing (Credit) Single Family (ITE 210)	1 D.U.	0	1	1	1	0	1
Proposed: Quality Restaurant (ITE 931)	5,000 sq. ft.	2	2	4	26	13	39
Net New Vehicle Trips		(2)	(1)	(3)	(25)	(13)	(38)
Total Peak Hour Person Trips				(4)			(50)
PM Pass-by Credits (Credit)	15%			(0)			(8)
Total Peak Hour Person Trips (w/ 15% PM Pass-by Credit)				4			42

Source: Traffic statement, Lawrence Green, PE, PTOE., dated November 16, 2020. Sums may not add due to rounding; all numbers rounded to the nearest whole number for presentation.

Circulation and Connectivity

Vehicular access will be provided from New Hampshire Avenue via a full movement 24-foot driveway. The 1997 *Cloverly Master Plan* recommends providing future connections to adjoining parcels to increase connectivity and unified commercial development as well as decreasing the need for additional New Hampshire Avenue access points.

As conditioned, two access easements will be provided for future connections to adjoining parcels on the north and south property lines. The easement area is temporarily used for parking until there is an adjoining development. Upon development of the adjacent parcels, connections will be made

within the easement area and affected parking will be removed to accommodate the connection. These parking spaces determined to be removed have not been included in the minimum required parking calculations. The Application will meet all parking minimums even after removal of these parking spaces. Therefore the circulation pattern, as proposed, is safe and adequate for the use proposed.

Other Public Facilities and Services

Due to the proposed non-residential use, the Preliminary Plan is not subject to the Annual School Test. The Preliminary Plan has also been reviewed by the Fire Department Access and Water Supply Section that has determined that the Application provides adequate access for fire and emergency vehicles (Attachment 5). Other public services such as police and health services are currently operating within the standards set by the Subdivision Staging Policy currently in effect. Other facilities and services including well and septic/water and sewer, utilities, police, fire, health are found to be adequate.

4. *All Forest Conservation Law, Chapter 22A requirements are satisfied;*

Environmental Guidelines

The Property contains no streams, wetlands, floodplains or other environmentally sensitive areas. The Property is not in a Special Protection Area or in the Primary Management Area of the Patuxent or Hawlings Rivers. The submitted Preliminary Plan is in conformance with the Montgomery County Planning Department's Environmental Guidelines.

Forest Conservation

The Application meets the requirements of Chapter 22A of the Montgomery County code. Forest Conservation Exemption No. 42019018E from Article II of Chapter 22A of the Montgomery County Code (Forest Conservation Law) under 22A-5(s)(1) was granted on September 13, 2018 (Attachment 6). This forest conservation exemption covers an activity conducted on a tract of land less than one acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or an existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet. The Application shows the removal of a 36-inch diameter breast-height (DBH) Silver Maple (*Acer saccharinum*) which qualifies as a specimen tree. Since a specimen tree is shown to be removed, Section 22A-6(b) requires the approval of a Tree Save Plan which was approved on September 13, 2019 as part of the Forest Conservation Exemption review. The Tree Save Plan shows the required mitigation planting of five 2-inch caliper White Oaks (*Quercus alba*) for the removal of the 36-inch DBH Silver Maple.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied;*

Stormwater Management

The Application includes environmental site design (ESD) measures including two landscape infiltration facilities to meet all stormwater management requirements of Chapter 19. The stormwater concept plan was reviewed and approved by the Department of Permitting Services Water Resources Section (Attachment 3). The Subject Property is not located in a Special Protection Area and therefore does not require a water quality plan.

6. *Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Inventory and located within the subdivision boundary is approved under Subsection 50-4.3; and*

There is no record or other evidence to suggest that a burial site is located within the boundary of the Subject Property. Therefore, this finding does not apply.

7. *Any other applicable provision specific to the property and necessary for approval of the subdivision is satisfied.*

There are no other applicable provisions specific to the Property and necessary for approval of the subdivision is satisfied.

SECTION 5 – CITIZEN CORRESPONDENCE

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Applications. A pre-submission meeting for the Preliminary Plan was held on February 5, 2020 at 800 Briggs Chaney Road in Silver Spring. To date, Staff has not received any correspondence specific to the Preliminary Plan.

SECTION 6 – CONCLUSION

The proposed lot meets all of the requirements established in the Subdivision Regulations, the Zoning Ordinance and conforms to the recommendations of the 1997 *Cloverly Master Plan*. Access to the lot is adequate and all public facilities and utilities have been deemed adequate to serve this Application. The Application was also reviewed by other applicable County agencies, all of which have recommended approval of the Preliminary Plan. Therefore, staff recommends approval of the Application, with the conditions as specified.

Attachments

- Attachment 1 – Preliminary Plan
- Attachment 2 – Statement of Justification
- Attachment 3 – MCDPS Water Resources Section Approval Letter
- Attachment 4 – MCDOT Approval Letter
- Attachment 5 – MCDPS Fire and Rescue Approval Letter & Plan
- Attachment 6 – Forest Conservation Exemption Letter

CPJ Charles P. Johnson & Associates, Inc.

Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors

Silver Spring, MD • Gaithersburg, MD • College Park, MD • Frederick, MD • Fairfax, VA

The Maryland National Capital Park & Planning Commission

Project Name: Snowdens Manor

Preliminary Plan No: 120200230

Address: 15520 New Hampshire Ave, Silver Spring, MD

Location: On New Hampshire Road, 800 feet North of Briggs Chaney Road

Tax Map: JS-562

Tax Account No: 262053 (Parcel 859), 262064 (Parcel 870)

Zone: NR-0.75, H-45' (Neighborhood Retail)

Applicant/Owner: Shahzad Haider

STATEMENT OF JUSTIFICATION IN SUPPORT OF PRELIMINARY PLAN NO. 120200230

Introduction:

The Applicant/Owner, Shahzad Haider, hereby requests this Preliminary Plan Application (No. 120200230) be reviewed pursuant to the standards and procedural requirements of Montgomery County Code, Chapter 50, "Subdivision of Land", and Chapter 59, "Montgomery County Zoning Ordinance", Section 59.4.4.7.

Property Description:

The subject property is identified as Parcel 859 as recorded in Liber 53430 at Folio 401, and Parcel 870, as recorded in Liber 53430 at Folia 401 in the Snowdens Manor Subdivision. The subject property is located 15520 New Hampshire Avenue in the community of Cloverly. The subject property is approximately 800 feet north of the intersection of New Hampshire Avenue and Briggs Chaney Road.

Existing features on the property consists of one single-family residence, a detached garage and a shared drive. The subject property is located in the northwest branch watershed. To the rear of the property there is an existing SHA stormwater pond that bisects the property leaving a land locked portion of the property to the west. This landlocked portion of the site (approximately 2615 SF) will be conveyed to SHA which should have been done when the SHA land acquisition happened.

The subject property is currently .65 Acres (28,262 SF) in size prior to conveyance of landlocked property and dedication of additional right-of-way along New Hampshire Avenue. The subject property has an approved NRI which shows the existing conditions and a Tree Save Plan along with a Forest Conservation exception. The adjacent properties are commercial, SHA stormwater management facility or vacant.

Proposed Development:

The proposed development includes the construction of a 5000 SF restaurant with an outdoor seating area. The proposed building will be located 15' from the new 100' New Hampshire ROW which will be dedicated. In the proposed ROW, a 10' asphalt side path with a 6' landscape buffer with street trees will be constructed. Onsite parking will be provided to the side and behind the proposed building per the Cloverly Master Plan. All stormwater management will be provided on site with two storm water management areas in the rear corners of the site. A screened trash area will be located onsite for the new restaurant. Two access easements will be provided for future connections to adjoining parcels on the north and south property lines. On the south property line, the easement will be used for parking until there is an adjoining development.

Zoning Compliance:

The subject property is currently zoned Neighborhood Retail (NR-0.75, H-45'). The proposed development is a permitted use (general) and is meeting the required front, side and rear setbacks. The front yard setback is 15' from the proposed ROW and the rear setback is 52.5' (35'x1.5) for a general building type. The proposed development is also in compliance with the building height for this parcel (45' max) and the height compatibility per Section 4.1.8.B.2. The RE-2 zone to the rear of the property has a maximum building height of 50' which does not impact the setback or maximum height of the NR zone due to the lower height in the NR zone.

The required 10% amenity open space will be provided on site along the north and east property lines by providing paved paths with shaded seating areas with benches for patrons and employees. These areas can also be used by pedestrians on the side path to rest and relax.

Master Plan Compliance:

The subject property is located in the *1997 Cloverly Commercial Area Master Plan* and meets the major objectives of the master plan by addressing the following:

- Creating a street-oriented business to encourage a more walkable and pedestrian friendly commercial area.
- Locates parking area to side and rear of building to minimize views of parking area.
- Maintains the 15' setback from the curb to the building to allow for streetscape treatment and unified building line.
- Provide streetscape improvements by adding a new 10' wide asphalt side path with buffer to improve both pedestrian and bicycle circulation and connectivity.
- Provide landscape improvements along New Hampshire Avenue including new street trees along the back of the walk to help buffer the new 10' wide multi-use path.
- Project will provide the required lighting along New Hampshire as recommended in the Master Plan.
- Provides future connections to adjoining parcels to increase connectivity and unified commercial development and decrease the need for additional New Hampshire Avenue access points.
- Provides active community gathering space and valuable commercial development to the area.

The proposed building will be served by existing public water and sewer systems located along New Hampshire Avenue. The proposed storm water management concept plan retains and treats onsite water which has been approved.

Thank you for your consideration of this request and please let me know if you have any questions.

Sincerely,

Michael J. Loe, PLA

MD Professional Landscape Architect #3822



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Hadi Mansouri
Acting Director

April 7, 2020

Mr. Matthew Hogan, PE
Charles P. Johnson & Associates, Inc.
1751 Elton Road, Suite 300
Silver Spring, Maryland 20903

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
15520 New Hampshire Avenue
Preliminary Plan #: 42019018E
SM File #: 285684
Tract Size/Zone: 0.58 Acres/NR-0.75
Total Concept Area: 0.62 Acres
Lots/Block: N/A
Parcel(s): 859 and 870
Watershed: Northwest Branch

Dear Mr. Hogan:

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 landscape infiltration.

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. Provide documentation that MSHA has been notified that this site will drain to their pond while providing onsite ESD. In the past MSHA has occasionally required additional control if their pond is near capacity.
3. Designate an area for the landscape infiltration structures overflows. Typically overflow areas are not permitted on fill. It appears that inlet overflow structures will work for these structures but at a minimum soil reinforcement/rip-rap or other measures must be taken to protect these areas.

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

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is/is not required**.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this



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

Mr. Matthew Hogan, PE
April 7, 2020
Page 2 of 2

office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Leo Galanko at 240-777-6242.

Sincerely,

Mark Etheridge

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

MCE: lmg

cc: N. Braunstein
SM File # 285684

ESD: Required/Provided 2816 cf / 2841 cf
PE: Target/Achieved: 2.00"/2.02"
STRUCTURAL: 0 cf
WAIVED: 0 ac.



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R Conklin
Director

July 31, 2020

Ms. Angelica Gonzalez, Planner Coordinator
Area 3 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 120200230
Snowdens Manor

Dear Ms. Gonzalez

We have completed our review of the revised preliminary plan uploaded to eplans dated July 21, 2020. A previous plan was reviewed by the Development Review Committee at its July 7, 2020 meeting. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Montgomery County Department of Permitting Services (MCDPS) in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

Significant Plan Review Comments

1. Portions of the 10-foot shared use path along the site's New Hampshire Avenue (MD-650) street frontage as shown on the plan are outside the right-of-way. Therefore, the applicant should either dedicate the additional right-of-way or execute a Declaration of Public Improvement Easement (PIE). The Public Utility Easement (PUE) shall be extended by the width of the PIE. The Declaration of PIE document is to be recorded in the Land Records of Montgomery County, with the liber and folio provided on the record plat.
2. We recommend that the applicant design all access points to be at-grade with sidewalk, dropping down to street level between the sidewalk and roadway.
3. MCDOT defers to Maryland State Highway (MDSHA) for a final design of the 10-foot shared use

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX
www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

path. We recommend the applicant provide smoother transitions for the shared use path to avoid the existing utility poles.

Standard Plan Review Comments

1. Show the locations of the existing and proposed driveways adjacent and opposite of the subject site on the preliminary plan.
2. Storm Drain Analysis: Since the site drains to a stormwater management (SWM) pond maintained by Maryland State Highway Administration (MDSHA), we defer to them for any comments.
3. We defer to MDSHA for any improvements on New Hampshire Avenue (MD-650).
4. Sight Distances Evaluation: We defer to MDSHA for sight distance for proposed driveway on New Hampshire Avenue (MD-650).

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Deepak Somarajan, our Development Review Team Engineer for this project at deepak.somarajan@montgomerycountymd.gov or (240) 777-2194.

Sincerely,

Deepak Somarajan

Deepak Somarajan, Engineer III
Development Review
Office of Transportation Policy

SharePoint\teams\DOT\Director's Office\Development Review\Deepak\Preliminary Plan\Snowdens Manor\Letter\120200230
Snowdens Manor- MCDOT Prelim Plan ltr

Share Point\Correspondence FY 2021

cc-e: Mike Loe, CPJ and Associates
Kwesi Woodroffe, MDSHA District 3
Atiq Panjshiri, MCDPS
Sam Farhadi, MCDPS
Mark Terry, MCDOT DTEO
Rebecca Torma, MCDOT OTP



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

DATE: 22-Dec-20
TO: David O'Bryan
Charles P Johnson & Associates
FROM: Marie LaBaw
RE: Snowdens Manor (Parcel 859 & 870)
120200230

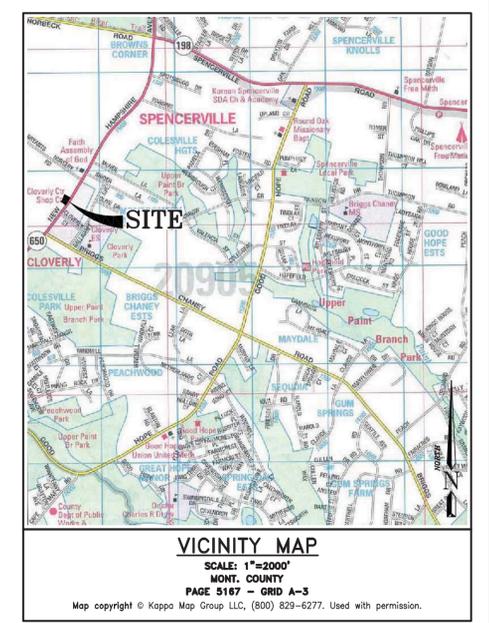
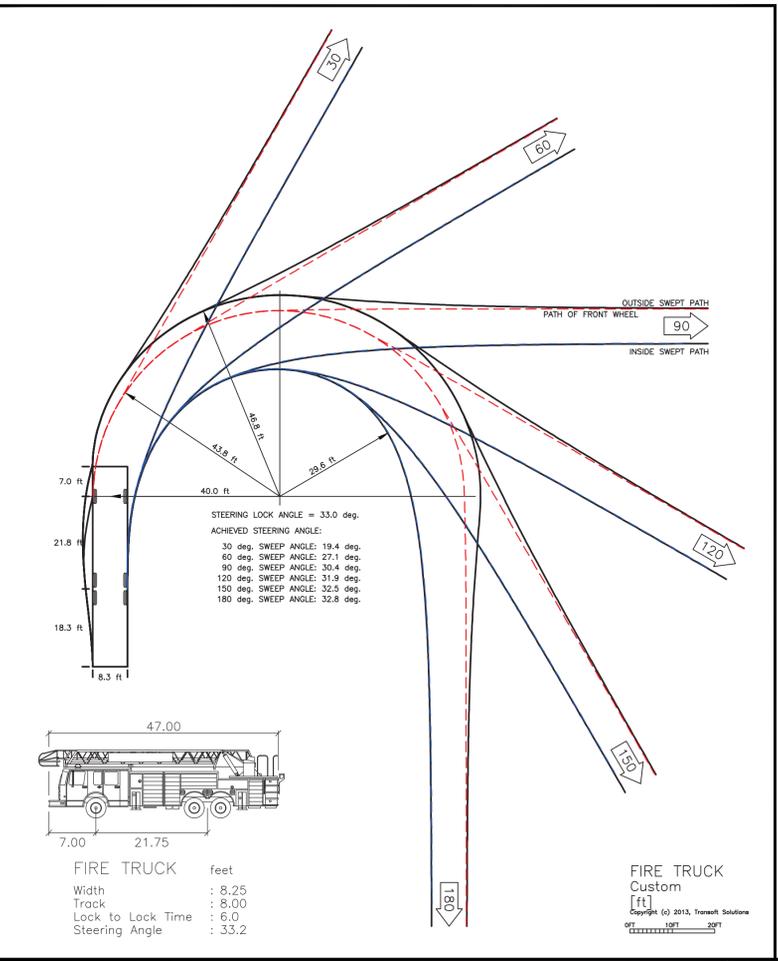
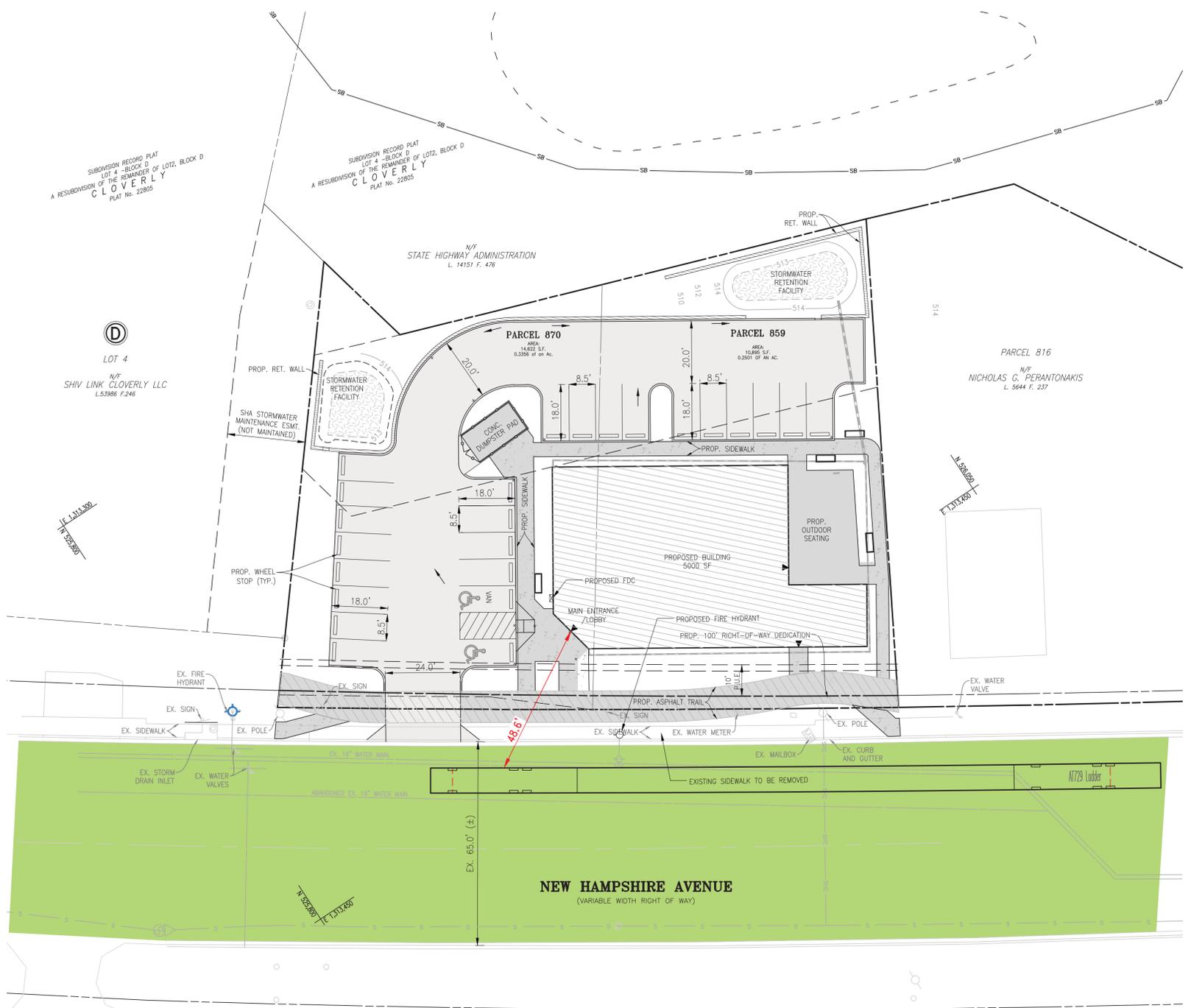
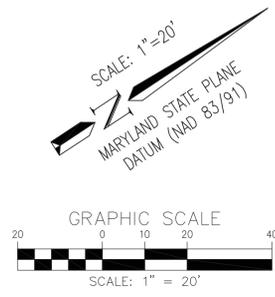
PLAN APPROVED

1. Review based only upon information contained on the plan submitted **09-Dec-20** .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.

*** Commercial Structure Detail**

General Notes:

- Commercial Structures require access to the occupied interior through a main, side hinge door within 50 feet of fire department vehicular access.
- Please see plan view for Fire fighter Walk Distances. Measurement is from edge of compliant vehicle access to main side hinge door.



LEGEND

- FIRE DEPARTMENT ACCESS ROAD
- EX. FIRE HYDRANT

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NUMBER: 49288

EXPIRATION DATE: 5/12/20

12/8/2020

UPDATES/REVISIONS :

REV 1 (08/17/20)	Revisions per MNCPPC Comments
REV 2 (10/15/20)	Revisions per MNCPPC Comments
REV 3 (12/08/20)	Revisions per MNCPPC Comments

MISS UTILITY

Call "Miss Utility" at 1-800-257-7777, 48 hours prior to the start of work. The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code. CERTIFICATIONS ON THIS SHEET ARE REQUIRED ON ANY PLAN INVOLVING STORMWATER MANAGEMENT. THE STRUCTURAL CERTIFICATION IS REQUIRED FOR UNDERGROUND STORMWATER MANAGEMENT STRUCTURES WHERE POURED CONCRETE WALLS ARE TO BE UTILIZED, OR ON ANY OTHER STRUCTURE MCDPS DEEMS APPROPRIATE.

PRELIM PLAN NO. 120200230
FIRE DEPARTMENT ACCESS PLAN
 15520 NEW HAMPSHIRE AVENUE
 PARCEL 859 & PARCEL 870
SNOWDENS MANOR
 COLESVILLE (5TH) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

CPJ Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers - Planners - Landscape Architects - Surveyors

1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394
 www.cpj.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT: MR. SHAHZAD HAIDER	TAX MAP/WSSC	SITE PLAN NO.
15520 NEW HAMPSHIRE AVENUE SILVER SPRING, MD 20905	DESIGN ARJ	SHEET 1 OF 1
DRAFT MED	DATE FEB, 2020	FILE NO:
DATE FEB, 2020	SCALE AS SHOWN	2016-1506-45.01 B

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FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.

BY: SML* FM: 43 DATE: 12/22/2020

~~**FIRE CODE ENFORCEMENT**~~

~~**Fire Department Access Review**~~

~~Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.~~

~~BY: _____ FM: _____ DATE: _____~~



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

September 13, 2018

Mr. Shahzad Haider
3309 Sir Thomas Drive, #13
Silver Spring, MD. 20904

Re: Forest Conservation Exemption 42019018E; Snowdens Manor; 15520 New Hampshire Ave.

Dear Mr. Haider:

This letter is to inform you that your request for an exemption from submitting a forest conservation plan 42019018E, for Snowdens Manor, is confirmed. This plan submitted on September 5, 2018, is in compliance with Chapter 22A-5(S)(2) of the Forest Conservation Law. This exemption covers an activity conducted on a tract less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet. Forest in any priority area on-site must be preserved. The plan shows removal of a 36" DBH Silver Maple which qualifies as a specimen tree. Removal of this specimen tree requires planting (5) tree replacements consisting of 1.5"-2" caliper White Oaks.

A pre-construction meeting is required after the limits of disturbance have been staked, prior to any clearing or grading to verify the limits of disturbance and to determine if any tree protection is required. The property owner, construction superintendent, a Maryland licensed tree expert, this forest conservation inspector, and the Montgomery County Department of Permitting Services (DPS) sediment control inspector should attend.

Please contact this inspector to schedule the pre-construction meeting or if you have further questions. You may contact me at david.wigglesworth@montgomeryplanning.org or at 301-495-4581.

Sincerely,

A handwritten signature in black ink that reads "David Wigglesworth".

David Wigglesworth

Sr. Planner

Development Applications & Regulatory Coordination

CC: Les Powell (CPJ)
42019018E