

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 22-108
Site Plan No. 820220140
Shops at Travilah
Date of Hearing: December 1, 2022

DEC 14 2022

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 April 6, 2022, Travilah-WHM, LP (“Applicant”) filed an application for approval of a site plan for 18,608 square feet total of non-residential development, including a 5,681 square foot retail /service establishment or restaurant building and a 12,927 square foot daycare center (over 30 persons), on 1.96 acres of NR-0.75 H-45 zoned-land, parcel P160 on Tax Map FR32, located on the southside of Travilah Road, approximately 250 feet west of its intersection with Piney Meetinghouse Road (“Subject Property”), in the North Potomac Policy Area and 2002 *Potomac Subregion Master Plan* (“Master Plan”) area; and

WHEREAS, the site plan application for the Subject Property was designated Site Plan No. 820220140, Shops at Travilah (“Site Plan” 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 November 17, 2022, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on December 1, 2022, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hill, seconded by Vice Chair Presley, with a vote of 5-0; Chair Zyontz, Vice Chair Presley, Commissioners Branson, Hill and Piñero voting in favor.

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Approved as to

Legal Sufficiency: /s/ Emily Vaias

M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820220140 for 18,608 square feet of non-residential development on the Subject Property, subject to the following conditions:¹

General Approval

1. The development must comply with the conditions of approval for Preliminary Plan No. 120210090 as listed in MCPB Resolution No. 21-096 dated September 9, 2021, as may be amended.

Density & Height

2. Density

The Site Plan is limited to a maximum of 18,608 square feet of non-residential development on the Subject Property, including a 5,681-square foot retail/service establishment or restaurant building² and a 12,927-square foot daycare center (over 30 persons).

3. Height

The development is limited to a maximum height of 24 feet, as measured from the building height measuring point illustrated on the Certified Site Plan.

Open Space, Facilities and Amenities

4. Amenity Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 10,318 square feet of amenity open space (12.5% of net lot area) on-site.
- b) Before the issuance of the first use and occupancy certificate for any commercial development, all amenity space areas associated with each building must be completed.
- c) Provide a variable width grass panel for street trees between the sidewalk and Travilah Road along the Subject Property frontage, as shown on the Certified Site Plan.

5. Maintenance of Public Amenities

¹ 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.

² The retail/service establishment or restaurant use space can be changed to other commercial uses if there is no adverse impact on the Site Plan and APF findings and it is approved by Staff.

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to the paver patio, outdoor seating and landscaping.

Environment

6. Forest Conservation & Tree Save

The Applicant must comply with the following conditions of approval for the Final Forest Conservation Plan (FFCP) No. 820220140, approved as part of this Site Plan:

- a) 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.
- b) The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
- c) Before the start of any clearing, grading or construction for this development Application, the Applicant must submit the forest conservation fee-in-lieu payment to the M-NCPPC Planning Department for the 0.32 acres of afforestation/reforestation requirement.
- d) The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.

7. Stormwater Management

The Planning Board reviewed and accepted the recommendations of the Montgomery County Department of Permitting Service (MCDPS) Water Resources Section in its stormwater management concept letter dated November 4, 2022 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations provided 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.

Transportation & Circulation

8. Transportation

The Planning Board reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way (MCDPS-

ROW) Section in its memo dated August 29, 2022, as amended by the Montgomery County Department of Transportation (MCDOT) email dated November 16, 2022, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations provided in their memo, which MCDPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

9. Pedestrian & Bicycle Circulation

- a) The Applicant must provide three (3) long-term and two (2) short-term bicycle parking spaces.
- b) The long-term spaces, located in the daycare building, must be in a secured, well-lit bicycle room on the ground floor, and the short-term spaces, located adjacent to the retail building, must be inverted-U racks (or approved equal) installed along the building's retail frontage or in a location convenient to the main entrance; weather protected location is preferred. The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
- c) Before the release of the first above ground building permit, the Applicant must ensure construction of an offsite sidewalk connection from the Property's frontage on Travilah Road to the intersection of Piney Meetinghouse Road, as shown on the Certified Site Plan and to the standards approved by Staff from Montgomery Planning and MCDOT.

Site Plan

10. Site Design

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

11. Lighting

- a) Before 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 comply 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 or BUG-equivalent fixtures.

- c) Deflectors must 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 the lot line, excluding areas impacted by streetlights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

12. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, whichever comes first, 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, trash enclosures, fences, private utilities, paths, paved patio areas and associated improvements of development, including sidewalks, curb and gutter, parking areas, storm drainage facilities, street trees and streetlights. 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.

13. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved before the approval of the Certified Site Plan.

14. 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 agency approval letters, the MCDOT email dated November 16, 2022, the development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Add the following notes:
 - i. "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
 - ii. "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."
 - iii. "The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Montgomery County Department of Permitting Services (MCDPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with MCDPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments must be on-site at all times."
- c) Modify data table to reflect development standards approved by the Planning Board.
- d) Ensure consistency of all details and layout between Site and Landscape plans.
- e) Modify the Amenity Open Space diagram and calculations.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Shops at Travilah, Site Plan No. 820220140, 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 of its Staff as presented at the hearing and/or as provided in the Staff Report, which the 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:

1. *The development satisfies any previous approval that applies to the site.*

On September 9, 2021, the Planning Board, by Resolution No. 21-096, approved Shops at Travilah, Preliminary Plan No. 120210090 ("Preliminary Plan"), for one (1) lot for up to 18,443 square feet of non-residential uses, including a 5,681-square foot retail/service establishment building and a 12,726-square foot daycare center use on 1.96 acres of land in the NR-0.75 Zone. A Preliminary Forest Conservation Plan ("PFCP") was approved as part of the Preliminary Plan.

The Site Plan satisfies the Preliminary Plan conditions of approval. As part of the Preliminary Plan approval, the Planning Board approved Condition No. 16 regarding off-site improvements:

"16. Prior to the recordation of plat(s), the Applicant must ensure construction of the following off-site improvement(s) by satisfying MCDOT requirements to construct a 6-foot-wide sidewalk on the south side of Travilah Road that extends approximately one hundred and sixty-five (165) feet, from the northeast corner of the Subject Property to Piney Meetinghouse Road. Final details including, but not limited to, dimensions, alignment, and cross-section of the offsite improvements to be determined at Site Plan approval."

The Site Plan specifically meets Preliminary Plan Condition No. 16 by providing a 6-foot-wide sidewalk between the Subject Property and Piney Meetinghouse Road. This was the result of extensive coordination between the Applicant, Staff, MCDOT, MCDPS-ROW and a utility consultant to creatively address the constraints along the frontage of Parcel P113, including existing utility poles, guywires, tie-ins, grade, and limited right-of-way. The MCDPS – Right-of-Way Section has reviewed the Application and recommended approval in a letter dated August 29, 2022.

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

This section is not applicable since there are no approved development plans or schematic development plans associated with the Subject Property.

3. *The development satisfies 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.

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

a. Use Standards

The Site Plan satisfies the use standards, development standards and general requirements in the NR Zone, under the Standard Method of Development.

The Preliminary Plan approved one lot for a Retail/Service Establishment (5,001-15,000 SF) use and a Day Care Center (over 30 persons). As proposed, the Application substantially conforms to the Preliminary Plan, and the Site remains suitable for the proposed uses.

b. Development Standards

The Subject Property includes approximately 1.89 acres zoned NR-0.75 H-45. The Application satisfies the applicable development standards as shown in the following data table:

Shops at Travilah, Site Plan Data Table for NR-0.75 H-45 Zone, Standard of Development, Section 59.4.6.3.C

Development Standard	Permitted/ Required	Approved Preliminary Plan	Approved Site Plan
Base Density	0.75 FAR (61,763 SF) non- residential uses	0.22 FAR (18,443 SF) 5,681 SF (Retail/Restaurant)	0.22 FAR (18,608 SF) 5,681 SF (Retail/Restaurant)

		12,726 SF/195 children (Daycare Center)	12,927 SF ³ /195 children (Daycare Center)
Site Area	N/A	1.89 acres (82,351 SF)	1.89 acres (82,351 SF)
Minimum Lot Area	N/A	1.89 acres (82,351 SF)	1.89 acres (82,351 SF)
Minimum Lot Width at Front Lot Line	N/A	203 ft.	203 ft.
Principle Building, Min. Setback			
Front	0 ft. min.	77 ft.	77 ft.
Side	0 ft. min.	16 ft.	16 ft.
Side (Abutting R-200)	18 ft. min.	29 ft.	29 ft.
Rear	0 ft. min.	24 ft.	24 ft.
Max. Building Height			
Retail/Restaurant	45 ft.	24 ft.	24 ft.
Daycare Center	45 ft.	21 ft.	21 ft.
Min. Amenity Open Space (% of Site Area)	10% (8,235 SF)	12.2% (10,132 SF)	12.5% (10,318 SF)
Permeable Area	10% of provided	10% min.	49% (5,081 SF)
Tree Canopy	10% of provided	10% min.	52% (5,446 SF)
Vehicle Parking (Spaces per 1k GFA)	68 Total	68 Total	68 Total
Retail/Restaurant (5 per 1k GFA)	29 min.	29	29

³ Pursuant to ZTA19-08, Ordinance 19-11, effective August 10, 2020, bike lockers no longer satisfy the Zoning Ordinance requirement to provide long term bicycle parking spaces. Thus, the long-term bicycle spaces required for the day care center will be provided interior to a day care building, requiring an increase of 165 square feet of gross floor area. Per Section 59.1.4.2, Gross Floor Area (GFA) excludes "Parking", which per correspondence dated March 29, 2022, MCDPS determined includes long-term bicycle parking (Attachment F of the Staff Report). Therefore, the additional 165 square foot bicycle storage room is excluded from the GFA calculations.

Daycare (3 per 1k GFA)	39 min.	39	39
Compact (20%)	14 max.	12	12
ADA Accessible	3 min.	3	3
Van Accessible	1 min.	3	3
Motorcycle (2%)	2 min.	2	2
Min. Vehicle Parking Setbacks			
Abutting R-200	10 ft.	10 ft.	10 ft.
Abutting other	6 ft.	6 – 8 ft.	6 – 8 ft.
Bicycle Parking			
Short-term Spaces (1 per 1k SF)	1 min.	2 min.	2 min.
Long-term Spaces (1 per 1k SF)	3 min.	3 min. (bike locker)	3 min. ⁴
Loading Space (Retail up to 15 k GFA)	0	0	0

c. General Requirements

i. *Site Access*

The Applicant is consolidating the existing access from Travilah Road into a new single driveway apron on the east side of the Property which connects to a 24-foot-wide internal drive-aisle. The two buildings will share access and internal drive aisles, as well as 68 surface parking spaces, which includes four (4) ADA accessible spaces close to the entrance of each building, and 2 motorcycle parking spaces. The drive-aisle provides full access for emergency vehicles. The new driveway is intentionally aligned with the Montessori School access to mitigate conflicting turning movements on Travilah Road. Vehicular access has been designed to limit crossing distance for pedestrians and slow incoming and outgoing vehicular speeds to improve pedestrian safety.

The existing bus stop located at the western corner of the Property will be upgraded, and a six-foot wide sidewalk will be installed along

⁴ Long-term spaces are provided in a 165 SF storage room at the front of the Daycare Center building.

the Property's frontage and extended off-site to the intersection of Piney Meetinghouse Road. The sidewalk will be separated from the road by a variable width (4.5 to 12 foot wide) green panel. Vehicle and pedestrian access to and from the Site will be adequate with the proposed improvements.

ii. *Parking, Queuing, and Loading*

As indicated in the Site Plan Data Table, the Site Plan provides adequate vehicle, ADA, bicycle and motorcycle parking to serve the proposed uses. The minimum required parking is being provided on-site, and the minimum vehicle parking requirement for the Retail/Restaurant building was calculated using the Retail rate, which is higher than the restaurant rate. This allows flexibility in the future use of the commercial building. Each parking space meets the minimum 8.5-foot by 18-foot dimensional requirements and are arranged in a location that allows for safe, efficient and orderly maneuvering. A loading space is not required for retail buildings under 15,000 square feet.

iii. *Open Space and Recreation*

The Applicant will provide 10% or 8,235 square feet of amenity open space on-site because the Subject Property is being developed with General Building types under the standard method of development in the NR zone and the tract area is greater than 10,000 square feet.

The Application satisfies the open space requirements by providing approximately 12.5% (10,318 square feet) of amenity space on the Site, exceeding the 10% minimum requirement. The primary amenity space is the 9,260-square foot paver patio that wraps around three sides of the retail building. The patio area is framed by the building face and linear vegetated stormwater planters around the periphery, which provides enclosure and softens the transition between the pedestrian realm and surrounding parking lot and drive-aisles. The space will be activated by seating, canopies/awnings, and vegetation. The amenity open space arrangement provides amenities for the use and enjoyment of employees and visitors.

The trees will shade approximately 52% or 5,446 square feet of the 10,318-square foot amenity open space, which exceeds the minimum 10% (1,031 square feet) open space shading requirement.

iv. *General Landscaping and Outdoor Lighting*

The Application includes a variety of new landscaping and lighting throughout the Property. Street trees are provided along Travilah Road to enhance the pedestrian environment, provide shade, and create an aesthetically pleasing presence on the road.

Additionally, the Applicant will plant a variety of native deciduous and evergreen trees and shrubs throughout the Property. Red Maples and London Plain Trees planted along the perimeter of the parking lot and in the individual parking islands will provide visual interest and shade for the patio and parking lot.

The trees will shade approximately 12,000 square feet of the surface parking lot, which exceeds the minimum 25% (6,316 square feet) shading requirement.

Lighting on-site consists of freestanding pole lights positioned on the perimeter of each parking area. Wall sconces on the side of the building will provide illumination to pedestrians entering and exiting each building.

The photometric plan submitted by the Applicant shows the proposed lighting will adequately illuminate the site creating a safe environment, without creating light spillage or excessive glare on adjacent properties or the rights-of-way. As conditioned, all site lighting provides adequate, safe and efficient illumination.

v. *Screening*

The Site Plan proposes retail and daycare uses in two general buildings in the NR zone (Employment Zone) and abuts property zoned R-200 to the west. Under Section 59.6.5.2 of the Zoning Ordinance, screening is required between the proposed building and residentially zoned property.

The Site Plan satisfies the screening requirement with a modified version of the planting plan in Section 59.6.5.3.C.7, which includes a 10-foot-wide area with deciduous trees, shrubs and plantings within

the linear bio-retention facilities located between the western Property line and interior drive-aisle. The modified planting plant will provide adequate screening between the retail building and R-200 property. Additional screening will be planted along the front of the Property to diminish the view of the single row of parking and drive-aisle between the retail building and Travilah Road.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

a. Chapter 19, Erosion, Sediment Control, and Stormwater Management

MCDPS approved a Combined Stormwater Management Concept/Site Development Stormwater Management Plan (revised) on November 4, 2022. The required stormwater management goals are met on site via microbio retention and structural sand filters.

b. Chapter 22A, Forest Conservation

As conditioned the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

The Natural Resource Inventory/Forest Stand Delineation (“NRI/FSD”) No. 420200480 for the Property was approved on October 24, 2019. The Property does not contain any forest. There are no streams, wetlands, 100-year floodplain, highly erodible soils, or slopes greater than 25% located on or immediately adjacent to the Property. There are two small areas of wetland buffer totaling 877 square feet on the Property; one located in the northwest corner of the Property, adjacent to Travilah Road, and the other in the southwest corner, at the rear of the Property. No trees greater than 24” Diameter at Breast Height (“DBH”) were identified on site; however, seven trees greater than or equal to 24” DBH were identified adjacent to the site, three of which are 30” DBH and greater.

The Application proposes to impact the wetland buffer located in the northwest corner of the Property, along Travilah Road. The impacts were identified on the previously approved Preliminary Forest Conservation, approved as part of the Preliminary Plan No. 120210090. The wetland buffer impacts are within the right-of-way and public utility easement along Travilah Road and are unavoidable for the construction of a sidewalk, bus stop, and storm drain to serve the Property and the surrounding area. The impacts are minimal and within the right-of-way, and no mitigation is recommended.

The net tract area for forest conservation is 2.15 acres. This is an increase from the net tract area of the approved Preliminary Forest Conservation Plan because of additional offsite disturbance for the construction of a more extensive 6-foot-wide sidewalk along Travilah Road required as a condition of approval. The net tract area includes the 1.96-acre site and the 0.19 acres of offsite improvements along Travilah Road and utility connections. There is no forest on the Property and the resulting afforestation requirement of 0.32 acres is satisfied through a fee-in-lieu payment as noted on the FFCP. Per Section 22A-12(g)(2), an Application with a planting requirement of less than 0.5 acres with no on-site priority or other appropriate areas available for planting may meet the planting requirement via fee-in-lieu.

Consistent with the approved Preliminary Forest Conservation Plan, no trees subject to the tree variance provision of the Forest Conservation Law will be impacted, so a tree variance is not required. As required by the County Forest Conservation Law (Chapter 22A of the County Code), a Preliminary Forest Conservation Plan was approved by the Planning Board as part of the Preliminary Plan. A Final Forest Conservation Plan ("FFCP") is approved as part of this Site Plan Application. The FFCP is consistent with the approved Preliminary Forest Conservation Plan, as conditioned by the Planning Board.

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

The Site Plan provides for safe and well-integrated parking and circulation patterns on the Subject Property. Vehicular access along the entirety of the Travilah Road frontage is being consolidated into a single driveway at the northeastern corner of the Property. The Applicant intentionally located the driveway in alignment with the Montessori School access to mitigate conflicting turning movements. Two-way internal circulation is proposed throughout the site, except along the western side of the retail building, which is restricted to one-way movement to provide orderly and safe circulation and queuing for parent drop-off at the daycare center.

A six-foot wide sidewalk will be installed along the Property's frontage on Travilah Road to provide a pedestrian connection across the Subject Property. The existing

bus stop at the western corner of the Property will be upgraded and connected to the new sidewalks on the Travilah Road frontage.

As conditioned by the Preliminary Plan, the Applicant is extending the 6-foot-wide sidewalk off-site from the east side of the Application frontage along Travilah Road to Piney Meetinghouse Road. This will connect with the existing sidewalk network which runs continuously from the eastern side of the Piney Meetinghouse Road intersection, which will accommodate pedestrian movement to and from the Site.

Internally, a network of sidewalks and crossings will be constructed to provide safe, logical pedestrian circulations between the two new buildings and parking lots. Two lead walks connect the public sidewalk along the frontage, creating a pedestrian corridor which leads from the sidewalk along the frontage directly through the center of the site to access the retail in the front and the daycare center in the back.

Around the retail building, the patio, sidewalks and planting strips between the drive-aisles and parking spaces provide safe pedestrian connections from the parked vehicles to the buildings and amenity open space. The open spaces and buildings are organized to complement one another, while lead walks provide clearly delineated safe connections between the sidewalk on Travilah Road and the retail building and daycare building entrances, minimizing the need for pedestrians to walk through the parking lot aisles. A raised curb also protects pedestrians on the patio and sidewalks from vehicles that are actively parking. Short term and long-term bicycle parking/storage are provided onsite. An inverted U-rack in a visible location adjacent to the retail building will provide two short term bicycle parking spaces. Three long-term bicycle spaces will be located at the front of the daycare building in a bike room. Parking space dimensions and drive aisle width meet the standards set by Section 6.2.5.G. of the Zoning Ordinance. Bicycle access to the Project will be via the existing paved shared use path located on the north side of Travilah Road, which connects to an existing bikeway network.

The building massing for the Application is complementary towards the proposed uses and the surrounding developments. The proposed retail building consists of a single-level building with three in-line retail spaces and an approximate height of 24 feet at the highest point. The façades of the retail building include a material palette of stone, brick, storefront glazing, and metal awnings and canopies located above openings. The building incorporates a flat roof system with EIFS (“exterior insulation finish system”) parapet walls and metal coping. The retail building is the closest building fronting on Travilah Road. The entrances to the retail spaces are all accessible from a hardscaped open space located along the north, east, and

south façades of the building. The proposed daycare center is located at the rear of the Subject Property and is configured with a U-shaped footprint. The building is single-story with a masonry base, fiber cement lap siding, and a gabled and hipped roof system with fiberglass shingles. The proposed daycare center is approximately 20'-2" at the highest point of the ridge beam along the main hipped roof. The main roof is punctuated with two bays capped with cupolas, to mark the location of the building and identify the primary entrance along the north façade. A portion of the daycare center will be clearly visible from the main entrance to the Subject Property from Travilah Road, with the eastern-most cupola serving as a landmark to distinguish and identify it from the adjacent proposed retail building. The long façades of both building masses are broken up to reduce the overall scale and impact. Both buildings are further broken up by articulating and punctuating the façade with windows, awnings, and doors. The relationship between the base, middle, and top is clearly defined by both proposed buildings.

- 7. The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

The Site Plan substantially conforms to the recommendations of the *2002 Potomac Subregion Master Plan* ("Master Plan"). The Property is within the North Potomac Community Area and the North Potomac policy area of the Master Plan, which is the most densely developed of all of the Potomac communities. The Master Plan confirmed the commercial (now NR-0.75) zoning for the Property but does not address it with specific recommendations.

The Application substantially conforms to the Master Plan's general design recommendations with the provision of attractive streetscaping, the installation of a 6-foot-wide sidewalk along the Property frontage and the provision of shade trees within the parking areas.

The plan provides stormwater management on a currently untreated site using bioretention, a structural filtering device and an overall reduction of site imperviousness. Providing stormwater management "according to current standards" to the maximum extent practicable is consistent with the Master Plan's focus on sustainable development (Pg.33). In addition, the proposed sidewalk along Travilah Road will "encourage community access" to the surrounding neighborhoods and the Property.

Noise Analysis

A Traffic Noise Impact Analysis was prepared by Sullivan Environmental Consulting for the proposed daycare use on the Property due to its proximity to the nearby Rockville Crushed Stone Quarry and the truck traffic associated with its operation. The results were provided in a report dated November 12, 2021. A noise analysis was necessary to demonstrate conformance with the 1983 *Staff Guidelines For the Consideration of Transportation Noise Impacts in Land Use Planning and Development* ("Noise Guidelines") and determined the projected interior and exterior noise levels and whether or not mitigation for the proposed daycare building and outdoor recreation areas was required.

The Montgomery County Noise Guidelines stipulate a 60 dBA L_{dn} maximum noise level for outdoor recreation areas within this suburban residential area of the County and 45 dBA L_{dn} for indoor areas. The analysis provided utilized only the daytime readings and did not include average nighttime readings since the proposed use is for a daycare facility, which differs from a residential use in that it only operates during the daytime hours.

The results of the analysis indicate that future unmitigated traffic noise levels related to truck and other quarry-related operations were between 50-55 dBA, and below the 60 dBA threshold during the daytime when the daycare center is inhabited. Since standard construction materials typically yield a 20 dBA reduction in noise, the interior noise levels will be below the 45 dBA threshold. Therefore, this Application conforms to the Noise Guidelines and no mitigation is necessary for the indoor areas or the exterior recreation areas.

8. *The development 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.*

On September 9, 2021, the Planning Board, by Resolution No. 21-096, approved Shops at Travilah, Preliminary Plan No. 120210090, including a finding that there are adequate public facilities to serve this development, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. A traffic study was also reviewed, and no mitigation is required to satisfy the Local Area Transportation Review. The 5-year Adequate Public Facilities (APF) validity period is valid until November 15, 2026.

9. *The development is compatible with existing and approved or pending adjacent development.*

The proposed buildings are compatible with the existing adjacent development, including the Quarry to the south, and the residential neighborhood and Montessori School across Travilah Road. The proposed retail and daycare center are neighborhood-serving uses which provide convenient services for the surrounding community. Additionally, the frontage improvements and new development will transform the existing dated retail site into a welcoming and attractive destination along this section of Travilah Road. The buildings are 24 feet tall or less, which is within the prescribed height limits of the NR zone and consistent with the adjacent residential and institutional developments.

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 DEC 14 2022 (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 the motion of Commissioner Hill, seconded by Commissioner Piñero, with a vote of 4-0; Chair Zyontz, and Commissioners Branson, Hill, and Piñero, voting in favor of the motion, Commissioner Presley necessarily absent, at its regular meeting held on Thursday, December 8, 2022, in Wheaton, Maryland and via video conference.



Jeffrey Zyontz, Chair
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