





**Travilah Square, Preliminary Plan Amendment No. 12011034B and Limited Site Plan Amendment, No. 82013007A**

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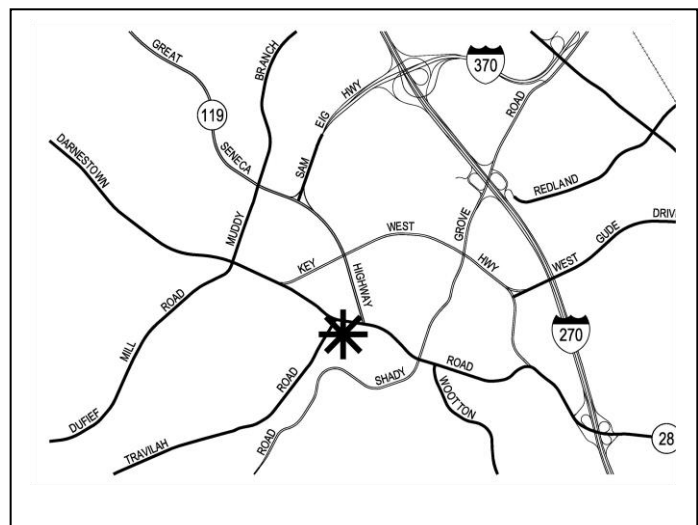
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**Completed: 9/30/16**

**Description**

- Request for preliminary plan and site plan amendments to replace two existing structures with a new 16,300-square-foot multi-tenant retail building;
- Location: Southeast corner of the Darnestown Road/Travilah Road intersection, in the *Great Seneca Science Corridor Master Plan* area;
- 5.56 acres, zoned CR 0.75, C 0.5, R 0.75, H 80;
- Applicant: MFS Travilah LLC & ABS Travilah LLC;
- Applications accepted:  
Preliminary Plan Amendment on 8/3/16;  
Site Plan Amendment on 5/11/16.



**Summary**

- Staff recommends approval with conditions, including the approval of an amendment to the Final Forest Conservation Plan.
- The Travilah Square Shopping Center currently is improved with 61,496 square feet of commercial, office and retail space. In 2013, the Planning Board approved Preliminary Plan No. 12011034A and Site Plan No. 820130070 for replacement of a vacant office building and an existing fast food restaurant totaling 19,694 square feet with a 14,490-square-foot Walgreens pharmacy/retail store with drive-through window and drive aisle, reducing the total square footage for the entire shopping center to 56,292 gross square feet. Walgreens did not implement the approved plans and subsequently sold the property to the current Applicant, who is proposing a slightly different project in the same location modifying the total approved square footage from 56,292 to 58,102 square feet.
- Pursuant to the grandfathering provisions of Section 7.7.1.B.1., of the current Zoning Ordinance, staff reviewed this site plan amendment under the Zoning Ordinance in effect on October 29, 2014.
- Staff has not received any correspondence from noticed parties as of the date of this report.

## SECTION 1: RECOMMENDATION AND CONDITIONS

### PRELIMINARY PLAN AMENDMENT

Staff recommends approval of Preliminary Plan Amendment 12011034B subject to the following conditions:

1. All previous conditions of approval in Planning Board Resolutions MCPB Nos. 11-136 and 13-96, for the Property are hereby replaced by the conditions of approval for this Amendment.
2. The approval is limited to one lot for a total of 58,102 square feet of retail uses.
3. Prior to issuance of the building permit, the Applicant must update the existing Traffic Mitigation Agreement for the Property with the Montgomery County Department of Transportation (MCDOT) and the Planning Board to participate in the Greater Shady Grove Transportation Management District (TMD) and assist the Transportation Management Organization (TMO) in achieving the 2010 *Great Seneca Science Corridor Master Plan's* Stage 2 non-auto driver mode share goal of 18 percent.
4. The Applicant must dedicate, and show on the record plat(s), the following dedications:
  - a. Fifty feet from the centerline along Darnestown Road.
  - b. Seventy feet from the edge of the right-of-way opposite the Property along Travilah Road.
5. Prior to the issuance of any Use and Occupancy Certificate the Applicant must install:
  - a. A six-foot-wide sidewalk with an approximately 14-foot wide green panel and handicap ramps along the property frontage of Travilah Road in accordance with Road Code standard 2003.10. The Applicant must coordinate with, and participate in, the MCDOT Capital Improvements Program (CIP) Project No. 500101-2, Travilah Road Sidewalk, for the subdivision-related improvements along the site's Travilah Road frontage, and;
  - b. A five-foot-wide sidewalk with handicap ramps, approximately six-and-a-half-foot wide green panel, and a five-and-a-half-foot-wide bike lane along Darnestown Road in accordance with Road Code standard 2004.10.
6. The Applicant must construct lead-in sidewalks with handicap ramps from Darnestown Road and Travilah Road to the new building.
7. The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated July 12, 2013, and as amended in an e-mail dated September 22, 2016, and hereby incorporates them as conditions of the Preliminary Plan approval, except for Condition No. 24 from the July 12 letter regarding the 19-dock bikeshare station. The Applicant must comply with each of the recommendations, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
8. Prior to recordation of the plat, the Applicant must satisfy the provisions for access and improvements (except the aforementioned bikeshare station) as required by MCDOT.
9. The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Services (MCDPS)—Water Resources Section in its stormwater

management concept letter dated September 1, 2016, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS–Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

10. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of the Planning Board Resolution.
11. No clearing, grading or recording of plats prior to Certified Site Plan approval.
12. The record plat must show necessary easements.
13. The Certified Preliminary Plan must contain the following note: “Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined by the Certified Site Plan. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board’s approval.”

## **SITE PLAN AMENDMENT**

Staff recommends approval of Site Plan Amendment No. 82013007A for up to 16,300 square feet of new retail space, including modifications to the approved Final Forest Conservation Plan, landscaping and lighting plans and architectural plans. Recommended conditions of approval for this site plan amendment replace all conditions of approval for Site Plan No. 820130070. All site development elements shown on the site, final forest conservation plan, landscaping, lighting, and architectural plans received via ePlans to the M-NCPPC as of the date of this Staff Report are required, except as modified by the following conditions:

1. Preliminary Plan Conformance  
The development must comply with the conditions of approval for Preliminary Plan 12011034B.
2. Transportation - Pedestrian and Bicycle Facilities  
The Applicant must provide the following bike parking facilities:
  - a. At least seven spaces as inverted-U bike racks, or equivalents as approved by Staff, located near the main entrance of the grocery store.
  - b. Two bike lockers, or equivalent as approved by Staff, for employees in a safe location.
  - c. Final location and details of bike facilities to be determined by Staff at Certified Site Plan.
3. Fire and Rescue  
The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (DPS) Fire Code Enforcement Section in its letter

dated July 27, 2016, 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 DPS Fire Code Enforcement Section may amend provided that the amendments do not conflict with other conditions of Site Plan approval.

4. Maintenance

Maintenance of all on-site landscaping, lighting, hardscape, and site elements is the responsibility of the Applicant and subsequent owner(s).

5. Final Forest Conservation Plan

The Applicant must comply with the conditions of the amended Final Forest Conservation Plan. Prior to any demolition, clearing or grading, the Applicant must obtain Staff approval of a Certificate of Compliance Agreement for use of an M-NCPPC-approved off-site forest mitigation bank to satisfy the forest conservation plan requirements.

6. Landscaping and Lighting

The Applicant must provide 181 square feet of additional internal pervious area in relation to the 18 new parking spaces.

7. The Applicant must increase the tree canopy coverage to 30 percent (or 1,087 square feet) in relation to the 18 new parking spaces.

8. Prior to Certified Site Plan approval, the Applicant must provide certification to Staff from a qualified professional that the proposed exterior lighting 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:

- a. All on-site down lights must have full cut-off fixtures.
- b. Deflectors will be installed on all proposed fixtures to prevent excess illumination and glare.
- c. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting residentially developed properties.
- d. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

9. Site Plan Surety and Maintenance Agreement

Prior to issuance of the building permit or Sediment Control permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of the 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 bicycle parking racks, plant material, on-site lighting, trash receptacles, the trellis, special paving, and exterior site furniture.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for the development will be followed by inspection and reduction of the surety.
- 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 disturbance.

10. Architecture

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

11. Development Program

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

12. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the stormwater management concept approval letter, development program, and Planning Board Resolutions for this Site Plan Amendment and the Preliminary Plan Amendment No. 12011034B in the Certified Site Plan set.
- b. The Certified Site Plan must be consistent with the approved Final Forest Conservation Plan.
- c. Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- d. Modify the Data Table to reflect development standards approved by the Planning Board.
- e. Ensure consistency of all details and layout shown on the Site Plan, Final Forest Conservation Plan and Landscaping and Lighting plans.
- f. Provide the pedestrian crosswalk with handicap ramps and other traffic control markings and signage.
- g. Show adequate spacing of the bollards along the south side of the building for ADA-compliance for wheelchair-bound persons to have easy access.
- h. On the details sheet, show:
  - 1) the height of the proposed Screen Wall;
  - 2) the proposed pedestrian crosswalk at the main entrance of the grocery store with stamped concrete.

- i. Show the location of the two cart corrals in the parking lot and adjust the amount of parking spaces provided in the Data Table that will be eliminated by these corrals.



## SECTION 2: CONTEXT AND PROPOSAL

### SITE DESCRIPTION

The Travilah Square Shopping Center (the Property--outlined in red in Figure 1, Vicinity Map) is located in the 245-acre LSC South District, one of the five Districts that comprise the Life Sciences Center (LSC) in the Great Seneca Science Corridor (GSSC) Master Plan area. Darnestown Road borders the Property to the north and Travilah Road borders it to the west. Existing uses in the Property's vicinity include: a Sunoco gas station and free-standing car wash across the street to the east, the (former) Traville Human Genome Sciences (HGS) facility and the Traville community's retail and residential uses and the Universities at Shady Grove campus to the east and south. To the west and across Travilah Road is the Potomac Subregion Master Plan area with townhouses and single-family detached dwellings (Hunting Hill Woods) and the Temple Beth Ami to the southwest. Directly across Darnestown Road to the north is the LSC West District and the County's former Public Safety Training Academy (PSTA) site. At the northeast side of Great Seneca Highway is the LSC Central District and the Shady Grove Life Sciences Center and Shady Grove Adventist Hospital site.



Figure 1: Vicinity Map with Travilah Shopping Center in red



The Travilah Square Shopping Center was developed in the 1960's, and currently has approximately 61,496 square feet of commercial, office and retail space. The Property is currently zoned CR 0.75 C 0.5 R 0.75 H 80. Three multi-tenant and two free-standing buildings comprise the center. The two free-standing buildings comprising a total of 19,694 square feet are: a vacant, two-story, 16,194-square-foot office building, and a 3,500-square-foot Burger King restaurant with drive-through window/drive aisle. The shopping center has a surface parking lot with 244 parking spaces (see Figure 1).

Three vehicular access points serve the center: one is located on the south side of Darnestown Road at the northeast corner of the Property and the other two are located on the east side of Travilah Road. The Travilah Road access point closest to the Darnestown Road intersection has a concrete 'pork chop' island to prevent left turn movements into the shopping center. The other two access points have full turning movements.

Two WSSC-maintained high pressure water lines (36-inches and 60-inches in diameter) bisect the Property and are located at Burger King's east side. These water lines run north-south and parallel to the restaurant's drive-through window.

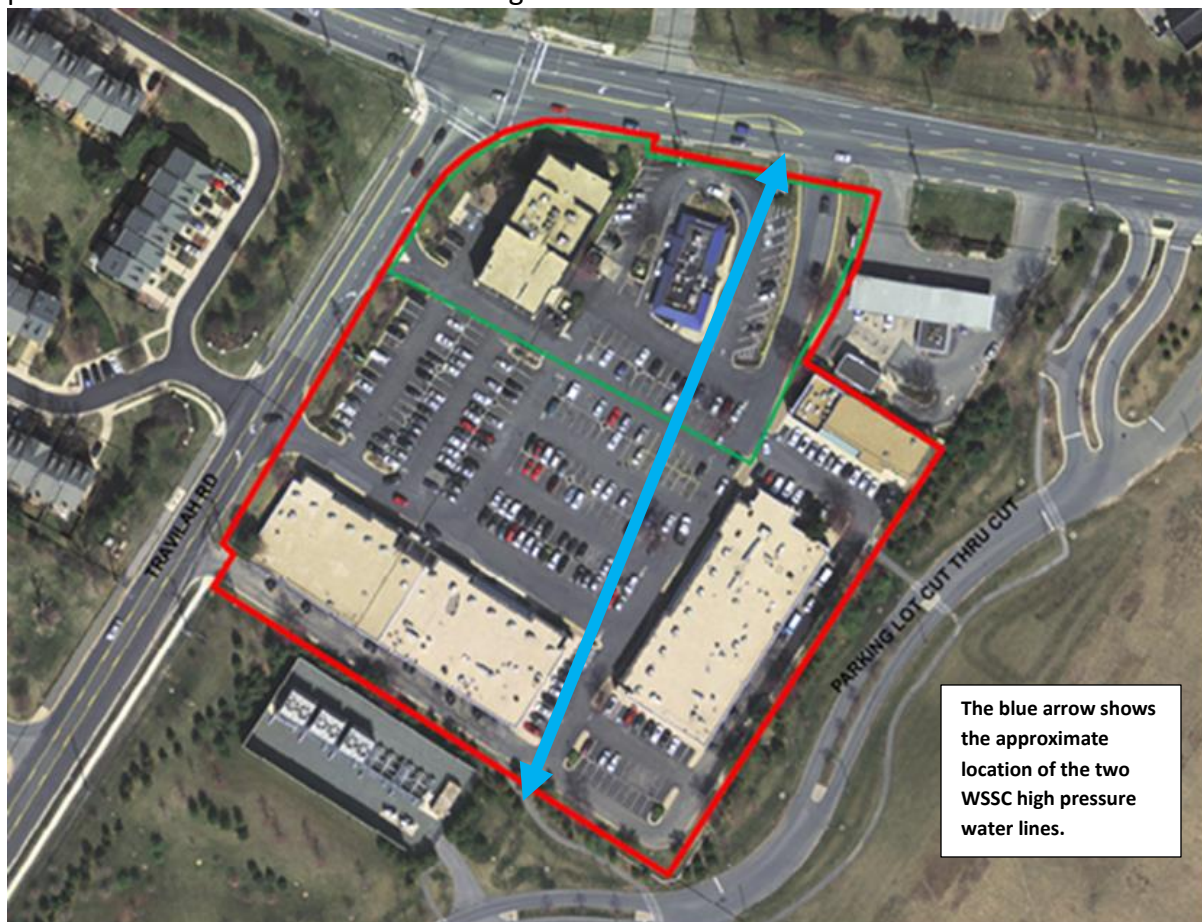


Figure 1: Site Aerial—Red boundary is entire Property subject to this Site Plan Amendment, the green boundary is the Applicant's proposed redevelopment area.



The shopping center is located in the Watts Branch and Piney Branch watersheds designated as Use Class I-P Waters<sup>1</sup> by the State of Maryland. Southern and southeastern portions of the Property are located with the Piney Branch Special Protection Area (SPA). There is no forest, or specimen and significant trees on-site. The Property is not identified in the Locational Atlas or designated in the Master Plan for Historic Preservation.

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<sup>1</sup> Use I-P Waters that are suitable for: water contact sports; play and leisure time activities where the human body may come in contact with the surface water; fishing; the growth and propagation of fish (other than trout); other aquatic life, and wildlife; agricultural water supply, industrial water supply, and public water supply.

## **SECTION 3: PROJECT DESCRIPTION**

### **Previous Approvals**

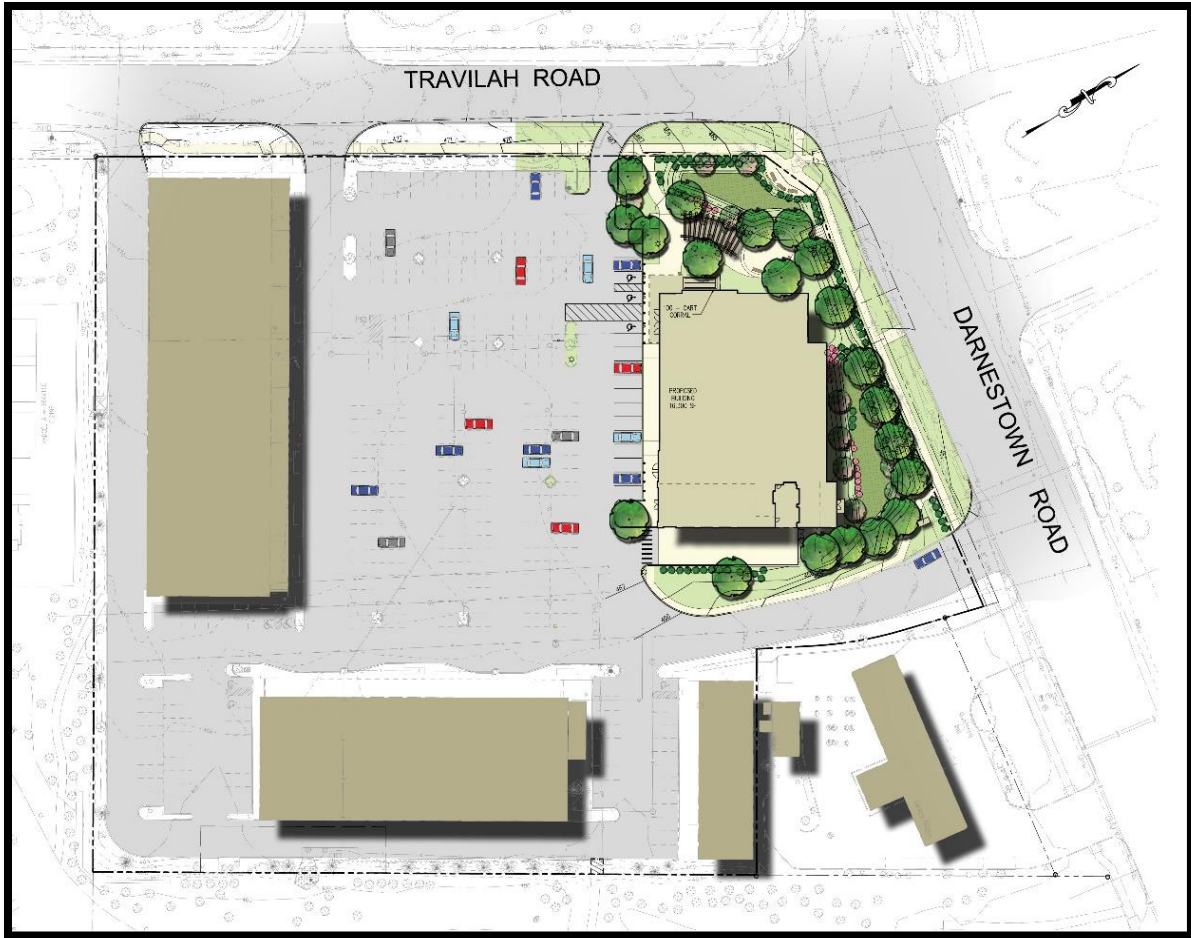
In 2010, the GSSC Master Plan and the subsequent Sectional Map Amendment rezoned the Property from C-2 to CR 0.75 C 0.5, R 0.75, H80.

On December 11, 1980, the Planning Board approved Preliminary Plan No. 11980960 for Travilah Plaza with 36,000 square feet of retail uses on Parcel No. N224. A record plat was subsequently approved and recorded. Sometime between 1980 and 2011, the shopping center was expanded to comprise a total of 61,496 square feet of floor area; staff has not been able to locate any records of this expansion. In 2011, the Planning Board approved Preliminary Plan No. 120110340 to consolidate Parcel No. 224 and two previously unrecorded adjoining parcels, P169 and P222, into one lot for the 5.56-acre Property for the then existing 61,496 square feet of office and retail uses. No redevelopment or modification of the shopping center was proposed in Preliminary Plan No. 120110340.

In November 2013, the Planning Board approved Preliminary Plan Amendment No. 12011034A and Site Plan No. 820130070 to replace the existing office building and the Burger King pad site with a 14,490-square-foot pharmacy/retail store with a drive-through window and drive aisle using the CR Zone Standard Method of development. This approval reduced the total approved amount of square footage from 61,496 square feet to 56,292 square feet, and included a waiver of Sec. 59-C-15.633, Parking space location and access as part of the Site Plan approval. These two approved plans were not implemented by Walgreens who subsequently sold the Property to the current owners.

### **Current Proposal**

The Applicant proposes to replace the two free-standing buildings (office building, and Burger King with a drive-through window) with a total of 19,694 square feet in one multi-tenant retail building of 16,300 square feet. The rest of the 41,802 square feet of existing retail will remain unchanged. Although there will be a decrease in the existing square footage on the Property, the total square footage of 56,292 approved by the previous Preliminary Plan Amendment No. 12011034A will increase by 1,810 square feet resulting in a new approved floor area of 58,102 square feet on the entire Property. The Applicant will plat the Property to create the lot authorized by previous preliminary plan approvals, which was never recorded, including the required dedications to Darnestown Road and Travilah Road.



**Figure 2: Proposed development**

The proposed project will increase the area of the previously approved, but never built, Walgreens building from 14,490 to 16,300 square feet to accommodate a grocery store of 14,300 square feet and a second smaller retail bay of 2,000 square feet. The new building location, orientation and size remain substantially similar to the Walgreens’ proposal. The primary revisions include a revised building footprint and architecture to accommodate a different user, removal of the drive-through window and drive aisle, and the removal of the parking area located between Travilah Road and the proposed building’s western façade.

The proposed grocery store’s main entrance will face the shopping center’s parking lot with a stamped concrete pedestrian crossing of the drive aisle between the building entrance and the parking lot to slow approaching motorists. The vehicular access point on Travilah Road closest to the Darnestown Road intersection will change from the current right-in, right-out to right-out only movement onto northbound Travilah Road towards the intersection with Darnestown Road. The smaller retail bay will be located at the southeast corner of the new building with its store front also facing the central parking lot.

The south side of the new building will have a 10-foot wide sidewalk along the building's entire length where outdoor seasonal displays will be located while accommodating patrons with carts walking to/from the building to adjacent parking areas. A series of bollards will be installed close to the curb to separate the sidewalk from 18 new parking spaces along the south side of the building. One car-share space will be located in the central parking lot across from the proposed new building. A 100-cart corral is proposed near the grocery store's entrance at the northwest corner of the building. Two other cart corrals are proposed in the main parking lot. Attachments 1 to 3 include three Statements of Justification, the Preliminary Plan Amendment, and the Site Plan Amendment, respectively.

An approximate 7,500 square-foot public use space will be located on the building's west side at the corner of the intersection of Travilah Road and Darnestown Road. The space will create a focal point/sitting area with a trellis feature in the center with landscaping (tree canopy to create shade) to soften the edges of the new building. The trellis will be 12 feet in height constructed with four brick piers, cast stone caps and 2-inch by 2-inch steel tubes, the latter to create the overhead trellis pattern. The public use space is intended to activate the public realm as a gathering place for patrons and employees at the shopping center. This space will have moveable tables with attached chairs during outdoor seasonal months. The public space area will have predominantly native species landscaping and outdoor lighting. Several new sidewalks will be provided in the public use space and along Darnestown Road and Travilah Road for an interconnected pedestrian system. Concrete steps from the new sidewalk on Darnestown Road will connect pedestrians with the public use space.

A loading dock area is proposed on the building's east façade for delivery vehicles and trash collection. The loading dock will be partially screened with an "L"-shaped, approximately five feet high, brick screen wall at the northeast corner of this area.

The proposed architecture includes earth tones with large display windows for transparency; and it will have a "modern" style with construction materials that include - brick, and aluminum composite panel canopies with accent glass for sunlight. Three facades will have architectural embellishments and a cool or vegetated roof. The Applicant has committed to using sustainable construction materials including water-conservation plumbing fixtures, materials that have been made in the region and a cool roof with a solar reflective index of at least 75 or a vegetated roof over at least 66 percent of the roof, excluding mechanical equipment.



Figure 3 The new building's illustrative elevations, clockwise from the top left: the southwest facade; top right: the northwest facade; bottom right: the northeast corner; and bottom left: the southeast corner.

Two Environmental Site Design (ESD) stormwater management facilities will be located on-site in relation to Travilah Road and Darnestown Road, to DPS standards. Landscaping is proposed in these facilities. The Stormwater Management Plan's Concept is for micro-biofilters in these facilities.

### Community Outreach

The Applicant has complied with all submittal and noticing requirements. Staff electronically notified the Great Seneca Science Corridor Implementation Advisory Committee about these proposals and that the plans were available on the Planning Department's website in DAIC because the Committee didn't have a meeting scheduled since the applications were submitted. No comments have been received as of the date of this report.



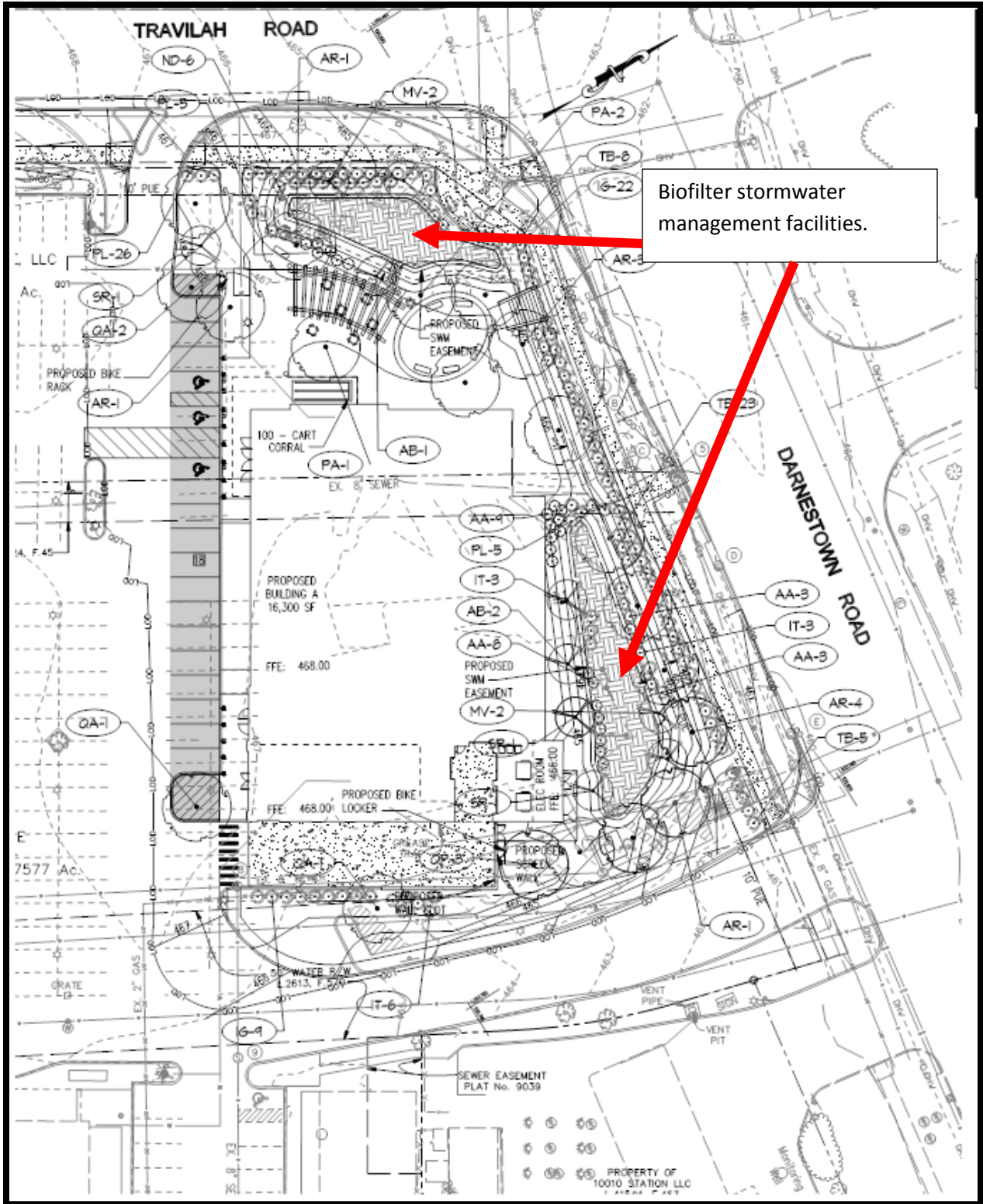


Figure 4 Landscaping Plan with two biofilter landscaped facilities.

## **SECTION 4: PRELIMINARY PLAN REVIEW**

### **Master Plan Conformance**

The Property is located within the LSC South District of the Great Seneca Science Corridor Master Plan area. The specific language on the LSC South District of the Master Plan is included in Attachment 4 and as referenced in the pages below.

#### Climate Protection and Sustainability

The Master Plan makes a number of recommendations about reducing development's carbon footprint (page 29), including site and building design and orientation that takes advantage of passive solar heating and lighting and passive cooling opportunities and commitments to reduce energy and water consumption. Many of these recommendations will be incorporated into the proposed building as part of Site Plan Amendment conditions, such as the use of water-conserving fixtures, efficient heating and cooling systems, the use of recycled and regional materials, a cool or vegetated roof, and low VOC interior finishes.

#### Staging Considerations

Although Stage 1 commercial capacity has been fully utilized and is closed to new commercial development, the Applicant is proposing to demolish approximately 19,000<sup>2</sup> square feet of existing uses, and replace it with approximately 16,000 square feet of proposed uses, which results in a reduction of approximately 3,000 square feet. As outlined in the APF Section below, this reduction in square feet and uses results in a net reduction of trips. Thus, the proposed Preliminary Plan is exempt from the Master Plan staging limitations.

#### Site Specific Recommendations

The Master Plan has the following recommendations that are specific to the Subject Property:

“This Plan encourages the physical and visual integration of LSC South with the areas north of Darnestown Road, through building design and massing, street character and improved connections across Darnestown Road, and access to the CCT stations at LSC Central and West. These stations are between one-half to three-quarters of a mile (a 10 to 15-minute walk) from LSC South destinations.” (Page 50)

As included in the Site Plan Amendment, the Applicant proposes to achieve integration with the north area of Darnestown Road by creating a defined building edge along Darnestown Road, and by incorporating architectural and site design elements such as green spaces, canopies at the two store entrances, large display windows, seating areas with a trellis as a focal point, and signage, all to contribute to a sense of engagement with the street frontage and confronting property to the north. The Applicant also proposes new sidewalks along the Property's Darnestown Road and Travilah Road frontages, including a focal point at the western facade of

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<sup>2</sup> The three whole numbers in this paragraph have been rounded to the closest 1,000 square feet based on policy in the Master Plan's Staging Considerations.

the new building. These features are intended to connect the new building to the pedestrian circulation system and provide physical and visual connections between the Subject Property and the adjacent area.

### *LSC Circulation*

“The Plan provides a comprehensive transportation network for all modes of travel, including bicycle and pedestrian routes and constructing the CCT<sup>3</sup> through the LSC. The local street network will supplement existing arterials by extending and connecting existing roads, and by creating new streets. In addition to the specific mobility recommendations for each district, this section provides overall transportation goals and guidelines for the LSC.

An enhanced and expanded transportation network will:

- better integrate and connect the five LSC districts
- improve local circulation and take trips off of major roads
- improve the pedestrian environment
- provide access to transit by creating short, walkable blocks directly connected to CCT stations.” (page 53)

“The proposed local street network will create a finer grid and improve vehicular and pedestrian connections between the districts. Streets and transit tie the districts together. The LSC Loop unifies the pedestrian and bicycle circulation system with sidewalks, bikeways, trails, and paths that provide mobility and recreation options.” (page 53)

This application will contribute to most of these goals:

- with installation of a five-foot by eight-foot concrete bus stop landing with concrete ramp is shown along the site’s frontage of Darnestown Road (at approximately the middle of its frontage) for a new Ride On bus stop (in addition to an existing bus stop directly across Darnestown Road to the north);
- the Applicant will dedicate additional right-of-way along both roads for planned infrastructure improvements that will implement the second goal;
- the pedestrian environment will be significantly improved along both frontages of Darnestown and Travilah Roads as a result of the required improvements in this redevelopment. The installation of new sidewalks along both roadway frontages, and a shared-use path (SP-56) and bus stop along Darnestown Road will make the area more accessible to pedestrians, bicyclists and Ride On commuters. These improvements will be coordinated with the County’s ongoing CIP program.

Based on the above analysis and recommended conditions in this Staff Report, the proposed Preliminary Plan Amendment is in substantial conformance with the GSSC Master Plan.

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<sup>3</sup> Corridor Cities Transitway

## ADEQUATE PUBLIC FACILITIES

### Transportation

#### Site Location and Vehicular Site Access Points

The Property is located in the southeast quadrant of the Darnestown Road and Travilah Road intersection with three existing vehicular access points. The Travilah Road access closest to the proposed new building will be modified in this proposal to eliminate the right-in movement for northbound motorists.

#### Master-Planned Roadways and Bikeways

In accordance with the 2010 *Great Seneca Science Corridor Master Plan* and the 2005 *Countywide Bikeways Functional Master Plan (Countywide)*, the roadways and bikeways are classified as follows:

1. Darnestown Road is designated as a four-lane arterial, A-280, with a recommended 100-foot-right-of-way, and a shared use path (SP-56) on the south side. As conditioned, the Applicant will dedicate additional right-of-way for a total of 50 feet from the centerline, as shown on the submitted plans.
2. Travilah Road is designated as a two-lane primary residential street, P-14, with a recommended 70-foot-right-of-way and a shared use path, SP-57, on the west/opposite side. (Properties on the opposite side of Travilah Road have approved subdivision plans with established rights-of-way lines.)

#### Corridor Cities Transitway (CCT)

The Maryland Transit Administration's (MTA) preferred alignment of the Corridor Cities Transitway (CCT) does not operate along the adjacent roadways. The nearest CCT station is planned approximately 1,000 feet to the north of the Property in the northwest quadrant of the intersection of Great Seneca Highway (MD 119) and Darnestown Road.

#### Relevant Transportation Project

In MCDOT CIP Project No. 500101-2, Travilah Road Sidewalk, Phase II, two missing segments of sidewalk on the east side of Travilah Road were constructed. In addition, Phase II includes construction of a bike path along the south side of Darnestown Road from Travilah Road to Great Seneca Highway (MD 119) and Darnestown Road. The CIP project was completed around January 2015.

Phase I of this CIP project was completed in June 2009 and included the following:

1. Widened the travel lanes along Travilah Road from a point 400 feet west of Nolan Drive to Dufief Mill Road.
2. Constructed an eight-foot-wide bike path with a four-foot-wide green panel on the west side of Travilah Road.
3. Constructed improvement of the intersection with Piney Meetinghouse Road.

#### Transportation Demand Management

The site is located within the boundary of the Greater Shady Grove Transportation Management District (TMD). As conditioned, the Applicant must update the Traffic Mitigation Agreement dated June 20, 2014, to participate in the TMD and assist the County in achieving and maintaining the 2010 *Great Seneca Science Corridor Master Plan's* Stage 2 non-auto driver mode share goal of 18 percent and the ultimate goal of 30 percent. The Master Plan does not explicitly differentiate between vehicular trips generated by residents and employees nor does it limit participation in the TMD to only non-residential developments. With fewer than 25 employees on site at any one time, a traffic management plan is not required as part of the Traffic Mitigation Agreement.

#### Public Transit Service

Along Darnestown Road, Ride On route 56 operates between the Lakeforest Transit Center and the Rockville Metrorail Station with 30-minute headways on weekdays and weekends. Approximately 1,000 feet to the east, at the intersection of Darnestown Road and Great Seneca Highway, Ride On route 67 operates between the Traville Transit Center and the Shady Grove Metrorail Station with 30-minute headways on weekdays only. Transit service is not available along the Travilah Road frontage.

#### Pedestrian and Bicycle Facilities

Currently, the Property's Travilah Road and Darnestown Road frontages have substandard sidewalks. A shared-use path exists on the opposite side of Travilah Road. The following pedestrian accommodations are proposed:

1. A six-foot-wide sidewalk with handicap ramps and a 14-foot wide green panel along Travilah Road in accordance with Road Code standard 2003.10. As conditioned, the Applicant must coordinate the construction of this sidewalk with MCDOT CIP Project No. 500101-2, Travilah Road Sidewalk.
2. A five-foot-wide sidewalk with handicap ramps, six-and-a-half-foot wide green panel, and five-and-a-half-foot-wide bike lane along Darnestown Road in accordance with Road Code standard 2004.10.
3. Replacing the existing substandard sidewalks and providing any missing substandard crosswalks and/or handicap ramps as required by MCDOT at the Darnestown Road/Travilah Road intersection.
4. Lead-in sidewalks with handicap ramps from Darnestown Road and Travilah Road to the proposed building.



5. A pedestrian crosswalk at the southeast corner of the Property with handicap ramps plus adequate traffic control markings and signage to minimize pedestrian conflicts with trucks using the loading docks.
6. Adequate spacing of the bollards along the south side of the building for ADA-compliance and ease of access by wheelchair-bound persons.
7. Seven inverted-U bike racks for 14 public bike parking and two bike lockers for private bike parking.

**Local Area Transportation Review (LATR)**

Preliminary Plan No. 12011034A, which has an APF validity expiration of May 9, 2023, established a maximum density for the shopping center of 56,262 square feet. The replacement of the existing fast-food restaurant, with drive-through window and office building with a multi-tenant commercial retail building with 16,300 square feet increases the total approved development for the Property by 1,810 square feet (when compared to what was approved by Preliminary Plan No. 12011034A for Walgreens).

The table below gives the number of peak-hour trips generated during the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.) for the proposed change in commercial land uses. Total trips include pass-by, diverted, and new trips. Pass-by and diverted trips are those trips where the shopping center is not the primary origin or destination, but are already on the road and on the way to/from other origins or destinations. New trips are those trips where the shopping center is the primary origin or destination.

Land Use	Square Feet	Peak-Hour Trips			
		Morning		Evening	
		New	Total	New	Total
Proposed Supermarket	14,300	<u>49</u>	<u>49</u>	<u>87</u>	<u>136</u>
Proposed General Retail Space	2,000	<u>2</u>	<u>4</u>	<u>4</u>	<u>14</u>
Total Proposed Retail Space	16,300	<u>51</u>	<u>53</u>	<u>91</u>	<u>150</u>
Existing Fastfood Restaurant with a Drive Through Window	-3,500	81	159	56	114
Existing General Office Space	-16,194	22	22	36	36
Subtotal: Trip Credits from Existing Land Uses to be Removed	-19,694	103	181	92	150
Net Reduction in Peak-Hour Trips	-3,494	-52	-128	-1	<u>0</u>

A traffic study was not required to satisfy the Local Area Transportation Review (LATR) test because the proposed redevelopment generates no additional peak-hour trips within the weekday morning and evening peak hours primarily due to the proposed change in use from pharmacy to a grocery store. Therefore, the LATR test is satisfied.

The calculated Critical Lane Volume (CLV) values at Darnestown Road and Travilah Road are as follows for these traffic conditions:

1. Existing: Existing traffic conditions as they exist now.

2. Background: The existing condition plus the trips generated from approved but un-built nearby developments.

Analyzed Intersection	Weekday Peak Hour	Traffic Condition	
		Existing	Background
Darnestown Road & Travilah Road	Morning	937	1,148
	Evening	939	1,234

As shown on the table above, the CLV values are less than the congestion standard of 1,450 for this intersection located in the R&D Village Policy Area.

Policy Area Mobility Review (PAMR)

The APF test was approved under Preliminary Plan No. 12011034A when the Policy Area Mobility Test was required by the 2009-2011 Subdivision Staging Policy. The “Policy Area Review” test is satisfied because the proposed redevelopment generates no additional peak-hour trips within the weekday morning and evening peak hours.

Other Public Facilities and Services

The proposed development will be served by public water and sewer systems. The Site Plan Amendment application was reviewed by the Montgomery County Department of Permitting Services (MCDPS) Fire Code Enforcement Section, which has determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services, including police stations and health care, are currently operating in accordance with the Subdivision Staging Policy and will continue to be sufficient following construction of the project. Electric, gas, and telecommunications services will also be available and adequate. A Schools’ test is not required as part of the adequate public facilities test because the project does not propose any residential units.

**ENVIRONMENT**

Environmental Guidelines

The Property contains no wetlands, streams, floodplains, or stream valley buffers, forests or specimen trees. The Property is partially within the Piney Branch Special Protection Area (see the Water Quality Plan discussion below). The proposed project is in compliance with the M-NCPPC’s *Environmental Guidelines*.

Amended Final Forest Conservation Plan

The original Site Plan No. 820130070 included approval of a Final Forest Conservation Plan (FFCP) with an afforestation requirement of 0.83 acres. The approved FFCP allowed an on-site credit of 0.11 acres for tree cover and landscaping, with the remaining 0.72 acres of afforestation fulfilled through purchase of 0.72 acres of afforestation credit (or 1.44 acres of preservation of existing forest) in an approved off-site forest mitigation bank. The reconfiguration of the site under the proposed site plan amendment reduces the area available for on-site landscaping credit. Therefore, the FFCP amendment proposes fulfilling the 0.83-acre

afforestation requirement through 0.08 acres of on-site tree cover, with the balance fulfilled through purchase of credit in an approved off-site forest mitigation bank.

#### Water Quality Plan

As noted above, the Property falls partially within the Piney Branch Special Protection Area (SPA). Disturbances (as defined in Chapter 19, Section 19-62 of the County Code) with an SPA must receive approval of a Water Quality Plan unless granted an exemption. When Site Plan No. 820130070 was approved, an exemption from preparing a Water Quality Plan under Section 19-63(B)(2) of the code was granted. The Montgomery County Department of Permitting Services (MCDPS) has confirmed that this exemption still applies.

#### Stormwater Management

On September 1, 2016, MCDPS issued a Stormwater Management Concept Reconfirmation letter for Site Plan Amendment No. 82013007A (Attachment 6). The stormwater management concept proposes to meet required stormwater management goals via Environmental Site Design (ESD) with the use of micro-biofiltration.

### **COMPLIANCE WITH ZONING ORDINANCE AND SUBDIVISION REGULATIONS**

The application meets the requirement and standards of all applicable sections of Chapter 50 of the Montgomery County Code and the Subdivision Regulations. With the proposed improvements, access and public facilities will be adequate to support the density and use. Although the current proposal does not redevelop the entire Property, the size, shape and width associated with the approved lot furthers the Master Plan goals for a transition from suburban development to a more urban and walkable community. The lot is designed to meet all other requirements of the Subdivision Regulations, including access, frontage, dedication for public uses, adequacy of public facilities and conformance to Master Plan recommendations. The proposed redevelopment meets all dimensional requirements of the CR 0.75 C 0.5 R 0.75 H 80 Zone as specified in the Zoning Ordinance. Finally, the application has been reviewed by two other applicable County agencies, who have recommended approval of the Preliminary Plan (Attachment 7).

## SECTION 5: SITE PLAN REVIEW AND REQUIRED FINDINGS

### Site Plan Findings

Section 59-D-3.4.(c) contains the required findings by the Planning Board. In reaching its decision the Planning Board must find 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.*

Not applicable; the Property is not subject to a development plan, diagrammatic plan, schematic development plan, or project 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.*

An urban renewal plan is not applicable to the Travilah Square Shopping Center.

### Development Standards

Pursuant to Section 7.7.1.B.1., of the current Zoning Ordinance, this Site Plan Amendment was reviewed under the standards and procedures of the Property's zoning in effect on October 29, 2014.

### General Requirements

Per Section 59-C-15.6, development in the CR Zone must comply with the several general requirements, including master plan conformance, bicycle parking and parking, landscaping and lighting. The existing 244 parking spaces at the shopping center exceeds the required amount. The Applicant proposes to add 18 additional parking spaces, however, four spaces will be eliminated in the central parking lot for two cart corrals (these are currently not shown on the site plan) resulting in a total of 258 parking spaces. One car-share space will also be located in the central parking lot as required by the CR Zone.

Development standards in the former Zoning Ordinance calculate public use space exclusively based on the area inside the proposed limits of disturbance. Table 1 below demonstrates the application's conformance to the CR Zone's development standards required in Section 59-C-15.7.

Table 1: Development Standards Data Table - CR Zone Standard Method of Development

Development Standard	Allowed/Required	Proposed
<b>Maximum Height</b> (feet)	80	32
<b>Parking</b> [Sec. 59-C-15.631(b)]		
Minimum (4 spaces/1,000sf GFA)	226	262
<b>Maximum Density</b> (FAR) [Sec.59-C-15.71]	0.5 FAR or 121,143SF	0.24 or 58,102SF <sup>4</sup>
<b>Minimum Setbacks</b> (feet) [Sec. 59-C-15.72]	n/a	n/a
<b>Minimum Public Use Space</b> (% of LOD) [Sec. 59-C-15.73(a)]	10% of 71,171SF	10% or 7,122SF <sup>5</sup>

Section 59-C-15.635 Landscaping and Lighting

Under this section in the Zoning Ordinance, paragraphs (a), (d), (e), and (f) are the Minimum Landscape Standards for Surface Parking applicable to this Amendment:

*(a) Property line adjacent to a public right-of-way:*

*No less than a six-foot wide solid panel (excluding any utility easements) with stormwater facilities, planting bed, or lawn, including a minimum 3-foot high continuous evergreen hedge or fence; plus one deciduous tree per 30 feet of street frontage or per the applicable streetscape standards.*

Because Lot 1 is a corner lot and the LOD for the new building is in the northwest part of Lot 1, it has a linear street frontage along Darnestown and Travilah Roads of 374 feet. The Landscaping plan meets the green panel requirement with a six-and-a-half-foot wide and 14-foot wide green panel along Darnestown and Travilah Roads, respectively. The Landscaping plan shows a continuous evergreen hedge with 60 evergreen shrubs. A total of 12 deciduous trees will be planted on the Applicant’s property along the street frontage to meet the required number of deciduous trees based on the linear street frontage.

*(d) Internal Pervious Area*

*No less than 10 percent of the parking facility area composed of individual areas of at least 100 square feet each.*

The area for the 18 new parking spaces on the south side of the proposed building contains 3,624 square feet. The Landscaping plan shows 181 square feet of internal pervious area or five percent in two areas adjacent to the new parking spaces. In order to meet the 10 percent requirement, a total of 362 square feet must be provided.

<sup>4</sup> Proposed FAR for the 16,300-square foot new building plus retained commercial retail of 41,802 = 58,102 square feet.

<sup>5</sup> The public use space calculation is based on the area of the limits of disturbance for the proposed building construction and road improvements, or 71,171 square feet x 0.10 = 7,117 square feet. The Applicant is proposing an amount that slightly exceeds the required amount. Public use space for the remainder of Lot 1 will be provided at the time of future redevelopment.



(e) *Tree Canopy Coverage*

*No less than 30 percent of the parking facility area (at 15-years growth).*

The Landscaping plan shows the new parking facility's area at 3,624 square feet and provision of 25 percent of tree canopy coverage, or 906 square feet. This does not meet the required 30 percent (or 1,087 square feet). The tree canopy coverage must be increased by five percent on the Landscaping plan in relation to the 18 new parking spaces to meet the 30 percent requirement.

(f) *Lighting*

*Per the Illuminating Engineering Society of North America standards, or County equivalent, with full or partial cut-off fixtures and no more than 0.5 footcandle illumination at any property line.*

As a recommended condition of approval, prior to the approval of the certified site plan, the Applicant must submit certification from a qualified professional that this requirement is met.

The Landscaping plan contains four types of shade tree species (Red Maples, London Planetrees, Northern Red Oaks, and Southern Red Oaks), three types of ornamental tree species (Shadblow Serviceberry, Sweetbay Magnolias, and Eastern Redbuds), and six types of shrub species (Red Chokecherry, Virginia Sweetspire, Shamrock Inkberry, Hummingbird Summersweet, Northern Bayberry, and spreading English Yew). A total of 21 shade and 10 ornamental trees will be planted, predominantly in relation to the public use space (the former) for shade from tree canopies. Additional landscaping will be located in two ESD-designed stormwater management facilities to be installed to DPS standards. Street trees will be planted in the rights-of-way along Darnestown and Travilah Roads to MCDOT's standards.

The Lighting plan will meet the industry standards and specifications to create a safe, low-lit environment during evening hours in relation to the new building, sidewalks and parking. A total of eight LED luminaire light fixtures are proposed, three of which will be mounted onto the new building and the remaining five fixtures will be pole-mounted and located in and/or near the parking lot.

Public Use Space

The public use space will be landscaped to create a park-like setting/gathering area. Deciduous shade trees will create shade for their tree canopies. The required public use space amount is based on 10 percent of the application's proposed LOD. The area inside the LOD is 71,171 square feet and the plan provides 7,122 square feet to meet the requirement. The public use space will have park benches and six tables, each table with four attached seats (moveable), a trellis and connected pathways to activate the public realm.

### Master Plan and Design Guidelines Conformance

The master plan conformance is addressed in Section 4: Preliminary Plan Review on pages 15-17 of the Staff Report. Discussion of design guidelines conformance is provided below.

#### *Design Guidelines*

The revised site and landscaping plans, submitted on September 2, 2016, address the Design Guidelines as summarized below. The Applicant also submitted a Supplemental Justification Statement in support of Master Plan and Design Guidelines conformance.

- “Creating an engaging pedestrian environment along streets with building Facades and spaces that define the public realm” (Design Guidelines page 7);

Through the removal of existing drive aisles between buildings and significant additional pedestrian and bicycle improvements, the Applicant’s proposal will result in an enhanced pedestrian-oriented environment along Darnestown and Travilah Roads. The proposed pedestrian and bicycle-friendly environment along these two roads in relation to the new building’s facades and open spaces contribute to activating the public realm and create a physical connection at this location.

- “Encouraging design excellence through use of innovative building materials, façade articulation, street-oriented buildings, and sustainable building practices;” (page 7)

The Applicant will provide innovative building materials and façade articulation on three sides of the new building; and, the inclusion of sustainable building practices in the design (i.e., a cool or vegetated roof and local building materials). The north, south and west facades have a combination of brick and stone veneer building materials instead of a typical grocery store facade in an integrated multi-tenant shopping center. The new building’s modern architecture style is a distinct deviation for the grocery store tenant that will be located in the larger of the two new retail shops. Staff has concluded that the Applicant’s intention to locate the grocer tenant in most of the new building’s square footage will create a unique shopping experience that is atypical for this tenant.

- “Use of materials, finishes, and architectural features that refine building Facades by creating visual interest and texture;” (page 26) and

Through the use of glass, masonry, metal, and canopy structures on the north and west façades, large display windows wrap around the new building with a continuous artwork feature for visual interest. A trellis feature in the center of the public use space is proposed as an architectural focal point with movable outdoor seating (tables with chairs). Each store entrance will have a canopy as an architectural feature that meets the intent of the Plan’s Design Guidelines.

- “Create retail frontages that are as transparent as possible” and “avoid long stretches of blank walls.” (page 26)

The new building will be made as transparent as possible through the integration of large display windows. Although the entrance faces away from the street, the building design along Darnestown and Travilah Roads integrates public art and creates a defined building edge. There will be no blank walls on three facades. The northwest corner of the new building will be emphasized with greater transparency provided by taller glazing (i.e., the heights of the windows are increased to allow for passage of more natural sunlight). The east façade is where the loading dock area is proposed. It will have a screen wall to block direct views of the activities associated with this area of a commercial retail building.

#### Bicycle Parking Spaces and Commuter Shower/Change Facility

Bicycle parking is provided as detailed in the Preliminary Plan Amendment section of the Staff Report. A shower/change facility is not required for this development.

The proposed Amendment will meet the requirements of the CR Zone Standard Method of development as shown on the Data Table on page 23 above, subject to the recommended conditions of approval. Specifically, the application provides a density and height within the limits for the CR Zone’s Standard Method of development and it provides adequate bicycle and vehicle parking, and public use space. Landscaping and lighting plan requirements will be met subject to revisions to these plans as in the recommended conditions of approval. No setbacks are applicable to this Property.

3. *The location of buildings and structures, open spaces, landscaping, recreational facilities, and pedestrian and vehicular circulation systems are adequate, safe and efficient.*

a. Building Location

The location of the proposed building at the intersection of Darnestown and Travilah Roads is adequate, safe, and efficient because the proposed building will create an attractive building line along the Darnestown Road frontage; open spaces around the building are highly visible; sidewalks along Darnestown and Travilah Roads will be easily accessible with connections to walkways at the Subject Property. The proposed building location and its associated features will be easily accessible and inviting to the public.

b. Open Spaces

The proposed open spaces meet the requirements in the Zoning Ordinance for a Standard Method of development project, and will be adequate safe and efficient. These areas will be in highly visible locations connected by walkways and sidewalks and easily accessible by the public (pedestrians, bicyclists, and Ride On commuters).

c. Landscaping and Lighting Plan

The proposed Landscaping and Lighting plans will be in compliance with the requirements of the CR Zone subject to the recommended conditions of approval and after these conditions are addressed the plans will be adequate, safe, and efficient. The Property will have an enhanced landscape and streetscape. New landscaping will be planted around the building and in the public use space, along with the installation of two stormwater management areas and street trees along Darnestown and Travilah Roads. Outdoor lighting around the new building, public use space, walkways and parking areas will provide a safe environment for customers during evening hours and, it will meet industry standards.

d. Pedestrian and Bicycle Facilities

Proposed perimeter sidewalks to be constructed along the frontages of Darnestown and Travilah Roads coupled with walkways around the new building will be interconnected to provide a pedestrian system that currently does not exist at the Property. Bike racks will be located near the grocery store's main entrance, and bike lockers will be located on the east side of the building near the loading dock. These pedestrian walkways and sidewalks will be ADA-compliant and will include marked pedestrian crossings for efficiency and safety. These design features will enhance the Property's pedestrian/bicycle facilities at this location to make these adequate, safe and efficient. In addition, the Applicant will dedicate additional right-of-way along both Darnestown and Travilah Roads for planned public road improvements that will ultimately include shared-use paths in compliance with the *GSSC Master Plan* and the *2005 Countywide Bikeways Functional Master Plan*.

e. Vehicular Circulation

The proposed project will improve vehicular circulation at the Property compared to the existing situation, thereby making it adequate, safe, and efficient. The right-in movement from northbound Travilah Road into the shopping center closest to the Darnestown Road intersection will be eliminated, which will improve internal vehicular circulation on the Property.

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

The new building has been designed with consideration of the existing and future development to the north across Darnestown Road and the existing development to the south. It will be similar in scale and height to the other existing retail buildings in the shopping center, and it will be compatible with the existing residential uses to the west. The Applicant's proposed modern architecture style is intended to complement

proposed development to the north and the Human Genome Sciences facility to the 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.*

The Site Plan Amendment is in compliance with the *Environmental Guidelines* and Chapter 22A of the Montgomery County Forest Conservation Law. The criteria will be met through on-site tree canopy credit and at an off-site tree mitigation bank site, as approved on the amended Final Forest Conservation Plan (Attachment 5).

Based on the Department of Permitting Services (DPS) Staff review, the stormwater management concept plan is acceptable (Attachment 6). A cool or vegetated roof is proposed as an ESD component to enhance stormwater management controls where none currently exist on-site.

## **CONCLUSION**

Based on the review by Staff and other relevant agencies (Attachment 7), and the analysis contained in the report, Staff finds that Limited Site Plan Amendment No. 82013007A meets all of the required findings and is consistent with the applicable Zoning Ordinance standards. Staff recommends approval subject to the conditions at the beginning of this report.

## **ATTACHMENTS**

1. Statements of Justification
2. Preliminary Plan
3. Site Plan
4. GSSC Master Plan references
5. Final Forest Conservation Plan
6. Stormwater Management Concept acceptance letter
7. Agency Approval letters

## ATTACHMENT 1

**LINOWES**  
AND **BLOCHER LLP**  
ATTORNEYS AT LAW

August 12, 2016

Erin E. Girard  
egirard@linowes-law.com  
301.961.5153

Lori Shirley  
Area 2 Planning  
Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Re: Statement of Justification for Preliminary Plan Amendment No. 12011034B; Travilah Square

Dear Lori:

On behalf of our client, MFS Travilah LLC & ABS Travilah LLC ("Applicant"), we are submitting this Application for an amendment to Preliminary Plan No. 120220340 (the "Preliminary Plan") to allow for a minor increase in the maximum density allowed by the Preliminary Plan. This request will conform the Preliminary Plan to Site Plan Amendment No.82013007A filed earlier this year.

The Preliminary Plan was initially approved on April 9, 2012, allowing for the consolidation of two unrecorded lots and one record lot into a single lot of record, with a total of 61,496 square feet of existing development. The Preliminary Plan was later amended by Resolution dated November 6, 2013 to permit the removal of 19,694 square feet of commercial use, and redevelopment of a portion of the property with 14,490 square feet of pharmacy/retail use, intended to be occupied by a new Walgreens store ("Preliminary Plan Amendment"). Walgreens has since sold the property to the Applicant and no longer intends to build a Walgreens store on the site. The requested amendment will allow for an increase in the area of the new building from 14,490 to 16,300 square feet to accommodate a grocer and new retail bay.

The proposed modification will not impact the Planning Board's findings supporting its approval of the Preliminary Plan and Preliminary Plan Amendment. The building location, orientation, and size remain substantially similar, and the previously proposed drive-thru and parking area along the western façade of the building have been removed, enhancing on-site circulation. As

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August 12, 2016  
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noted in the traffic statement included with the application, the proposed development will continue to generate fewer trips than the existing development.

We look forward to working with you to present the proposed amendment to the Planning Board. If you have any questions or would like any additional information, please feel free to contact us.

Best regards,

**LINOWES AND BLOCHER LLP**

*Erin E. Girard*  
/KJM

Erin E. Girard

cc: Marc Solomon



**LINOWES**  
**AND | BLOCHER LLP**  
ATTORNEYS AT LAW

July 5, 2016

**Erin E. Girard**  
egirard@linowes-law.com  
301.961.5153

Lori Shirley  
Area 2 Planning  
Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Re: Supplement to Statement of Justification for Limited Site Plan Amendment No. 82013007A; Travilah Square

Dear Lori:

On behalf of our client, MFS Travilah LLC & ABS Travilah LLC (“Applicant”), the Applicant for Limited Site Plan Amendment No. 820130070A (the “Amendment”), and pursuant to your request, the purpose of this letter is to provide you with additional information regarding compliance of the Amendment with the provisions of the 2010 Great Seneca Science Corridor Master Plan (“Master Plan”) and the Great Seneca Science Corridor Design Guidelines (“Guidelines”).

As reviewed at our recent meeting, the revisions to the original site plan, approved in November, 2013 (“Original Site Plan”) that are proposed as part of this Amendment are minor in nature. The building location, orientation, and size remain substantially similar. The primary revisions include new building architecture to accommodate a different user, the removal of the drive-thru, and the removal of the parking area previously approved to be located between Travilah Road and the western façade of the proposed building. Because the revisions are so limited, and, in the cases of the removal of the drive-thru and parking area, represent an overall improvement to the plan, many of the findings regarding compliance with the Master Plan and Guidelines contained in the July 5, 2013 Staff Report and November 6, 2013 Planning Board Resolution on the Original Site Plan remain valid. Where these findings could arguably be affected by the Amendment, however, compliance with the appropriate provisions of the Master Plan and Guidelines are discussed below.

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The subject property is identified in the Master Plan as part of “LSC South” and the Master Plan “encourages the physical and visual integration of LSC South with the areas north of Darnestown Road, through building design and massing, street character and improved connections across Darnestown Road.” *Id.*, p. 50. The Master Plan also emphasizes the integration of quality open spaces into proposed developments to serve existing and future employees and residents. *Id.*, p. 31. The Amendment does not significantly alter the massing and street character of the Original Site Plan, which was found to meet these objectives and actually enhances compliance of the project with the Master Plan’s objectives of integrating the subject property with areas north of Darnestown Road and providing quality open spaces. The removal of the parking area on the west side of the building allows for increased public open space that will greatly improve the aesthetics of this important corner and be enjoyed by employees, residents and patrons in the area. The incorporation of additional seating options and a trellis in this area will serve to draw people in from the areas to the north. This area, in combination with the significant green space and landscaped area between the eastern building façade and Darnestown Road, will significantly enhance the appearance of the Property along both of its frontages and, when combined with the architecture proposed for the building, will integrate the Property with areas to the north. Additionally, although the entrances to the proposed building are located interior to the site, the façade of the building facing Darnestown Road is broken up with windows and architectural elements, including applied artwork, that create an appealing and activated elevation. Finally, the new sidewalks proposed along the entire lengths of the Property’s Darnestown Road and Travilah Road frontages that tie into the on-site pedestrian circulation system at various locations, including at a focal point at the northwestern corner of the proposed building, will provide a physical connection between the Property and adjacent areas that is currently lacking.

The Master Plan also calls for minimization of imperviousness in site design, the use of aggressive environmental site design, increased vegetation, and maximizing tree canopy. Master Plan pp. 28-29. The Amendment achieves these objectives by reducing site imperviousness over existing conditions as well as over the Original Site Plan, incorporating substantial environmental site design, including the introduction of microbioretention facilities on the site that will be planted with appropriate vegetation, and significantly increasing the vegetation and tree canopy on the subject property, particularly in the northwest corner open space..

With regard to the Guidelines, an overarching goal of the Guidelines is to “creat[e] an engaging pedestrian environment along streets with building facades and spaces that define and activate the public realm.” Guidelines, p. 7. As discussed above, the Project meets this objective by providing attractive building façades and significant open spaces along the Darnestown Road and

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Travilah Road frontages that are activated by seating areas and pedestrian linkages connecting to the on-site retail.

With regard to building design, the Guidelines “encourag[e] design excellence through use of innovative building materials, façade articulation, street-oriented buildings, and sustainable building practices.” *Id.* at 7. The Guidelines also call for the “use [of] materials, finishes, and architectural features that refine building facades by creating visual interest and texture.” *Id.* at 26. As noted at our meeting, the building location was previously found to be appropriate by the Planning Board, and this location is retained with the Amendment. *See* November 6, 2013 Resolution, p. 5 (“the development...addresses the CR Zone requirements and Master Plan Design Guidelines as to the building location, pedestrian orientation, landscape requirements and open space.”); p. 6 (“The development will be visually integrated with the area north of Darnestown Road by creating a more defined building edge along Darnestown Road.”). The elevations and perspectives submitted with the Amendment show enhanced façade articulation, including applied artwork, to add visual interest along the northeast and northwest corners of the building, facing Darnestown and Travilah Road. The building also contains significant glazing to enhance transparency, particularly above the applied artwork, in conformance with the objectives of the Master Plan and Design Guidelines. With regard to sustainable building practices, the Amendment achieves this objective in the same manner as approved for the Original Site Plan, through the incorporation of such practices as the utilization of recycled and regionally extracted materials, water reducing fixtures, efficient heating and cooling, a cool roof, and low VOCs on interior finishes.

While the site is located within the Piney Branch Special Protection Area (SPA), the portion of the site that is subject to this development is not located within the SPA, other than a portion of the sidewalk improvements along Travilah Road. Disturbance within the SPA has therefore been limited to that needed to construct these public improvements. The Department of Permitting Services previously determined that this disturbance within the SPA was acceptable with the approval of the stormwater concept plan.

Forest conservation for the site will be addressed as it was previously proposed, primarily through off-site afforestation, and where possible, through on-site landscaping and tree canopy credits.

Stormwater management for the site is still proposed to be met with two microbioretenment facilities, generally in the same location as the facilities shown on the approved stormwater management concept plan. These will be integrated into the public use

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space at the corner of the site, providing an attractive and functional means to treat the site's runoff, and complementing the landscape features proposed at this location.

We hope this information is helpful and responsive to your request. If you have any questions or would like any additional information, please feel free to contact us.

Best regards,

**LINOWES AND BLOCHER LLP**



Erin E. Girard

cc: Marc Solomon

April 6, 2016

Mr. Khalid Afzal  
Supervisor, Area 2  
Maryland National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Travilah Square Limited Site Plan Amendment  
82013007A

Dear Mr. Afzal:

Please find enclosed a site plan amendment request for the above referenced project. The request is as follows:

1. Replacement of the proposed drug store with a multi tenanted retail building.
2. Removal of the drive through.
3. Removal of the parking spaces that had been located at the west end of the building
4. Replacement of the walking paths at the site corner with a plaza at the west end of the building.
5. Removal of the plaza located on the north side of the building and the addition of the above noted plaza (#4).
6. Relocation of the bike locker and bike rack.
7. A slight increase in the building square footage (15,162 vs. approved of 14,490)

Included with this package, please see attached a redline plan. As noted above, a presubmission meeting with M-NCPPC staff was held on February 1, 2016, to review the initial proposal and to refine this proposal.

The original site plan was approved by the Planning Board and certified by staff. The plan was prepared in accordance with the required regulations. The original plan included a waiver of the zoning regulations, which was approved. The revised plan eliminates the need for this waiver, by removing the parking that had been located on the west side of the building. The revised plan continues to conform to the required regulations for this site.

A revised traffic statement has been included with this application. The statement concludes that there is still a reduction in the amount of trips generated by this site with the removal of the two existing buildings.

A revised forest conservation plan is also included with this application. This revised plan simply reflects the revised layout; no changes are proposed in the forest conservation proposal approved with the previous plan.

The following findings for the CR Zone were detailed with the previous plan's statement of justification and the proposed amendment continues to conform to these findings:

1. Master Plan and design guidelines conformance – the project is still consistent with the Master Plan and Guidelines.

2. Bicycle Parking – the project continues to provide bicycle parking as previously approved.
3. Parking – the project continues to comply with the parking requirements.
4. Drive Through facility – this has been removed from the project.
5. Landscape and Lighting – the project continues to comply with the landscape and lighting requirements.
6. Density and Height – the project continues to utilize the standard method of development and will still decrease the overall density of the property.
7. Setbacks – the project continues to conform to the required setbacks.
8. Public Use Space – the project continues to exceed the 10% public use space requirement.
9. Residential Amenity Space – this is not applicable to this amendment.
10. Incentive Density Provisions – this project still uses the standard method of development so this is not applicable to this application.

The Applicant respectfully requests that the Planning Board grant approval of this Site Plan Amendment Application. The above analysis and submitted plans establish that the Application satisfies the required findings that the Planning Board must make to approve a Site Plan Application in accordance with the Zoning Ordinance.

Should you have any questions or comments about this submittal, please do not hesitate to contact me.

**Respectfully Submitted,**

PENNONI

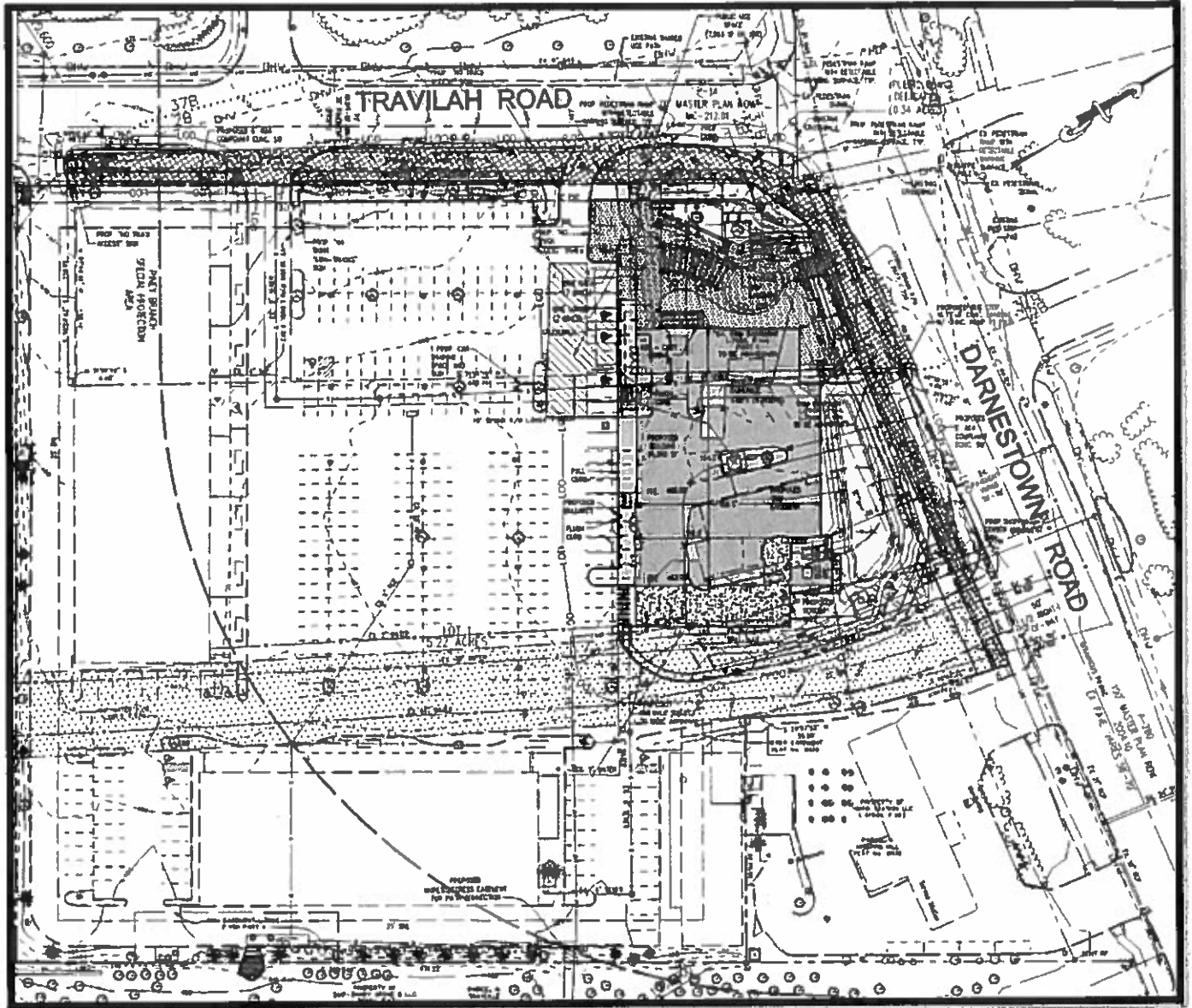


Peter J. Stone, RLA, LEED AP BD+C  
Project Manager

cc: Marc Solomon, Finmarc Management, Inc.

T:\PROJECTS\FINM\MFST1601-Travilah Square Retail\DOCUMENTS\Statement of Justification.docx

# ATTACHMENT 2

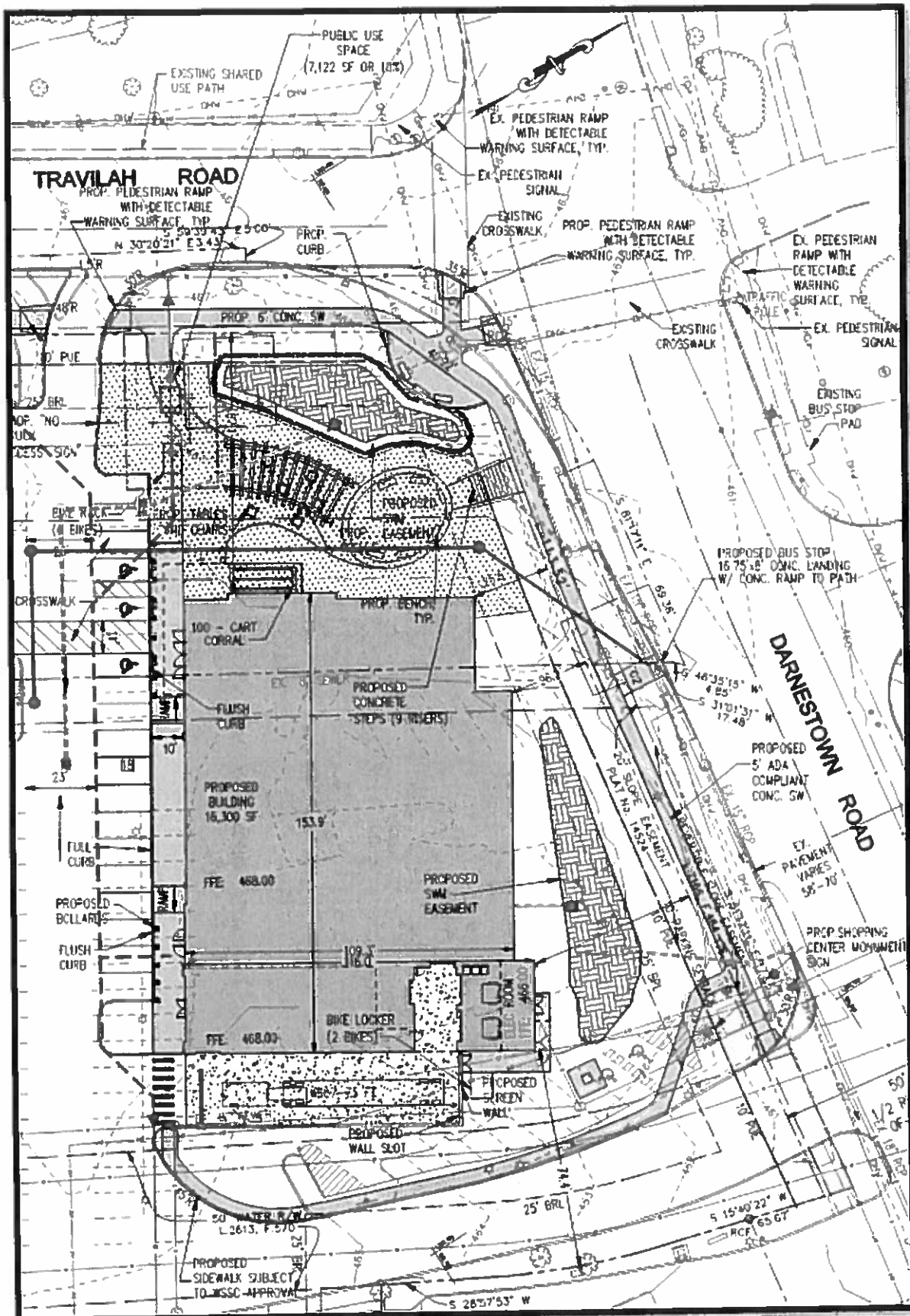


TRAVILAH SQUARE PRELIMINARY PLAN AMENDMENT NO. 12011034B



# ATTACHMENT 3

## 82013007A Travilah Square Site Plan Amendment



## ATTACHMENT 4

promotion of renewable energy generation, increased carbon sequestration and reduced urban heat island effect.

To reduce carbon footprint, this Plan:

- Recommends development that is compact, features a mixture of land uses, is walkable and served by public transit to make efficient use of land and resources, to reduce vehicle miles traveled and facilitate non-motorized travel.
- Creates opportunities for new development and redevelopment that take advantage of existing infrastructure and adaptive re-use of existing structures where feasible.
- Recommends that development meeting LEED or equivalent certification of any level obtain as many points as possible from approaches that reduce carbon emissions, including:
  - Site and building design and orientation that takes advantage of passive solar heating and lighting opportunities, maximizes potential for use of renewable solar energy systems, and permits passive cooling through proper shading and ventilation.
  - A commitment to reduce energy and water consumption.
  - A commitment to use recycled building materials, locally produced materials, and local labor.
  - A commitment to use building deconstruction techniques to facilitate re-use and/or recycling of building materials.
  - A commitment that new buildings meet the minimum energy efficiency standards of 17.5 percent below the calculated baseline performance or meet the appropriate ASHRAE advanced energy design guide. Renovated buildings should commit to meet a 10.5 percent energy efficiency standard below the calculated baseline performance or meet the appropriate ASHRAE advanced energy design guide.
  - Incorporates renewable energy systems to supply a portion of a building's energy needs, where feasible. Such systems may include:
    - o solar power
    - o wind power
    - o geothermal heating and cooling systems.
- Recommends maximizing tree canopy coverage. (See goals for tree canopy coverage in the water quality section).
- Recommends the use of green roofs and walls.
- Recommends the use of light-reflecting roof surfaces where green roofs cannot be used.
- Recommends increasing vegetation throughout the Life Sciences Center. Approaches include:
  - Targeting unforested portions of regulated areas for reforestation.
  - Incorporating street trees and landscaping trees throughout the Life Sciences Center.
  - Use of vegetated roofs and walls.
  - Use of planter beds, bioswales and rain gardens.
  - Incorporating vegetation into hardscaped open space areas.

### Protection of Biological Diversity

Protection of biological diversity focuses on preserving existing habitat, and on restoring habitat where feasible. Biological diversity is maintained when habitat is protected and invasive species are controlled. Control of invasive species and reducing wildlife overpopulations are operational issues not appropriate to address in a master plan. While an urban environment cannot typically support highly diverse plant and wildlife populations, much can be done to improve conditions for native plants and animals.

To protect biological diversity, the Plan:

- recommends preservation of existing natural areas, including the forest at the corner of Key West Avenue and Great Seneca Highway
- recommends the use of native plants and trees in landscaping and street tree planting to the maximum extent possible

### **LSC South: Mixed-Use Center**

This 245-acre district south of Darnestown Road includes the Traville community's retail and residential uses, Human Genome Sciences (HGS), and the Universities at Shady Grove, an innovative academic center that is part of the University System of Maryland.

LSC South is in the Watts Branch Watershed and is part of the Piney Branch sub-watershed, which was designated a Special Protection Area (SPA) due to its fragile ecosystem, unusually good water quality, and susceptibility to development pressures. SPAs require approval of a water quality plan demonstrating a high level of stormwater control and treatment. Accordingly, this Plan recommends minimal additional development.

The retail and residential developments at Traville are built-out, with approximately 100,000 square feet of retail and 750 dwelling units, 230 of which are senior housing. The HGS site is approximately half built-out. The Universities at Shady Grove have produced a master land use plan for their site, which is approximately half built-out.

This Plan recommends that the 5.2-acre property on the southeast corner of Darnestown Road and Travilah Road be rezoned from C-4 to CR 0.75: C 0.5, R 0.75, H 80 to allow the possibility of mixed-use or residential development at this corner.

Only the 13-acre Rickman property on Travilah Road is undeveloped. The Plan recommends the Rickman property be rezoned from the R&D Zone to CR 0.5: C 0.5, R 0.5, H 80. The CR Zone has a height limit of 40 feet for standard method development. However, a maximum height of 80 feet on this property could be considered to minimize imperviousness and encourage compact development, which may include parking underneath buildings (ground-level). The Rickman property is not subject to the Staging requirements.

The Piney Branch SPA bisects the Rickman Property. A key to protecting water quality in the SPA is limiting impervious surfaces. Development within this SPA requires a water quality plan that details how stormwater runoff will be managed to prevent further degradation to water quality in the SPA. The water quality plan is prepared by the developer and reviewed and approved during the development review process. Guidelines for the development of the Rickman property are provided below. In addition, a population of state endangered *Krigia* dandelion is located east of the property along Shady Grove Road. The road was specifically aligned to avoid disturbance of this plant. Further development in this area should avoid disturbance of this population and provide a buffer area from new uses.

This Plan encourages the physical and visual integration of LSC South with the areas north of Darnestown Road, through building design and massing, street character and improved connections across Darnestown Road, and access to the CCT stations at LSC Central and West. These stations are between one-half to three-quarters of a mile (a 10-15 minute walk) from LSC South destinations. With higher density development around the CCT stations, the transit locations will become more visible and recognizable as landmark features.

HGS and USG, along the south side of Darnestown Road, have developed as campus-style, inward-focused designs with parking lots adjacent to Darnestown Road. Future development at these sites should create a building edge along Darnestown Road near Great Seneca Highway. On the north side of Darnestown Road, redevelopment of the PSTA site will also create opportunities for new buildings to address the street edge, especially the corner of Darnestown Road and Great Seneca Highway.

## LSC Circulation

The Plan provides a comprehensive transportation network for all modes of travel, including bicycle and pedestrian routes and constructing the CCT through the LSC. The local street network will supplement existing arterials by extending and connecting existing roads, and by creating new streets. In addition to the specific mobility recommendations for each district, this section provides overall transportation goals and guidelines for the LSC.

An enhanced and expanded transportation network will:

- better integrate and connect the five LSC districts
- improve local circulation and take trips off the major roads
- improve the pedestrian environment
- provide access to transit by creating short, walkable blocks directly connected to CCT stations.

### Street System

This Plan recommends a network of major highways, arterial roads, and local streets that provide safe access and help shape the community's character. The Plan includes recommendations for major infrastructure projects to support future growth and development based on buildout of the LSC to the proposed maximum zoning capacity. Maximum zoning capacity is not always achieved and some of the street network recommendations may not be necessary. Staging of development and infrastructure provision, particularly the CCT, is addressed in the Implementation section. A biennial monitoring program will assess the pace of buildout and the need for infrastructure delivery.

The proposed local street network will create a finer grid and improve vehicular and pedestrian connections between the districts. Streets and transit tie the districts together. The LSC Loop unifies the pedestrian and bicycle circulation system with sidewalks, bikeways, trails, and paths that provide mobility and recreation options.

The local street network should be built to business district street standards with sidewalks on both sides. Business district streets are generally two lanes with parking on one side (60-foot right-of-way) or both sides (70- or 100-foot right-of-way) and should include curb extensions at crosswalks to further reduce pedestrian exposure to vehicular traffic. The proposed streets on the LSC Circulation map are intended to show the general locations of new streets, not the actual alignments. Specific alignments of proposed streets will be determined through the regulatory development review process.





British Columbia Cancer Research Center  
Henriqz Partners Architects  
Vancouver, BC

Washington Mutual Center  
Phillips Farevaag Smollenberg  
Seattle, WA



Montgomery County Planning Department

## Design Objectives

### Connectivity

Establish comprehensive transit, pedestrian, bicycle and road networks that connect to retail, life sciences employment, academic facilities, and local and regional parks by:

- improving pedestrian safety at major intersections and strengthening connections between the districts in the Life Sciences Center
- creating an engaging pedestrian environment along streets with building facades and spaces that define and activate the public realm
- providing on-street parking wherever possible
- connecting people to the regional Metrorail system via the CCT.

### Design

Create a sustainable community focused on cutting-edge medical, science, and technology research and applications by:

- supporting the construction of flexible and multi-purpose buildings that allow changes in use
- encouraging aggressive use of building systems and technologies to decrease energy use, and reduce carbon emissions
- encouraging design excellence through use of innovative building materials, facade articulation, street-oriented buildings, and sustainable building practices.

### Environment

Reduce impact on the natural environment by:

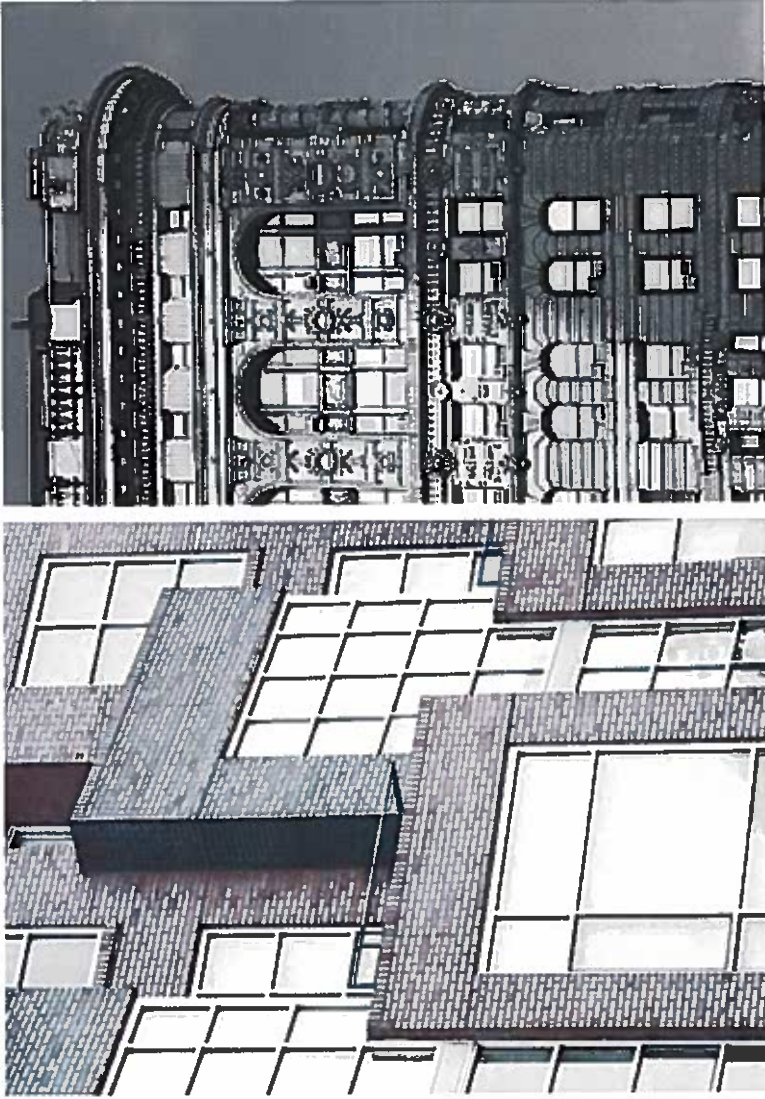
- creating walkable environments that reduce our reliance on automobiles
- using innovative stormwater management techniques to meet Environmental Site Design (ESD) guidelines for urban areas
- promoting energy conservation and generation as a primary building and public space design feature
- encouraging building massing that sustains air flow and access to natural light
- integrating active and passive sustainable features and technologies into building and open space design.

### Diversity

Create a true mix of uses to support an active urban environment that supports the life sciences by:

- implementing land use patterns that combine laboratories, offices and academic institutions along with residential, office, and retail uses
- creating housing opportunities that accommodate a range of family needs
- creating an attractive, compact built environment that fosters collaboration between professionals and academics in a variety of disciplines.



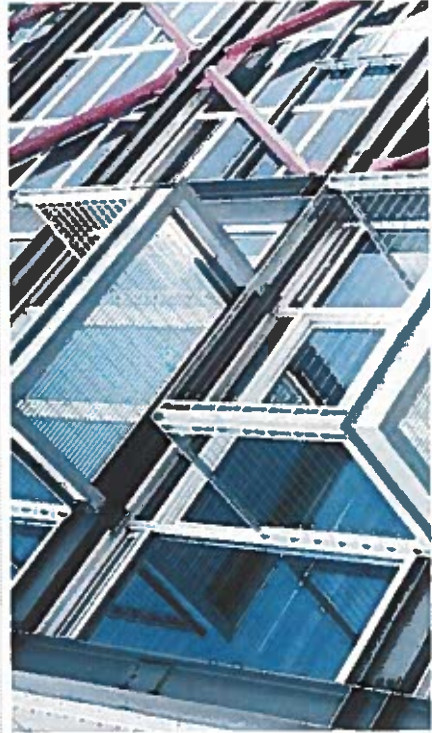


*Right:*  
**The Beauregard**  
 Washington, D.C.  
 Sorg & Associates

*Far Right:*  
**Flatiron Building**  
 New York, NY  
 Daniel Burnham

*Below:*  
**156 West Superior**  
 Chicago, IL  
 Miller Hull Partnership

## Facade Articulation

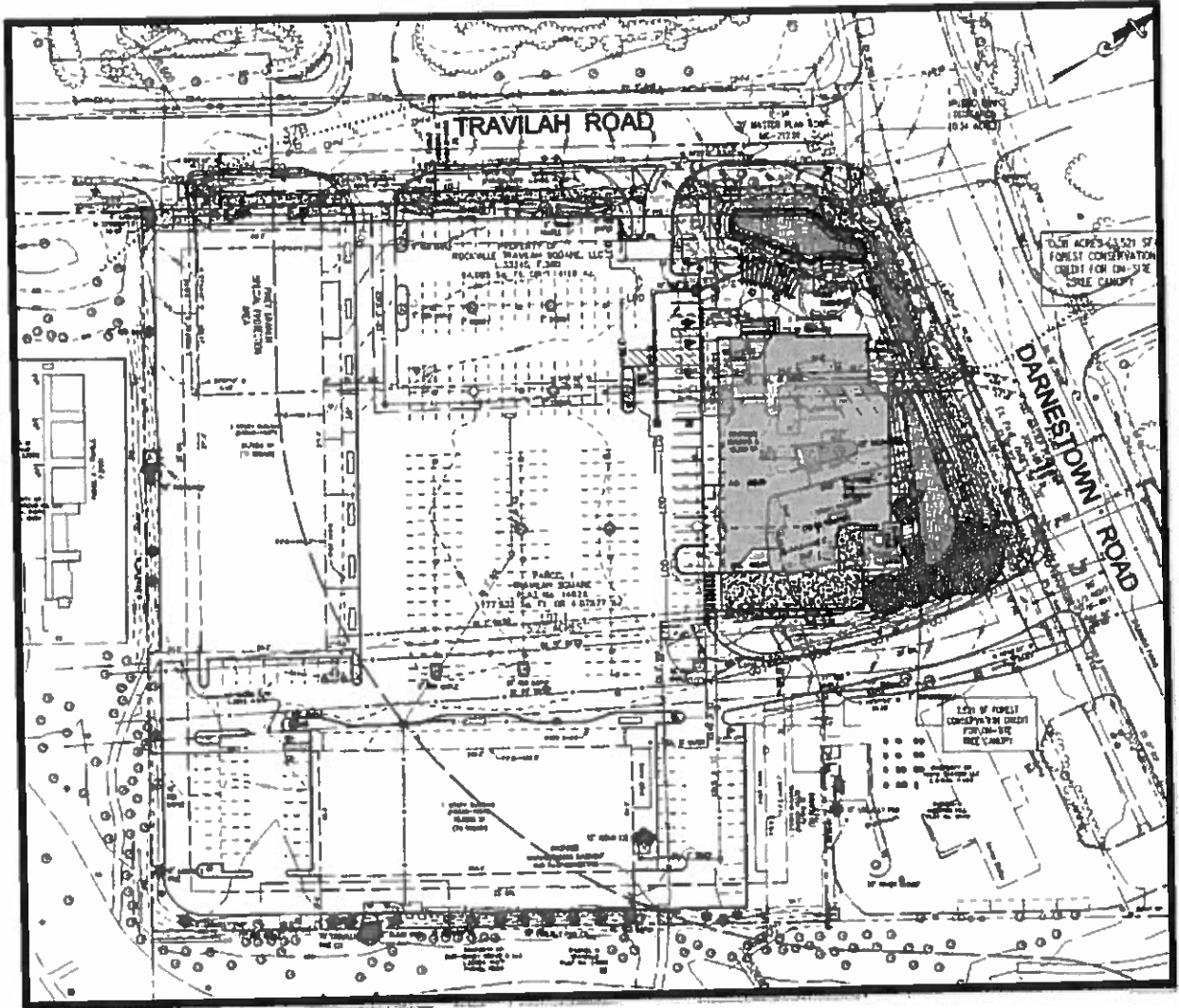


Facades should be articulated to promote pedestrian activity, enhance the overall urban environment, and create a diversity of architectural styles.

- Incorporate the most public and active building space on the ground floor to activate the street.
- Create retail frontages that are as transparent as possible. Avoid long stretches of blank walls.
- Design building entrances to be in the street frontage.
- Provide vertical articulation along street walls to reduce their visual length.
- Use materials, finishes, and architectural features that refine building facades by creating visual interest and texture.
- For residential buildings, consider using balconies to provide variation in facade depths.

# ATTACHMENT 5

82013007A Travilah Square Final Forest Conservation Plan





# ATTACHMENT 6



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
*County Executive*

Diane R. Schwartz Jones  
*Director*

September 1, 2016

Mr. Peter Stone  
Pennoni Associates Inc.  
8818 Centre Park Drive  
Columbia, Maryland 21045

Re: Stormwater Management  
**CONCEPT RECONFIRMATION**  
for Travilah Square  
SWM Concept #246672

Dear Mr. Stone:

Your request for a stormwater management reconfirmation for the above site has been evaluated. The original approved SWM concept dated 5/23/2013 is hereby reconfirmed. Please adhere to all conditions required as part of that approval.

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

Sincerely,

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

Cc: SM File #: 246672

---

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTY  
[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

[montgomerycountymd.gov/311](http://montgomerycountymd.gov/311)



240-773-3556 TTY

## **ATTACHMENT 7**

### **DPS-ROW CONDITIONS OF APPROVAL**

**July 7, 2016**

#### **82013007A Travilah Square**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

**"07-BSITE-82013007A-004.pdf V2"** uploaded on/ dated **"7/5/2016"** and

The followings need to be addressed prior to the certification of site plan:

1. Please check the existing site conditions: the portion of sidewalk in front of the adjacent property on Darnestown Road has already been constructed. Please show the existing sidewalk and adjust the LOD accordingly.
2. Provide at least one (1) foot of maintenance strip for all frontage sidewalks.
3. Amend/ provide proper design and signage for the right-out access point.
4. Amend landscape plan to show proposed street trees and species. Species need to be from the DOT approved species list. Minor trees are to be planted along Darnestown Road at 30' spacing. Major trees are to be planted along Travilah Road at 50' spacing except where there are OH wires. Street trees need to extend to limits of new sidewalk on both street frontages.
5. Please coordinate with Commuter Services Section for the followings:
  - a. The applicant for the preliminary plan # 12011034A and signatory for its associated TMAg has changed. Therefore, we need a completed assignment from Finmarc Management. It is Exhibit C to the TMAg. Please contact Beth Dennard or Sande Brecher if there are any questions.
  - b. Please ensure the site plan includes a carsharing space as required in the Section 6 of the TMAg.



---

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

**DATE:** 27-Jul-16  
**TO:** Peter Stone - peter.stone@phra.com  
Patton Harris Rust & Associates  
**FROM:** Marie LaBaw  
**RE:** Travilah Square Trader Joe's (see 820130070)  
82013007A

**PLAN APPROVED**

1. Review based only upon information contained on the plan submitted 27-Jul-16 .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

## Shirley, Lori

---

**From:** Lincoln, Stephen M <Slincoln@washgas.com>  
**Sent:** Tuesday, September 06, 2016 11:54 AM  
**To:** Shirley, Lori  
**Subject:** RE: Non-DRC Plan Review Request for 12011034B - Travilah Square  
**Attachments:** Travilah Square.pdf

Lori,

Per your request, I have reviewed the plans of "Travilah Square", dated March 30, 2016. There are gas facilities in the area that may be affected by this proposed project, however they were not shown in the provided plans. Please have the applicant submit updated plans that show the existing gas lines so that I can evaluate any potential conflicts. In addition, the following information is requested:

- **Test Pit Data:** These should be performed at any proposed utility crossings or where proposed structures will be within 5' of the existing gas line. Significant grade changes will also require test pits.
- **Schedule/Timeframe:** Please provide a milestone schedule of your proposed work. Please call out when you need a relocation design done by, when you need gas facilities moved by, and when you intend to start your construction efforts.
- **Owners/Responsible Parties:** Please provide a list of individuals responsible for this project; their positions and contact information.

I have attached to this letter the current layout of the area from our mapping system. As-builts of the facilities in the area can be provided as needed. If you decide to deviate from the plans detailed above, be sure to provide Washington Gas with an updated copy before performing any work. Be advised that updated plans will be subject to a full re-review process. Please use caution when excavating near or paralleling with Washington Gas Facilities. Be sure to notify "MISS UTILITY" (811) at least 48 hours prior to the start of an excavation for confirmation. Should you have any questions regarding potential conflicts, questions, or concerns, do not hesitate to contact me via the methods listed herein.

Sincerely,

---

## STEPHEN LINCOLN

SP Engineer II – System Replacement  
Washington Gas | A WGL Company  
P 703.750.4739 | M 571.308.5261 | [slincoln@washgas.com](mailto:slincoln@washgas.com)  
6801 Industrial Rd., Springfield, VA 22151

**ENERGY ANSWERS. ASK US.**

[WashingtonGas.com](http://WashingtonGas.com)   





DEPARTMENT OF TRANSPORTATION

Isiah Leggett  
County Executive

July 12, 2013

Arthur Holmes, Jr.  
Director

Mr. Patrick Butler, Senior Planner  
Area 2 Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 12011034A  
Travilah Square

*Patrick*  
Dear Mr. Butler:

We have completed our review of the amended preliminary plan dated March 29, 2013. An earlier version of this plan was reviewed by the Development Review Committee (DRC) at its meeting on February 4, 2013. We recommend approval of the plan subject to the following comments:

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

1. Necessary dedication for future widening of Darnestown and Travilah Roads in accordance with the master plan.

The amended preliminary plan now reflects proposed typical sections for Darnestown and Travilah Roads. These typical sections are consistent with the 2005 Approved and Adopted Great Seneca Science Corridor Master Plan, as well as comments provided by MCDOT and M-NCPPC at the February 4<sup>th</sup> DRC meeting.

Please note that the typical section proposed for Travilah Road (MCDOT design standard 2003.10) is NOT THE CORRECT APPLICATION for the section of Travilah Road abutting this site. Design standard MC-2003.10 provides only a two-lane roadway, which is appropriate for those sections of Travilah Road without auxiliary turn lanes. However, approaching the intersection with Darnestown Road, Travilah Road has two northbound approach lanes and one southbound departure lane. The correct typical section for this part of Travilah Road (as required of other recent nearby developments) is MC-212.01. We regret any inconvenience caused by this discovery.

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878  
Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080  
trafficops@montgomerycountymd.gov

2. Grant necessary slope, drainage, and Public Utilities easements. Slope easements are to be determined by study or set at the building restriction line.
3. Submit storm drain study prior to submission of the record plat. Analyze the capacity of the existing downstream public storm drain system and the impact of the post-development ten (10) year storm runoff on same. If the proposed subdivision drains to an existing closed section street, include spread computations in the impact analysis.
4. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
5. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.

Private common driveways shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan.

6. Record plat to reflect denial of access along the Darnestown Road site frontage, except at the location of the approved private common driveway.
7. The plan indicates this site is located in the Piney Branch Special Protection Area watershed. In accordance with Section 49-33(l) of the Montgomery County Code, curb and gutter may not be installed in the public rights-of-way in an environmentally sensitive watershed unless certain waiver criteria have been satisfied. The applicant will need approval from the Department of Permitting Services to allow construction of closed section roadway improvements along the Travilah Road and Darnestown Road site frontages.
8. In accordance with Section 50-35(n) of the Montgomery County Code, we recommend the Montgomery County Planning Board require the applicant to construct an off-site sidewalk along Darnestown Road to connect with the existing sidewalk in front of the Human Genome Sciences site.
9. The parking layout plan will be reviewed by the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, handicap parking spaces and access facilities, and sidewalks. The applicant may wish to contact Mr. Sam Farhadi of that Department at (240) 777-6333 to discuss the parking lot design.



10. For safe simultaneous movement of vehicles, we recommend a driveway pavement width of no less than twenty four (24) feet to allow vehicles to enter and exit the site without encroaching on the opposing lanes. This pavement width will permit an inbound lane width of fourteen (14) feet and an exit lane width of ten (10) feet.
11. Curb radii for intersection type driveways should be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site.
12. Truck loading space requirements to be determined in accordance with the Executive Branch's "Off-Street Loading Space" policy.

The parking lot layout and/or the truck circulation plan should be amended, at the building permit stage, to preclude the potential conflict between truck movements and on-site parked cars.

13. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.
14. Where perpendicular parking spaces border a sidewalk, a two (2) foot vehicle overhang is assumed. The applicant should either provide a seven (7) foot wide sidewalk or wheelstops within those parking spaces.
15. For any parking facility containing more than fifty (50) parking spaces, the applicant needs to furnish bicycle parking facilities as required Section 59 E-2.3 of the Montgomery County Code. Accordingly, the applicant should provide either bike lockers or inverted "U" type bike racks.
16. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
17. Geometrics for the intersection of Travilah Road and Darnestown Road will be reviewed by the Department of Permitting Services as part of their review of the building permit application. Included in that review will be the redesign of the existing turn lanes. We advise the applicant to submit their traffic volume data to the DPS Right-of-Way Plan Review Section (in advance of their building permit applications) to verify their intersection improvement requirements and the acceptability of their design.
18. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.

19. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
20. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
21. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with Brett Linkletter, Chief of the Division of Highway Services, Tree Maintenance Section at (240) 777-7651.
22. Prior to approval of the record plat by MCDPS, the applicant will need to enter into a Traffic Mitigation Agreement with the Planning Board and this Department. Within MCDOT, the applicant should coordinate with Ms. Sandra Brecher, Chief of the Division of Transit Services/Commuter Services Section. Ms. Brecher may be contacted at 240-777-5800. The TMAg will include but not be limited to the following provisions:
  - a. Car Sharing Parking: provide at least two (2) car sharing vehicle parking spaces in highly visible preferentially-located spots that are accessible to the public.
  - b. Electric Vehicle Charging: provide two (2) electric vehicle charging stations on site
  - c. Bicycle Facilities: provide bicycle storage for the number of bicycle parking facilities specified in Planning Board approvals or sufficient to meet demand in the event demand exceeds the number specified.
23. To maximize the usage of the new bus stop facility proposed as part of the Application along the Property's Darnestown Road frontage and to enhance access to transit:
  - a. Building frontages should provide two-way visibility to shuttles, transit vehicles, taxis, etc.
  - b. Provide the minimum number of parking spaces to encourage use of non-auto forms of transportation.

- c. Incorporate display space into retail space with high pedestrian activity. Displays will contain materials explain transportation options in the Greater Shady Grove Transportation Management District.
24. Provide space for one 19-dock bikesharing station. The location of the station will be selected by the Applicant with approval of MCDOT based on the requirements of the bike sharing system (in a highly-visible, convenient and well-lit location on the Project). The project will be required to pay the capital costs of such stations and twelve (12) years of operating costs as a public benefit under the CR zone provisions. Plans should include placing the bikeshare station in a location accessible to bike infrastructure (near the new shared-use path & sidewalk along the perimeter of the site).
  25. We support construction of the leadwalk between Darnestown Road and the southern sidewalk behind the building, as shown on the amended preliminary plan.
  26. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
    - A. Across the Travilah Road site frontage, widen the existing pavement to thirty six (36) feet and construct curbs, gutters, five (5) foot wide concrete sidewalk and handicap ramps, and storm drainage and appurtenances, and plant street trees in accordance with MCDOT design standard no. MC-212.01 ("Primary Residential Road").


Reconstruct the existing channelized entrance (at the northernmost driveway on Travilah Road) as necessary to facilitate northbound right turn truck movements into the site and pull the eastern tip of the island back outside the sidewalk area.
    - B. Across the Darnestown Road site frontage, construct five (5) foot wide concrete sidewalk and plant street trees. Reconstruct the northeastern curb return to tighten the curb radius and reduce pedestrian crossing distances.

Extend the sidewalk if required by the Planning Board under comment no. 8.
- \* **NOTE: the Public Utilities Easement is to be graded on a side slope not to exceed 4:1.**
- C. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements. Additional improvements to the public storm drain system may be required as a result of the study discussed in comment no. 3.
  - D. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.

Mr. Patrick Butler  
Preliminary Plan No. 12011304A  
July 12, 2013  
Page 6

- E. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- F. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at [greg.leck@montgomerycountymd.gov](mailto:greg.leck@montgomerycountymd.gov) or (240) 777-2197.

Sincerely,  
  
Gregory M. Leck, Manager  
Development Review Team

m:/correspondence/Traffic/FY14/Active/12011304A, Travilah Square, MCDOT plan review comments ltr.doc

Enclosure

cc: Lawrence H. Brozek; Rockville Travilah Square LLC  
Peter Stone; Patton Harris Rust & Associates  
Erin E. Girard; Linowes & Blocher, LLP  
Lori Shirley; M-NCPPC Area 2  
Edward Axler; M-NCPPC Area 2  
Catherine Conlon; M-NCPPC DARC  
Preliminary Plan folder  
Preliminary Plan letters notebook

cc-e: Atiq Panjshiri; MCDPS RWPR  
Sam Farhadi; MCDPS RWPR  
Mark Etheridge; MCDPS WRPS  
Leo Galanko; MCDPS WRPS  
Sandra Brecher; MCDOT CSS  
Anne Root; MCDOT DO  
Dan Sheriday; MCDOT DTE  
Dan Sanayi; MCDOT DTEO  
Bruce Mangum; MCDOT DTEO  
Fred Lees; MCDOT DTEO  
Kyle Liang; MCDOT DTEO  
Andrew Bossi; MCDOT DTEO

## Shirley, Lori

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**From:** Torma, Rebecca <Rebecca.Torma-Kim@montgomerycountymd.gov>  
**Sent:** Thursday, September 22, 2016 4:11 PM  
**To:** Shirley, Lori  
**Cc:** sam.farhadi; Leck, Gregory  
**Subject:** Travilah Square Preliminary Plan Amendment

Good Afternoon,

This email is to amend our July 12, 2013, letter for the Travilah Square preliminary plan amendment (12011034B) with regards to the following two conditions.

- Condition #9 "The parking layout plan will be reviewed by the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, handicap parking spaces and access facilities, and sidewalks. The applicant may wish to contact Mr. Sam Farhadi of the Department at 240-777-6333 to discuss the parking lot design."

This condition is being eliminated with this amendment. It is our understanding, that the Department of Permitting Services no longer reviews parking layouts.

- Condition #20 "If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant."

This condition should be amended to provide a new contact person. Therefore, the following condition should be revised to state "If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Kamal Hamud of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant."

The above conditions are the only ones to be amended. Please let me know if you need anything further.

Thank you.

**\*\*\* Please note the link below to our revised application form \*\*\*\***

<https://www.montgomerycountymd.gov/dot-dir/Resources/Files/DevRevApplication.pdf>

Rebecca Torma | Senior Planning Specialist  
Development Review Team  
Office of Transportation Policy  
Montgomery County Department of Transportation  
101 Monroe Street, 10th floor  
Rockville, MD 20850