




Planning Staff

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LOCATION/ADDRESS

Located on Old Georgetown Road, 600 feet north of Cheshire Drive

MASTER PLAN

2017 Rock Spring Sector Plan

ZONE

CRT-1.25 C-0.75, R-0.75, H-50'

PROPERTY SIZE

11.61 acres

APPLICANT

Federal Realty Investment Trust

ACCEPTANCE DATE

December 11, 2023

REVIEW BASIS

Chapter 59

Summary:

- Staff recommends approval of the proposed Site Plan amendment with one condition.
- The Property is an existing shopping center with a mix of retail and restaurant uses.
- The proposed 832-square-foot addition is intended to provide additional freezer space, replacing a freezer truck located at the rear of the grocery store tenant. The proposed generator, fire hydrant, and hardscape changes are also located at the rear of the shopping center.
- The Property was limited to 88,430 square feet of development by Site Plan No. 82004016B. The proposed 832-square-foot addition requires Planning Board review.
- The proposed 832-square-foot addition will not add any additional person trips, as it is ancillary freezer space to support the existing retail area, not an expansion or intensification of the existing use.
- This Application is reviewed under the Zoning Ordinance in effect on October 29, 2014.

TABLE OF CONTENTS

SECTION 1: RECOMMENDATIONS AND CONDITIONS	3
SITE PLAN 82004016E	3
SECTION 2: SITE DESCRIPTION	4
VICINITY.....	4
PROPERTY DESCRIPTION.....	4
SECTION 3: PROJECT DESCRIPTION.....	6
PREVIOUS APPROVALS.....	6
PROPOSAL	7
SECTION 4: COMMUNITY OUTREACH	9
SECTION 5: SITE PLAN 82004016E FINDINGS AND ANALYSIS.....	9
SECTION 6: CONCLUSION	10
ATTACHMENTS	10

SECTION 1: RECOMMENDATIONS AND CONDITIONS

SITE PLAN 82004016E

Staff recommends approval of Site Plan No. 82004016E for the construction of an 832-square-foot building addition for a freezer to replace an existing freezer trailer, the addition of a generator trailer and a fire hydrant, and minor changes to the hardscape. The development must comply with the conditions of approval for Site Plan No. 82004016B as listed in Resolution MCPB No. 17-082 dated April 3, 2017. All site development elements shown on the latest electronic version of the Site Plan, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following condition.¹ Condition 3, as originally approved by Resolution MCPB No. 17-082, is modified as follows. All other conditions remain in full force and effect:

TRANSPORTATION

3. The overall development on the site is limited to a total of ~~88,430~~ 89,262 square feet of general retail space with a grocery store. Any change of use must be reevaluated for compliance with the APF regulations.

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

SECTION 2: SITE DESCRIPTION

VICINITY

The Subject Property (or “Property”) is located at the northeast quadrant of the intersection of Old Georgetown Road and Cheshire Drive. The Property is located 0.33 miles south of I-270 and opposite Democracy Boulevard. The surrounding land uses are a mix of commercial and residential development.

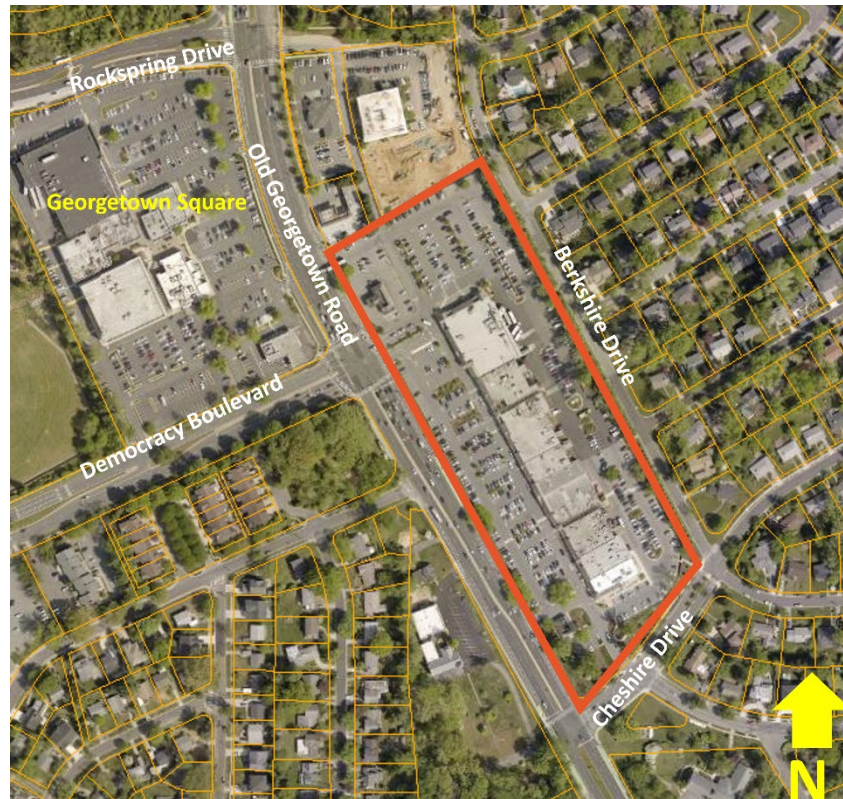


Figure 1 – Vicinity Map

PROPERTY DESCRIPTION

The Subject Property is 11.61 acres and is zoned CRT-1.25 C-0.75, R-0.75, H-50’ and is located within the 2017 *Rock Spring Sector Plan*. The Property is developed with a shopping center with a mix of retail and restaurant uses and surface parking. The Property fronts on Old Georgetown Road, Cheshire Drive, and Berkshire Drive and has access from both Old Georgetown Road and Cheshire Drive. There is no access from Berkshire Drive and a privacy fence and hedge provide a buffer to the single-family residences on the east side of Berkshire Drive.



Figure 2 – Subject Property

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

SPECIAL EXCEPTION NO. CBA-357

On January 30, 1956, the Montgomery County Board of Appeals approved Special Exception No. CBA-357 for off-street parking in the R-90 Zone. Subsequent modifications to CBA-357 were granted in 1978, 1979, 1981, and 1985 to allow for various minor improvements and repairs to the parking facilities in the R-90-zoned portion.

SITE PLAN NO. 820040160

The Planning Board approved Site Plan No. 820040160 on January 9, 2004, for a 609-square-foot addition, for a total gross building area of 122,422 square feet of retail/office space and a total gross leasable area of 84,710 square feet.

SITE PLAN AMENDMENT NO. 82004016A

The Planning Board approved Site Plan Amendment No. 82004016A on April 3, 2007, by Resolution MCPB No. 07-23, for an additional 28 square feet to increase one of the banks for an ATM and associated walkways/pedestrian access.

SITE PLAN AMENDMENT NO. 82004016B

The Planning Board approved Site Plan Amendment No. 82004016B on September 14, 2017, by Resolution MCPB No. 17-082, for an additional 3,720 square feet of retail space to allow for a 4,971-square-foot addition, for a total of 88,430 square feet of retail, and associated landscape, stormwater management, and access improvements in parking lots.

SITE PLAN AMENDMENT NO. 82004016C

Site Plan Amendment No. 82004016C was administratively approved on June 18, 2019, for approval of the following modifications:

- Adjust curb radii in front of the addition at the southern end of the shopping center and across drive aisle from the addition and replace with pavement striping;
- Add planters on rails/seat walls and adjusted along the café areas;
- Relocate pedestrian paths leading from parking field to sidewalk adjacent to stores to avoid columns;
- Relocate railing along walking trail to west side to avoid conflict with parked cars;

- Angle pedestrian crossing from walking trail to shopping center;
- Reduce number of parking spaces in southwestern portion of shopping center from three to two to preserve trees;
- Shift landscaping island to allow ADA space; and
- Relocate lights (minor change in location) within landscaping islands in center of the Property.

SITE PLAN AMENDMENT NO. 82004016D

Site Plan Amendment No. 82004016D was administratively approved on August 16, 2023, to allow 2,948 square feet of existing retail space to be converted to a veterinary office use without boarding or an outdoor relief area.

PROPOSAL

The Applicant is proposing to replace an existing freezer trailer with an 832-square-foot addition to serve as freezer space. Site Plan No. 82004016E also includes a generator, a fire hydrant, and minor changes to the hardscape, including additional steps and minor reconfiguration of parking islands. All changes are located in the loading area, at the rear of the development.



Figure 3 – Location of Proposed Changes

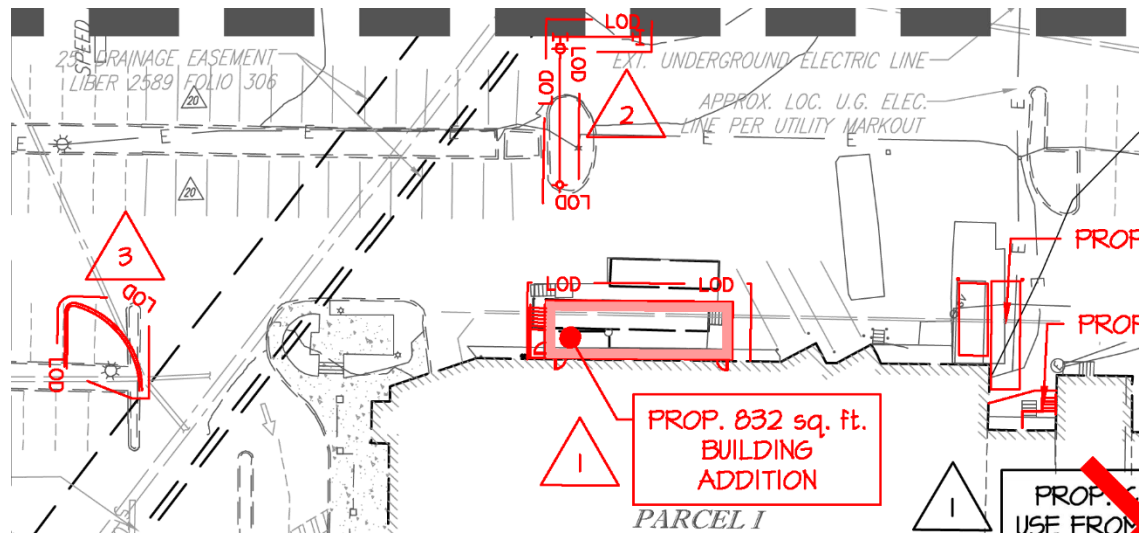


Figure 4 – Proposed changes

TRANSPORTATION

The proposed 832-square-foot addition will not generate any additional person trips. While the addition increases the overall square footage of the building, it is limited to freezer space which does not result in an increase in the number of employee or visitor trips to the site. Furthermore, the addition replaces an existing outside freezer space which is currently in use. Therefore, this addition does not change the overall trip generation of the site or the finding of adequate public facilities. The addition will not affect on-site circulation patterns or parking.

ENVIRONMENT

This property is subject to the Chapter 22A Montgomery County Forest Conservation Law. However, this property is exempt from the requirements of submitting a Forest Conservation Plan per 42024145E, approved on January 18, 2024. This exemption covers an activity occurring on a non-residential developed property if (A) no more than 5,000 square feet of forest is ever cleared at one time or cumulatively after an exemption is issued; (B) the modification does not result in the cutting, clearing, or grading of any forest in a stream buffer or forest located on property in a special protection area which must submit a water quality plan; (C) the development does not occur within an environmental buffer, with the exception of the allowable uses stated in the environmental guidelines; (D) the modification does not require approval of a preliminary plan, administrative subdivision plan, or conditional use/special exception; (E) the modification does not increase the developed area by more than 50%, and any existing principal building, as defined in Chapter 59, is retained; and (F) the pending development application does not propose any residential uses.

SECTION 4: COMMUNITY OUTREACH

The Applicant has complied with all submittal and noticing requirements. As of date of this Staff Report, no correspondence has been received.

SECTION 5: SITE PLAN 82004016E FINDINGS AND ANALYSIS

Site Plan Amendment 82004016E requests to replace an existing freezer trailer with an 832-square-foot addition to serve as freezer space, as well as add a generator, a fire hydrant, and minor changes to the hardscape. Pursuant to the exemption provision of Section 59.7.7.1.B.3 of the Zoning Ordinance, this Amendment was reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014. Section 59-D-3.4.(c) contains the required findings to be made by the Planning Board. The proposed amendment does not affect the findings made by the Board in prior site plan approvals, apart from Finding No. 2, which would be revised to address the additional square footage as follows. In reaching its decision the Planning Board must require that:

- 2. The site plan meets all the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan under Chapter 56;***

Table 1: Project Name Site Plan Data Table for CRT Zone, Standard Method, Section 59-C-15.7

Development Standard	Permitted/ Required	Proposed
Mapped Density CRT-1.25 C-0.75, R-0.75, H-50'		
Residential (GFA/ FAR)	379,298 sq ft/0.75	0
Commercial (GFA/FAR)	379,298 sq ft/0.75	89,262 sq ft/ 0.17 FAR
Total Mapped Density (GFA/FAR)	632,163 sq ft/a.25	89,262 sq ft/ 0.17 FAR

SECTION 6: CONCLUSION

As conditioned, the Site Plan application satisfies the findings under Section 59-D-3.4.(c) and the applicable standards of the Zoning Ordinance. Therefore, Staff recommends approval of the Site Plan with the condition specified at the beginning of this report.

ATTACHMENTS

Attachment A: Site Plan

Attachment B: Prior Approvals

Attachment C: Agency Letters

Attachment D: Draft Proposed Conditions for Resolution

Attachment E: Cumulative Approved Conditions

SITE PLAN AMENDMENT

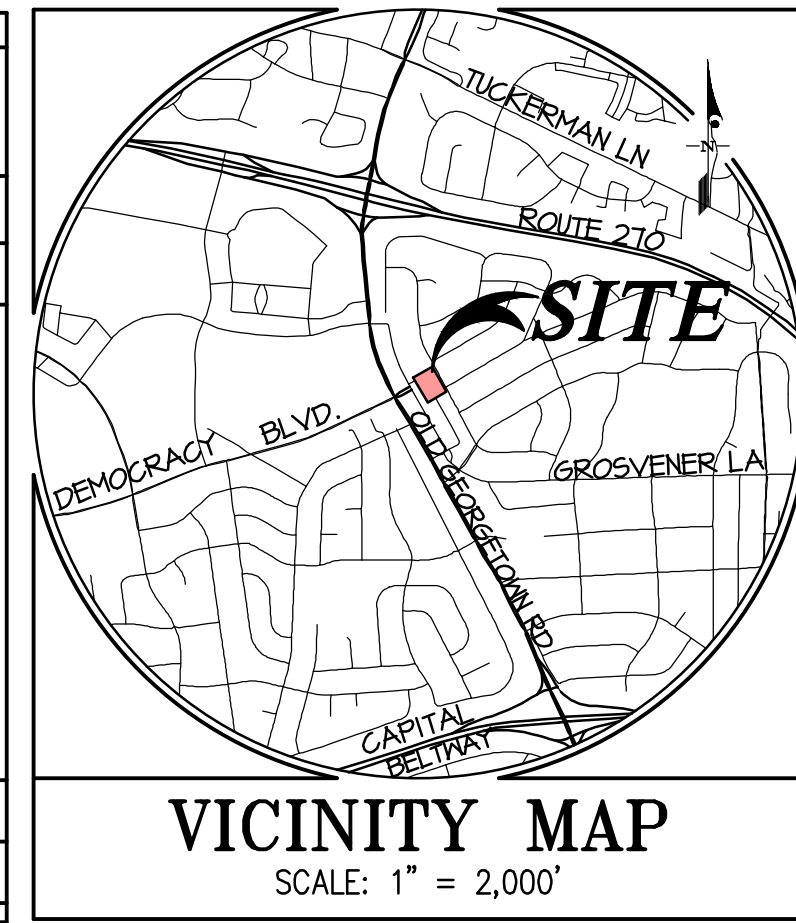
No. 82004016E

WILDWOOD MANOR SHOPPING CENTER

48 Hours
Before You Dig
Call
"MISS UTILITY"
Service Protection Center

MEMBER
ONE CALL SYSTEMS INTERNATIONAL

CALL TOLL FREE
1-800-257-7777



VICINITY MAP
SCALE: 1" = 2,000'

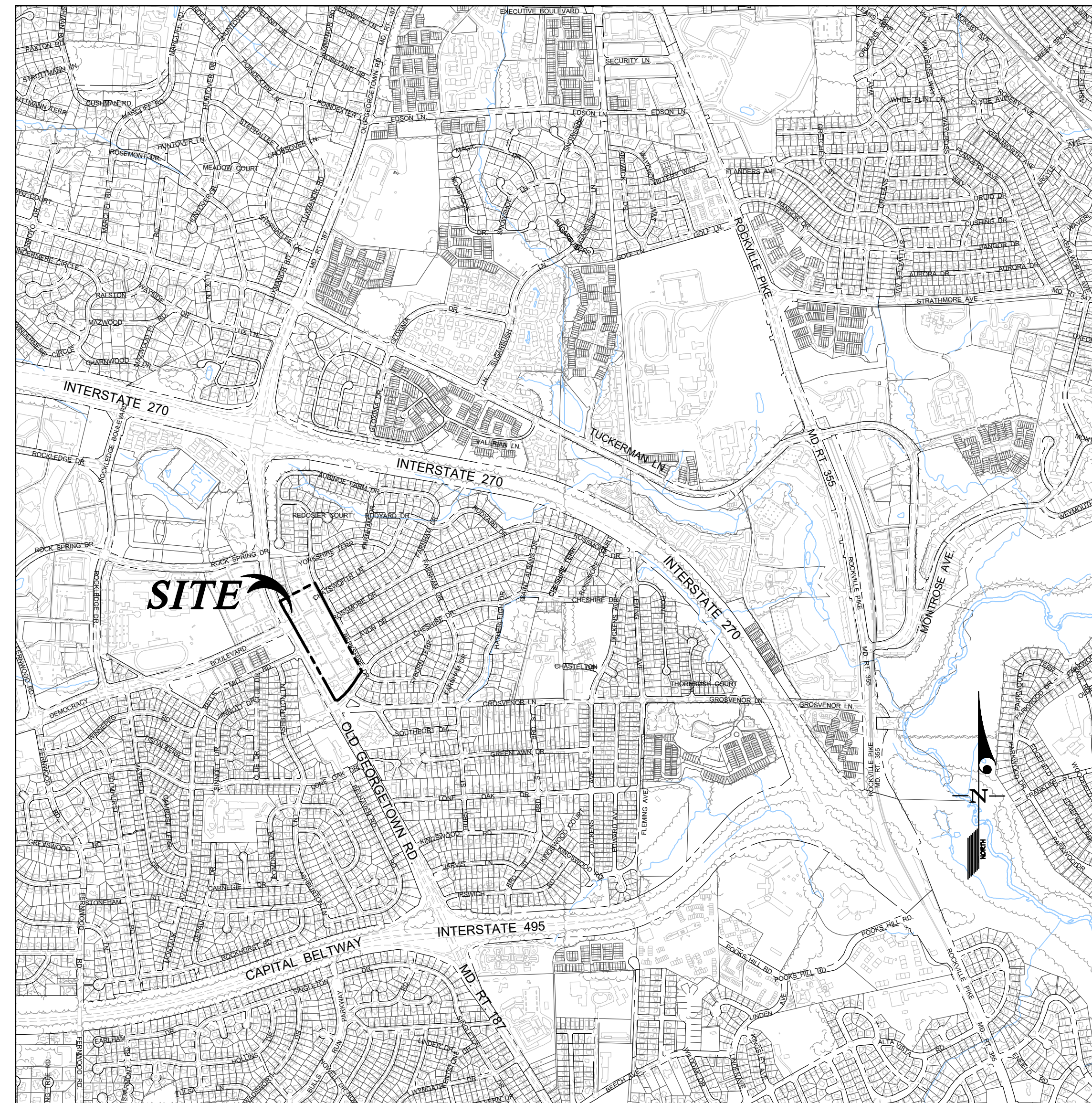
DEVELOPMENT STANDARDS - CRT ZONE (Sect. 59-C 15.1 Commercial/Residential Town)

Development Standards	Allowed/Required	Proposed
FAR (Floor Area Ratio)		
Non-residential:	0.75 FAR (379,300 SF)	0.17 FAR (89,262 SF)
		Non-residential - Existing 88,430 SF
		Non-residential - Proposed 832 SF
		Total 89,262 SF
Residential:	0.75 FAR (379,298 SF)	0.0 FAR (0 SF)
TOTAL FAR:	1.25 FAR (632,163 SF)	0.17 FAR (89,262 SF)
Building Height:	50' max.	50'
Lot Coverage:	N/A	N/A
Minimum Lot Area:	N/A	N/A
Principal Building Setbacks (min.):		
Commercial		
Front:	0' min.	0'
Rear (abutting CRT Zone):	0' min.	0'
Side (abutting CRT Zone):	0' min.	0'
Side (all other):	0' min.	0'
Rear (all other):	0' min.	0'

Parking Setbacks for Surface Parking Lots:

Front:	Must not be located between street and main building	New parking is not located between
Between street and		

PROPOSED DEVELOPMENT	REQUIRED BY ZONING ORDINANCE (MIN-MAX)	PROPOSED
Retail (59,875 sf)	209-359 sp	
Restaurant (14,237 sf)	57-171 sp	
Office (3,837 sf)	8-12 sp	
Health Club (5,665 sf)	6-29 sp	
Veterinary Office (5,648 sf)		
- Employees (13)	13-33 sp	
- Doctors (3)	6-11 sp	
TOTAL PARKING	299-615 sp	680 sp
HANDICAP PARKING (2% of Total Parking Provided)	14 sp	20 sp
Van Accessible Handicap Parking (1 sp/6 HC sp)	3 sp	9 sp
EXISTING DEVELOPMENT	REQUIRED BY (MIN-MAX)	PROPOSED
Retail (59,043 sf)	207-355 sp	
Restaurant (14,237 sf)	57-171 sp	
Office (3,837 sf)	8-12 sp	
Health Club (5,665 sf)	6-29 sp	
Veterinary Office (5,648 sf)		
- Employees (13)	13-33 sp	
- Doctors (3)	6-11 sp	
TOTAL PARKING	297-611 sp	682 sp



GENERAL NOTES:

- Developer/ Applicant: Federal Realty OP LP
C/O Federal Realty Investment Trust
909 Rose Avenue suite 200
North Bethesda, MD 20852
Contact: Geoff Sharpe
Phone: 301-998-8192
- This plan is based upon the following: ALTA/ACSM land title survey titled: "Federal Realty Investment Trust 10233 Old Georgetown Road Wildwood Manor Shopping Center Election District no. 7 Montgomery County, Maryland" prepared by: Bohler Engineering dated: 08/17/12 project no.: SR125515
- Property Tax map #GP63 p753
- Total forested area disturbed: 0 sq ft
- Total tract area: 505,731 square feet or 11.615 acres
- There are no wetlands, waters of the united states, 100 year flood plains or their associated buffers located within 100' of the property, nor is the site within an spa or pma.
- The property is located in the Luxmanor branch of the rock creek watershed.
- An on-site pre-construction meeting is required to be set up with the department of permitting services (dps), zoning & site plan enforcement division before any building construction activity occurs on-site, the owner or his designee who has signature authority, and general contractor must attend the pre-construction meeting with the dps site plan enforcement inspector, a copy of the certified site plan is required to be on-site at all times, to schedule a site plan inspection with dps, zoning and code compliance section (zccc), please contact brian keeler, 240-581-4485.

SHEET INDEX		
SHEET TITLE	SHEET NUMBER	REVISED WITH AMENDMENT E
COVER SHEET	C-1	*
RESOLUTIONS AND APPROVALS	C-2	
RESOLUTIONS AND APPROVALS	C-2A	
RESOLUTIONS AND APPROVALS	C-2B	**
OVERALL SHOPPING CENTER PLAN	C-3	*
EXISTING CONDITIONS AND DEMO. PLAN	C-4	
EXISTING CONDITIONS AND DEMO. PLAN	C-5	
SITE PLAN	C-6	
SITE PLAN	C-7	*
SITE DETAILS	C-8	
LANDSCAPE AND LIGHTING		
TREE PRESERVATION PLAN	L0.00	
MATERIALS PLAN	L1.00	
MATERIALS PLAN	L1.01	
MATERIALS PLAN	L1.02	
MATERIALS PLAN	L1.03	
MATERIALS PLAN	L1.04	
ENLARGEMENT PLAN	L1.04	
PLANTING PLAN	L2.00	
PLANTING PLAN	L2.01	
PLANTING PLAN	L2.02	
PLANTING SCHEDULE PER SHEET L2.02	L2.03	
PLANTING PLAN	L2.04	
MATERIALS DETAILS	L3.00	
MATERIALS DETAILS	L3.01	
PLANTING DETAILS	L4.00	
SITE LIGHTING CALCULATION	E1.4	
ARCHITECTURAL		
WILDWOOD MANOR SHOPPING CENTER	A-0	
NEW ADDITION		
WILDWOOD MANOR SHOPPING CENTER	Q1.1	**
NEW ADDITION		
* SHEETS REVISED WITH AMENDMENT E		
** SHEETS ADDED WITH AMENDMENT E		

PROJECT TEAM

OWNER/APPLICANT:
FEDERAL REALTY OP LP
C/O FEDERAL REALTY INVESTMENT TRUST
909 ROSE AVENUE SUITE 200
NORTH BETHESDA, MD 20852
CONTACT: GEOFF SHARPE
PHONE: 301-998-8192

CIVIL ENGINEER:
Gutschick, Little & Weber, P.A.
3909 National Drive, Suite 250
Burtonsville, MD 20866
Phone: 301-421-4024
Contact: Tim Longfellow

ATTORNEY:
LERCH, EARLY & BREWER, CHTD.
3 BETHESDA METRO CENTER, SUITE 460
BETHESDA, MD 20814
PHONE: (301) 841-3832
CONTACT: PATRICIA A. HARRIS

LANDSCAPE ARCHITECT:
Gutschick, Little & Weber, P.A.
3909 National Drive, Suite 250
Burtonsville, MD 20866
Phone: 301-421-4024
Contact: Kevin Foster

82004016E LIST OF AMENDMENT ITEMS:

- Construction of 832 square feet of "back of house" (freezer) space to be added to the rear northern corner of the grocery store to replace existing freezer trucks.
- New Fire Hydrant
- Curb revisions
- Proposed Steps
- Proposed Generator/ Trailer

PROFESSIONAL CERTIFICATION

I hereby certify that to the best of my knowledge, information and the belief that the plan shown hereon is true and correct; has been prepared in accordance with the Subdivision Regulations of Montgomery County, Maryland; and the boundary has been field surveyed. I hereby certify that these plans were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland.

License No.: 29414
Expiration Date: January 20, 2026

January 2, 2024
Date



Tim Longfellow
Professional Engineer
Gutschick, Little & Weber, P.A.

DEVELOPER'S CERTIFICATE

The Understated agrees to execute all the features of the Site Plan Approval No. 82004016E, including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: Federal Realty OP LP
c/o Federal Realty Investment Trust
Contact Person: Geoff Sharpe

Address: 909 Rose Avenue Suite 200
North Bethesda, MD 20852

Phone: 301-998-8192

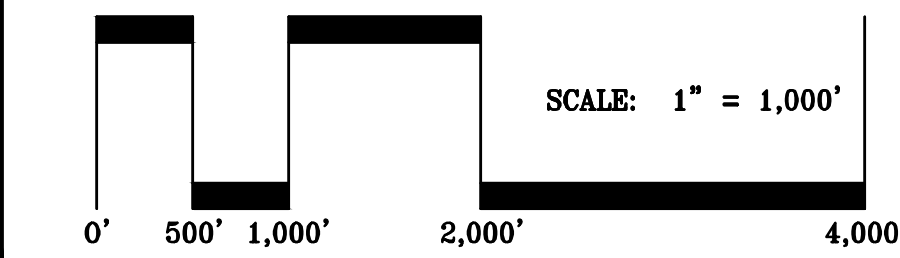
Signature: Geoff Sharpe, Vice President

MNCPPC SITE PLAN No. 82004016E



3909 NATIONAL DRIVE | SUITE 250 | BURTONSVILLE, MD 20866 | GLWPA.COM
PHONE: 301-421-4024 | BALT: 410-890-1820 | DC&VA: 301-989-2524 | FAX: 301-421-4188

DESIGNED BY:	DATE	BY	APP'R
2024	82004016E		
08/16/23	82004016D		
DRAWN BY:			
KAB	05/18/19	82004016C	
	09/14/17	82004016B	
CHECKED BY:			
TML	04/03/07	82004016A	
	01/09/04	820040160	
	01/30/06	CBA-357	
DATE		REVISION	



PREPARED FOR:
Federal Realty OP LP
c/o Federal Realty Investment Trust
909 Rose Avenue Suite 200
North Bethesda, MD 20852
Attn: Geoff Sharpe
301-988-8100

SCALE	ZONING
AS NOTED	CRT-1.25 (C-0.75, R-0.75, H-50)
DATE	TAX MAP - GRID
JAN. 2024	GP63

COVER SHEET

WILDWOOD MANOR SHOPPING CENTER
PARCEL 753
L: 10475 P: 122

BETHESDA ELECTION DISTRICT No. 07

G. L. W. FILE No.
23010
SHEET
C-1 OF 8

MONTGOMERY COUNTY, MARYLAND



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

MCPB No. 17-082
Site Plan No. 82004016B
Wildwood Manor Shopping Center
Date of Hearing: September 14, 2017

NOV 03 2017

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, under Section 59-7.7.1.B., the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014; and

WHEREAS, on January 9, 2004, the Planning Board, in an unnumbered Opinion approved Site Plan No. 820040160 for 122,422 gross square feet of retail and office space, including a 609-square-foot addition to the existing shopping center, for a total of 84,710 square feet of retail, on 11.6 acres of C-1 and R-90 split zoned-land, located at 10233 Old Georgetown Road (MD 187) in the northeast quadrant of its intersection with Cheshire Drive and is known as Parcel 753 ("Subject Property"), in the North Bethesda Policy Area and *North Bethesda/Garret Park Master Plan* ("*Master Plan*") area; and

WHEREAS, on March 15, 2007, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82004016A (MCPB No. 07-23), to install a bank ATM and construction of associated sidewalks and steps for pedestrian access to the pad site. The bank's total area was increased by 28-square feet from the approved 1,224 square feet to the built 1,252 square feet. Other minor revisions included relocation and reconfiguration of an accessible parking space in front of the bank, deletion of one standard parking space, installation of a different style bike rack and relocation of planting areas displaced by the ATM addition and its appurtenances on the Subject Property; and

WHEREAS, on September 9, 2014, Federated Realty Investment Trust ("Applicant") filed an application for approval of an amendment to the previously approved site plan(s) for an additional 3,720 square feet of retail space to allow for a 4,971-square-foot building addition, realigned vehicular access at Cheshire Drive,

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
MNCPPC Legal Department
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

improved landscaping, stormwater management, parking lot circulation and additional off-street parking on the Subject Property; and

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 82004016B, Wildwood Manor Shopping Center ("Site Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated September 1, 2017, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on September 14, 2017, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on September 14, 2017, the Planning Board voted to approve the Application subject to certain conditions, on the motion of Commissioner Cichy, seconded by Commissioner Fani-Gonzalez, with a vote of 4-0, Commissioners Cichy, Dreyfuss, Fani-Gonzalez, and Patterson voting in favor, and Commissioner Anderson absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 82004016B for an additional 3,720 square feet for a 4,971-square-foot addition, for a total of 88,430 square feet of retail, and associated landscape, stormwater management, and access improvements in parking lots, with the following conditions:¹

1. Site Plan Conformance
The development must comply with the conditions of approval for Site Plans 820040160 and 82004016A.
2. Special Exception Conformance
The development must comply with the conditions of approval of Special Exception CBA-357 dated January 30, 1956.

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.

3. Transportation
The overall development on the site is limited to a total of 88,430 square feet of general retail space with a grocery store. Any change of use must be reevaluated for compliance with the APF regulations.
 4. The Adequate Public Facility (APF) review for the addition of 3,720 square feet of general retail space with a grocery store will remain valid for sixty-one (61) months from the date of the mailing of this Planning Board's Resolution.
 5. Prior to issuance of the final Use and Occupancy Certificate, the Applicant must upgrade the meandering pedestrian connection from the Cheshire Drive/Grosvenor Lane intersection, as shown on the Certified Site Plan.
 6. Prior to issuance of the final Use and Occupancy Certificate, the Applicant must provide two inverted-U bike racks, or equivalent, as approved by staff located near the entrance of the proposed addition and shown on the Certified Site Plan.
 7. Environment
The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept letter dated May 18, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the stormwater management easements and facilities.
 8. Landscape Plan
Prior to the end of the first planting season after issuance of the final Use and Occupancy Certificate, all landscape plant materials must be installed as shown on the revised landscape plan and approved by Staff in the field.
 9. Along the Site's frontage of Cheshire Drive must:
 - a) Remove all invasive plants and trash;
 - b) Create and maintain an enhanced landscaping screen, through native species plants approved by the Staff and as shown on the Certified Landscape Plan; and
-

- c) Extend the existing wood fence in relation to Cheshire Drive to the new edge of the meandering sidewalk to block headlight glare.

10. Lighting Plan

- a) Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting installation must be in accordance with these recommendations.
- b) All onsite down-lights must have full cut-off fixtures.
- c) Deflectors will be installed on all proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from onsite lighting must not exceed 0.5 footcandles at any property line abutting residentially developed properties.
- e) Pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f) On the rooftop of the building, any light pole height must not exceed the height illustrated on the Certified Site Plan.

11. Site Plan Surety and Maintenance Agreement

Prior to the issuance of any building 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-D-3.5(d) 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, but not limited to, bike racks, plant material, on-site lighting, sidewalks, site furniture, trash enclosures, retaining walls, fences, railings, paths and associated improvements of development, including storm drainage facilities, street trees and lighting.
- 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 the inspector recommendation and that the remaining surety is sufficient to cover completion of the remaining work.

- d) The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.

12. Development Program

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

13. Certified Site Plan

The Certified Site Plan must include the following revisions subject to Staff review and approval:

- a) Stormwater management concept approval letter, development program, and Site Plan Resolution (and other applicable resolutions) on the approval or cover sheet(s).
- b) A note stating that "M-NCPPC Staff must inspect protection devices before clearing and grading."
- c) A note stating that "minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- d) Modified data table to reflect development standards approved by the Planning Board.
- e) Consistency of all details and layout between the approved limits of Site and Landscape plans.
- f) Signage details and its location in relation to the ADA-compliant path.
- g) Address review comments from the DPS Right-of-Way Section as in their conditions of approval memo dated May 23, 2017 as follows:
 - 1. For the existing driveway to remain:
 - a. Provide actual sight distance analysis;
 - b. Label the curb radii for and provide truck turning for all movements.
 - 2. Along the County frontage on Cheshire Drive:
 - a. Ensure the sidewalks are enhanced to be ADA-compliant;
 - b. Close the unused curb cut to the north of the existing driveway;
 - c. Plant minor species trees where needed (30' apart);
 - d. Provide and label the Public Utility Easement (PUE) along the Site's frontage.

- h) Incorporate a revised landscape plan that (1) provides more robust screening between the Subject Property and adjacent residential neighborhoods, as determined by Staff; and (2) requires the Applicant to take reasonable measures to preserve existing native and evergreen trees within the area of the landscape plan.

- 14. The outdoor patio area associated with this Amendment is limited to 1,000 square feet.

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

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Wildwood Manor Shopping Center 82004016B, submitted via ePlans to the M-NCPPC as of the date of the Staff Report are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

- 1. *The site plan conforms to all non-illustrative elements of a development plan, or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan;*

The Subject Property is not subject to a project plan, development plan, diagrammatic plan, or schematic development plan.

- 2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan under Chapter 56;*

Development Standards

This Application was filed September 9, 2014, and per Section 7.7.1.B of the current Zoning Ordinance, the Application was reviewed under the development standards and procedures of the Subject Property's zoning in effect on October 29, 2014. An urban renewal plan is not applicable to the Wildwood Manor Shopping Center site. The Site Plan meets the development requirements of the C-1 and R-90 Zones as follows:

Development Standards Data Table - C-1 and R-90 Zones

Development Standard	C-1 Zone Required/Allowed	Approved in C-1 Zone
Maximum Building Height (feet) Sec. 59-C-4.342(a)	30'	27' 8"
Minimum Setbacks (feet) Sec. 59-C-4.343:		
Building Setback from any street right-of-way Sec. 59-C-4.343(a)(1)	10'	Cheshire Drive: 155' Old Georgetown Road: 170'
Building Setback from R-O-W for Berkshire Drive (50' R-O-W) Sec. 59-C-4.343(a)(3)	60' from centerline	180'
Off-Street Parking Setback Sec. 59-C-4.343(b)(2)	N/A	N/A
Minimum Green Area Sec. 59-C-4.344 (at least 10% of area of the lot)	10%	17%
Off-Street Parking Sec. 59-E- 3.7. Retail, general: 5 spaces per 1,000 SF of GFA ²	5	35

² The Applicant provided a Development Data Table at the bottom of the Site Plan that details the required parking by retail uses: [bank] offices, a health club, and five restaurants. The required parking spaces totals 681 spaces based on these various retail uses. The general retail uses calculation is based on five spaces per/1,000 square feet of gross leasable area (GLA). The office uses, health club and five restaurants were calculated with slightly different formulas based on gross floor area (GFA). A total of 683 spaces will be provided with the 62 new spaces proposed in the subject amendment for a total of 35 new spaces in the C-1 Zone (and a parking surplus of two spaces). Twenty-seven of the new off-street parking spaces are in the R-90 Zone at the south side of the Subject Property in relation to the addition. The 27 new off-street parking spaces in the R-90 Zone are located consistent with the July 2016 amendment to CBA-357-A as approved by the Board of Appeals in 2016.

Development Standard	R-90 Zone Required/Allowed	Approved in R-90 Zone
59-C-1.31(b) Parking of automobiles, off-street in connection with commercial uses.	By SE until 5.6.02 as in ZTA No. 01-10	27 (as in CBA-357-A effective date of Resolution: 7.27.16)
Minimum Setback from Street Sec. 59.C-1.323.a.	30 feet	N/A*
Setback from Adjoining Lot Sec. 59.C-1.323.b.	N/A	N/A*

*There is no building located in the R-90 Zone.

The Application will provide approximately 17 percent green area on the Subject Property. The expansion will require removing existing trees, some of which are in poor to fair health. The Applicant has made design modifications to the original proposal to save as many healthy trees as possible. The loss of existing trees will be mitigated by replacement trees and landscaping shown on the Landscape Plan.

3. *The location of buildings and structures, open spaces, landscaping, recreational facilities, and pedestrian and vehicular circulation systems are adequate, safe and efficient.*
 - a. Location of Buildings and Structures
 The addition will be adequate, safe and efficient in its location at the south side of the existing shopping center. The scope of work is considered minor in this Limited Site Plan Amendment.
 - b. Open Spaces
 The Landscape Plan shows the Applicant will provide approximately 17 percent green area at the Subject Property. This amount exceeds the required 10 percent in the C-1 Zone.
 - c. Landscaping
 The Landscape Plan includes new native species plant materials to mitigate for the loss of two non-specimen-sized trees. The Applicant is providing enhanced landscaping at the south side of the Subject Property in relation to the confronting single-family residential uses across Cheshire Drive. As conditioned, the Applicant will also trim and maintain

the existing landscaping at the southeast side of the Subject Property at Cheshire Drive.

d. Recreational Facilities

Because no residential use is proposed on the Subject Property, recreational facilities are not required.

e. Pedestrian and Vehicular Circulation Systems

The realignment of the driveway access point on Cheshire Drive will improve vehicular circulation as will a redesign for the location of the new off-street parking spaces. A sidewalk enhancement on Cheshire Drive will be made to ensure the sidewalks are ADA-compliant. Several pedestrian crosswalks in the existing parking lots will be painted, while the new and reconfigured parking spaces are designed more efficiently to improve pedestrian and vehicular circulation and safety. A meandering sidewalk was designed, from Cheshire Drive to the south side of the addition, to be ADA-compliant to improve safety for wheelchair-bound patrons traveling to the shopping center from the nearby residential neighborhood, while preserving as many trees as possible. The existing sidewalk and drive-aisle from Cheshire Drive require a pedestrian to enter the drive-aisle and negotiate with vehicles prior to reaching the sidewalk adjacent to the shopping center, while the new sidewalk will provide safe ADA-compliant access to the shopping center from Cheshire Drive, with one clearly marked crosswalk to reach the shopping center. The Application provides adequate, safe and efficient pedestrian and vehicular circulation to and within the Subject Property.

4. *Each structure and use is compatible with other uses and other site plans and existing and proposed adjacent development.*

The 4,791-square foot addition is compatible with the existing shopping center building because the Applicant will use the same construction materials to integrate it into the south side of the structure. The shopping center addition is located at the south side of the Site, and it is not in the immediate vicinity of existing buildings to the north and at the Wildwood Manor Office (Aubinoe Property). Enhanced landscaping shown on the Landscape Plan will screen the addition from the existing single-family residential units to the east and south.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

a. Forest Conservation

On September 26, 2016, Staff issued an exemption from Article II of Chapter 22A, Forest Conservation, for the Site (No. 42017032E).

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-D-3.8; 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 NOV 03 2017 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Commissioner Patterson, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, November 2, 2017, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board



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

MEMORANDUM

DATE: June 18, 2019

TO: Gwen Wright, Planning Director

VIA: Carrie Sanders, Chief *CS*
Patrick Butler, Supervisor *P.B.*
Area 2 Division

FROM: Troy Leftwich, Planner Coordinator
Area 2 Division *T.L.*

SUBJECT: Wildwood Manor Shopping Center
SITE PLAN AMENDMENT #82004016C

On February 27, 2019, Wildwood Manor Shopping Center (the Applicant) filed a site plan amendment application designated Site Plan No. 82004016C (Amendment) for approval of the following modifications:

- Adjust curb radii in front of the addition at the southern end of the shopping center and across drive aisle from the addition and replace with pavement striping;
- Add planters on rails/seat walls and adjusted along the café areas;
- Relocate pedestrian paths leading from parking field to sidewalk adjacent to stores to avoid columns;
- Relocate railing along walking trail to west side to avoid conflict with parked cars;
- Angle pedestrian crossing from walking trail to shopping center;
- Reduce number of parking spaces in southwestern portion of shopping center from three to two to preserve trees;
- Shift landscaping island to allow ADA space; and
- Relocate lights (minor change in location) within landscaping islands in center of the Property.

Per Section 59.7.7.1.B.3.a., Staff reviewed this Amendment under the development standards and procedures of the Zoning Ordinance in effect on October 29, 2014 and have determined that this amendment is consistent with the provisions of Section 59-D-3.7(d). It does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved Site Plan or any subsequent amendments thereof. Furthermore, per Section 59.7.7.1.B.3.b., Staff reviewed this Amendment under the parking requirements of Section 59.6.2.3. and 59.6.2.4.

Pursuant to Section 59.7.3.4.J.2.c., "A minor amendment may be approved by the Planning Director without a public hearing if no objection to the application is received within 15 days after the application notice is sent." Pursuant to 59.7.3.4.J.2.a., "A minor amendment includes any change to a parking or loading area, landscaping, sidewalk, recreational facility or area, configuration of open space, or any other plan element that will have a minimal effect on the overall design, layout, quality or intent of the plan. A minor amendment may also be approved to reduce the approved parking to satisfy Article 59-6. A minor amendment does not include any change that increases density or height or prevents circulation on any street or path."

A Pre-Application meeting with the community/public/parties of record is not required. A Pre-Submittal meeting with the Development Applications and Regulatory Coordination Division (DARC), Intake Section is also not required; however, submittal of the application to DARC is applicable and the applicants must provide public notice under Division 7.5. of the Zoning Ordinance.

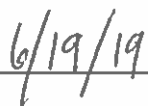
The Applicant sent a notice of the Amendment to all parties of record on March 28, 2019. The notice gave the interested parties 15 days to review and comment on the contents of the amended site plan. Staff did not receive any correspondence from the parties of record.

This Amendment shall remain valid as provided in Section 59-D-3.8. The Applicant is responsible for submitting a Certified Site Plan after approval by the Director for the specific modifications.

ACCEPTED & APPROVED BY:



Gwen Wright, Planning Director



**SMALL DOOR VETERINARY CLINIC
WILDWOOD MANOR SHOPPING CENTER
SITE PLAN AMENDMENT NO. 82004016D**

Description

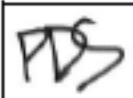
Request to amend Site Plan No. 82004016C to convert 2,948 square feet from retail to a veterinary office use with no boarding or outdoor relief area proposed.

No. 82004016D

Completed: 8-16-2023

Administrative Approval

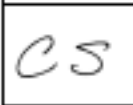
2425 Reddie Drive
Floor 14
Wheaton, MD 20902



Parker Smith, Planner II, Midcounty Planning, Parker.Smith@montgomeryplanning.org,
301-495-1327



Matthew Folden, Supervisor, Midcounty Planning, Matthew.Folden@montgomeryplanning.org, 301-495-4539



Carrie Sanders, Chief, Midcounty Planning, Carrie.Sanders@montgomeryplanning.org,
301-495-4653

LOCATION

Located on Old Georgetown Road, 600 feet north of Cheshire Drive.

MASTER PLAN & ZONE

2017 *Rock Spring Sector Plan*;
CRT-1.25 C-0.75, R-0.75, H-50'

PROPERTY SIZE

11.61 acres

APPLICANT

Federal Realty Investment Trust

ACCEPTANCE DATE

July 10, 2023

REVIEW BASIS

Chapter 59



SUMMARY

- The Minor Site Plan Amendment Proposal will allow 2,948 square feet of existing retail space to be converted to a veterinary office use without boarding or an outdoor relief area.
- The Subject Application does not propose any exterior changes to the existing building.
- The proposed Amendment is consistent with the provisions of Section 59.7.3.4.J.2 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The Amendment does not alter the intent, objectives, or requirements of the Planning Board in approving the site plan.
- No community correspondence has been submitted for this Application.

Under Section 59.7.3.4.J.2, the Planning Director may approve in writing, without a public hearing if no relevant objection to the application is received within 15 days after the application notice is sent, certain applications for minor amendments to a Certified Site Plan. Such minor amendments include any change to a parking or loading area, landscaping, sidewalk, recreational facility or area, configuration of open space, or any other plan element that will have a minimal effect on the overall design, layout, quality or intent of the plan. Minor amendments also include a reduction in approved parking to satisfy Article 59-6. A minor amendment does not include any change that increases density or height or prevents circulation on any street or path.

Neither a Pre-Application meeting with the community/public/parties of record nor a Pre-Submittal meeting with the Intake and Regulatory Coordination (IRC) Division is required. However, submittal of the application to IRC is required. In addition, applicants must provide public notice under Division 7.5.

On July 10, 2023, Federal Realty Investment Trust ("Applicant") filed a site plan amendment application designated Site Plan Amendment No. 82004016D ("Amendment") for approval of the following modifications:

1. Convert 2,948 square feet of retail to a veterinary office use with no boarding or outdoor relief area proposed.

SITE DESCRIPTION

The Subject Property is approximately 11.61 acres in size, and zoned CRT-1.25, C-0.75, R-0.75, H-50'. The existing shopping center was developed in 1958 under C-1 Zone standards. Parking behind the shopping center located on the five-acre R-90-zoned portion is allowed by Special Exception. The Site has a total of 85,730 square feet of leasable commercial retail space.

The Site has frontage on the east side of Old Georgetown Road with four access points for the shopping center, and two for the gas station at the northern end of the site. The main vehicular entrance is at the Old Georgetown Road intersection with Democracy Boulevard. The Site's frontage on Cheshire Drive to the south has one vehicular access drive that aligns with Grosvenor Lane across Cheshire Drive. Both the Old Georgetown Road and Cheshire Drive frontages have four-foot-wide concrete sidewalks. The Site is bounded by Berkshire Drive to the east, which does not have vehicular access into the Site; however, there is an existing concrete pedestrian path to the shopping center's rear parking lot.

The Site has a mix of commercial retail uses including three bank pad sites, Balducci's Italian Food Lover's Market, shops, restaurants, and an Exxon Gas Station at the northwest corner. The parking lots have mature trees, some of which are large enough to meet the specimen tree designation and provide tree canopy shade. The shopping center has 682 existing parking spaces. There is an existing wood fence along the full length of Berkshire Drive, and a portion of Cheshire Drive near the southeast corner of the Site.

PREVIOUS APPROVALS

SPECIAL EXCEPTION NO. CBA-357

On January 30, 1956, the Montgomery County Board of Appeals approved Special Exception No. CBA-357 for off-street parking in the R-90 Zone. Subsequent modifications to CBA-357 were granted in 1978, 1979, 1981, and 1985 to allow for various minor improvements and repairs to the parking facilities in the R-90-zoned portion.

SITE PLAN NO. 820040160

The Planning Board approved Site Plan No. 820040160 on January 9, 2004, for a 609-square-foot addition, for a total gross building area of 122,422 square feet of retail/office space and a total gross leasable area of 84,710 square feet.

SITE PLAN AMENDMENT NO. 82004016A

The Planning Board approved Site Plan Amendment No. 82004016A on April 3, 2007, by Resolution MCPB No. 07-23, for an additional 28 square feet to increase one of the banks for an ATM and associated walkways/pedestrian access.

SITE PLAN AMENDMENT NO. 82004016B

The Planning Board approved Site Plan Amendment No. 82004016B on September 14, 2017, by Resolution MCPB 17-082, for an additional 3,720 square feet of retail space to allow for a 4,971-square-foot addition, for a total of 88,430 square feet of retail, and associated landscape, stormwater management, and access improvements in parking lots.

SITE PLAN AMENDMENT NO. 82004016C

Site Plan Amendment No. 82004016C was administratively approved on June 18, 2019, for approval of the following modifications:

- Adjust curb radii in front of the addition at the southern end of the shopping center and across drive aisle from the addition and replace with pavement striping;
- Add planters on rails/seat walls and adjusted along the café areas;
- Relocate pedestrian paths leading from parking field to sidewalk adjacent to stores to avoid columns;
- Relocate railing along walking trail to west side to avoid conflict with parked cars;
- Angle pedestrian crossing from walking trail to shopping center;
- Reduce number of parking spaces in southwestern portion of shopping center from three to two to preserve trees;
- Shift landscaping island to allow ADA space; and

- Relocate lights (minor change in location) within landscaping islands in center of the Property.

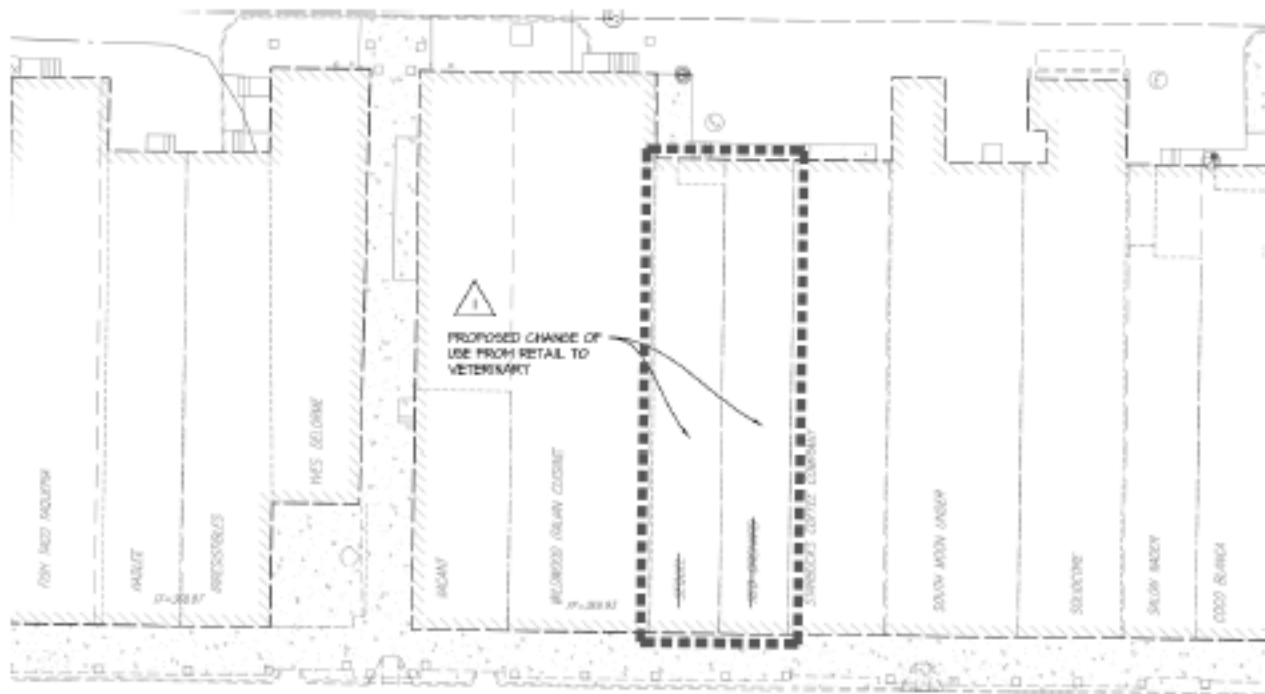


Figure 1: Proposed Redline of Site Plan

PROPOSAL

Following the approvals described above, the Applicant is now seeking to amend Site Plan No. 82004016C to convert two retail bays with a total square footage of 2,948 square feet to a veterinary office use with no boarding or outdoor relief area proposed. No exterior changes are proposed to the existing building.

The Subject Application is being reviewed under the CRT-1.25, C-0.75, R-0.75, H-50' zone in the current Zoning Ordinance, which allows veterinary office as a limited use. According to the parking requirements contained in Chapter 59-6.2.4.B of the new code, the change of use from retail to veterinary office results in 19 spaces required for the new use, an increase of 4 required parking spaces from the 15 spaces that were required for the two previous retail uses under the old code. This increase of four required spaces is minimal and does not trigger the need for any new EV, ADA, carshare, or motorcycle/scooter spaces. The four net new required spaces will be easily accommodated in the existing parking lot on site without any modification to the existing parking lot. Since the Subject Application does not change any external physical feature of the shopping center, the shopping center will continue to operate in a safe and efficient manner. The change of use does not trigger any new bicycle parking requirements.

As part of the review of this Application, the Applicant has coordinated with Montgomery Planning Staff to ensure that these updates do not negatively alter the approved building which was previously thoroughly reviewed by the Planning Department.

FINDINGS

Further, the Applicant has communicated with the Montgomery County Department of Permitting Services (MCDPS) and Fire and Rescue to ensure that the proposed amendment does not affect previous approvals. All Agencies completed a review of this Application and concur with Staff's recommended approval of this Amendment.

A notice of the subject Amendment was sent to all required parties by the Applicant on July 14, 2023. The notice gave the interested parties 15 days to review and comment on the contents of the Amendment. Staff received correspondence which raised concerns about a possible outdoor relief area or boarding of animals on Site. Staff informed the concerned citizen that, in fact, neither an outdoor relief area nor animal boarding are proposed as part of the Subject Site Plan Amendment. The concerned citizen also raised concerns about the disposal of animal materials and the possible presence of infectious diseases on Site. The proposed veterinary office will be subject to all State Veterinary Licensing requirements, which include disposal of animal waste and containment of infectious diseases.

The minor amendment is a change of use, a change to a parking or loading area, that will have a minimal effect on the overall design, layout, quality or intent of the plan.

The minor amendment does not include any change that increases density or height or prevents circulation on any street or path.

The proposed Amendment is consistent with the provisions of Section 59.7.3.4.J.2 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The Amendment will have a minimal effect on the overall design, layout, quality or intent of the site plan.

This Amendment shall remain valid per Section 59.7.3.4.H. The Applicant is responsible for submitting a certified site plan after approval by the Director for the specific modifications.

ACCEPTED & APPROVED BY

Tanya Stern

TANYA STERN, ACTING PLANNING DIRECTOR

08/16/2023

DATE APPROVED

DPS-ROW CONDITIONS OF APPROVAL

December 19, 2023

82004016E Wildwood Manor Shopping Center

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

“07-RSITE-82004016E-C-07.pdf V1” uploaded on/ dated **“10/20/2023”**.

As there seems to be minimal impact to the County ROW, we do not have any comment at this point.

TRANSPORTATION

3. The overall development on the site is limited to a total of ~~88,430~~ 89,262 square feet of general retail space with a grocery store. Any change of use must be reevaluated for compliance with the APF regulations.

Attachment E

1. Site Plan Conformance
The development must comply with the conditions of approval for Site Plans 820040160 and 82004016A.
2. Special Exception Conformance
The development must comply with the conditions of approval of Special Exception CBA-357 dated January 30, 1956.
3. Transportation
The overall development on the site is limited to a total of 88,430 square feet of general retail space with a grocery store. Any change of use must be reevaluated for compliance with the APF regulations.
4. The Adequate Public Facility (APF) review for the addition of 3,720 square feet of general retail space with a grocery store will remain valid for sixty-one (61) months from the date of the mailing of this Planning Board's Resolution.
5. Prior to issuance of the final Use and Occupancy Certificate, the Applicant must upgrade the meandering pedestrian connection from the Cheshire Drive/Grosvenor Lane intersection, as shown on the Certified Site Plan.
6. Prior to issuance of the final Use and Occupancy certificate, the Applicant must provide two inverted-U bike racks, or equivalent, as approved by staff located near the entrance of the proposed addition and shown on the Certified Site Plan.
7. Environment
The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept letter dated May 18, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the stormwater management easements and facilities.
8. Landscape Plan
Prior to the end of the first planting season after issuance of the final Use and Occupancy Certificate, all landscape plant materials must be installed.

9. The existing overgrown landscaping along the Site's frontage of Cheshire Drive must be trimmed and maintained. The Applicant must create an enhanced landscaping screen, where several gaps in this landscape area exist, through native species plants approved by the Staff and as shown on the Certified Site Plan and extend the existing wood fence in relation to Cheshire Drive to the southwest edge of the realigned driveway aisle to block headlight glare.

10. Lighting Plan

- a) Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance -MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting installation must be in accordance with these recommendations.
- b) All onsite down-lights must have full cut-off fixtures.
- c) Deflectors will be installed on all proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from onsite lighting must not exceed 0.5 footcandles at any property line abutting residentially developed properties.
- e) Pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f) On the rooftop of the building, any light pole height must not exceed the height illustrated on the Certified Site Plan.

11. Site Plan Surety and Maintenance Agreement

Prior to the issuance of any building 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-D-3.5(d) 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, bike racks, plant material, on-site lighting, sidewalks, site furniture, trash enclosures, retaining walls, fences, railings, paths and associated improvements of development, including storm drainage facilities, street trees and lighting.
- 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 the inspector recommendation and that the remaining surety is sufficient to cover completion of the remaining work.
- d) The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.

12. Development Program

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

13. Certified Site Plan

The Certified Site Plan must include the following revisions subject to Staff review and approval:

- a) Stormwater management concept approval letter, development program, and Site Plan Resolution (and other applicable resolutions) on the approval or cover sheet(s).
- b) A note stating that "M-NCPPC Staff must inspect protection devices before clearing and grading."
- c) A note stating that "minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- d) Modified data table to reflect development standards approved by the Planning Board.
- e) Consistency of all details and layout between the approved limits of Site and Landscape plans.
- f) Signage details and its location in relation to the ADA-compliant path.
- g) Address review comments from the DPS Right-of-Way Section as in their conditions of approval memo dated May 23, 2017 as follows:
 1. For the existing driveway to remain:
 - a. Provide actual sight distance analysis;
 - b. Label the curb radii for and provide truck turning for all movements.
 2. Along the County frontage on Cheshire Drive:
 - a. Ensure the sidewalks are a minimum 5 feet wide and ADA-compliant;
 - b. Close the unused curb cut to the north of the existing driveway;
 - c. Plant minor species trees where needed (30' apart);
 - d. Provide and label the Public Utility Easement (PUE) along the Site's frontage.