MCPB Item No. **6** Date: 1/12/2017

Burtonsville Starbucks Drive-Thru, Conditional Use No. 17-06



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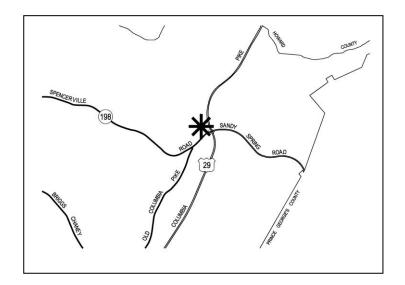
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Completed: 12/30/2016

Description

- Request for conditional use approval to operate a drive-thru use as an accessory use to a new Starbucks restaurant (Project)
- Site Address: 15600 Old Columbia Pike, Burtonsville, MD 20866
- Site Size: 0.24 acres
- Zone for Drive-Thru Use: CRT-1.5, C-1, R-1.25, H-70 (Commercial Residential Town-1.5 Max. FAR, Nonresidential-1 Max. FAR, Residential-1.25 Max. FAR, Height Max. 70 ft.)
- Master Plan: Burtonsville Crossroads Neighborhood Plan
- Applicant: Burtonsville Towne Square, LLC c/o BMC Property Group
- Filing Date: Oct. 14, 2016
- Hearing Examiner public hearing Feb. 3, 2017



SUMMARY

- With recommended conditions, the conditional use conforms to section 59-4.5.1 (Commercial/Residential Zones), section 59-7.3.1 (Conditional Use) and section 59-3.5.14.E. 2b (Drive-Thru Use Standards) of the Montgomery County Zoning Ordinance.
- Pursuant to section 59-3.1.6 (Use Table) of the Montgomery County Zoning Ordinance, a drive-thru use is allowed in the CRT zone with an approved conditional use.
- Pursuant to section 59-7.7.1.A.1, the new restaurant building at this location is grandfathered under the 2004 zoning ordinance and C-2 zone development standards, and is not part of this review.
- The use is consistent with the Burtonsville Crossroads Neighborhood Plan.
- The Project complies with Montgomery County Environmental Guidelines.
- There are no significant land use or environmental impacts associated with the request.

Section I: Staff Recommendations and Conditions of Approvals

Staff recommends approval of Conditional Use No. CU-17-06, subject to the following conditions:

- 1) Operation of the drive-thru use is limited to that shown on the applicant's site plans dated October 7, 2016.
- 2) Permitted hours of operation are seven days a week from 5:30 a.m. to 11:00 p.m.
- 3) The applicant shall conform to relevant conditions set forth in Preliminary Plan No. 12004109, or as such preliminary plan may be amended pursuant to Chapter 59 of the Montgomery County Code (Zoning Ordinance).

Section II: Project Description

A. Legal Framework

On March 21, 2006, the Planning Board approved Preliminary Plan No. 12004109 for the development of the property under the C-2 zone. The preliminary plan approved up to 250,000 sq. ft. of retail space and 10,000 sq. ft. of other commercial space on the 27.21 acres of land.

In the year 2010, the applicant constructed the pad site, which included curbs, sidewalks, handicapped ramps, utilities, storm drains, driveways (including the drive-thru lane), parking areas, lighting, and other site improvements.

In 2013, the property was rezoned from the C-2 zone to the CRT zone under the 2004 zoning ordinance. On March 4, 2014, the County Council adopted a new zoning ordinance (effective October 30, 2014).

Of the 260,000 sq. ft. of development approved by Preliminary Plan No. 1200409, approximately 120,000 sq. ft. has been construction.

Aerial photographs submitted by the applicant show the subject building pad site as developed and present in 2012, 2014, and 2017.

On December 28, 2016, the Hearing Examiner issued an order that determined the applicable zoning and development standards for the Project. Pursuant to the order, the development standards of the former C-2 zone (section 59-C-4.35 of the 2004 zoning ordinance) shall be applied to physical improvements to the property, and the use criteria of section 59-3.5-14.E of the 2014 zoning ordinance.

Therefore, this analysis will review the request for a conditional use drive-thru use only under the criteria of section 59-3.5-14.E of the 2014 zoning ordinance. The physical improvements related to the construction of the new restaurant building are not part of this review.

B. Background

The applicant, Burtonsville Towne Square, LLC, has requested approval of a conditional use to allow the operation of drive-thru use located in the CRT-1.5, C-1, R-1.25, H-70 zone (hereinafter referred to as CRT zone) pursuant to section 59-7.3.1 (Conditional Use) and

section 59-3.5.14.E 2.b (Accessory Commercial Uses, Drive-Thru) of the Montgomery County Zoning Ordinance (Project). Currently, the property is a 0.23-acre undeveloped pad site within an existing shopping center commonly known at the Burtonsville Towne Square. The drive-thru use will be operated as an accessory use to a new 2,278 sq. ft. Starbucks restaurant.



Figure 1 – 15600 Old Columbia Pike, Burtonsville, MD (Project Area Highlighted)

C. Site Description

The property is in the northwest quadrant of Old Columbia Pike and MD 198 in the Burtonsville Town Square shopping center. The overall shopping center consists of approximately 120,000 sq. ft. of building area, with associated parking, on 27.21 acres of land area.

There are no streams, wetlands, or known rare or endangered species present. There are no historically significant structures or sites located on or near the property.

Table 1 Site Description

Site Address:	15600 Old Columbia Pike, Burtonsville, MD 20866	
Access:	Old Columbia Pike/Sandy Spring Road and MD 198	
Zoning:	CRT	
Land Use Description:	Retail	
Master Plan:	Burtonsville Crossroads Neighborhood Plan	
Septic Tier:	Tier 1: Sewer existing	
Site Area:	0.24 acres	
Parking Spaces:	Minimum of 5 queuing spaces required for a drive-thru use	

D. Neighborhood Description

For the purposes of this application, staff has defined the surrounding neighborhood as property generally located within 2,000 ft. of the subject property. The neighborhood primarily consists of suburban and highway-oriented commercial uses including, retail, restaurants, offices, and neighborhood services. There are no known pending or proposed project approvals in the neighborhood vicinity. Table 2 below displays the existing zoning and land uses within 2,000 ft. of the property.

Table 2 - Neighborhood Description

Existing Z	oning		
Subject:	CRT		
North	RC (Rural Cluster)		
South:	 CRT-1.5, C-1.0, R-1.25, H-75 (Commercial Residential Town-1.5 Max. FAR, Nonresidential-1 Max. FAR, Residential-1.25 Max. FAR, Height Max. 75 ft.) CRN-0.5, C-0.5, R-0.25, H-35 (Commercial Residential Neighborhood-0.5 Max. FAR, Nonresidential-0.5 Max. FAR, Residential-0.25 Max. FAR, Height Max. 35 ft.) 		
	 R-200 (Residential 20,000 sq. ft. min. parcels) EOF-0.75, H-100 T (Employment Office 0.75 Max. FAR, Height Max. 100 ft.) 		
East:	• CRT-1.5, C-1.0, R-1.25, H-75		
	• EOF-075, H-100 T		
	• IM-2.5, H-50 (Moderate Industrial 2.5 Max. FAR, Height Max. 50 ft.)		
	• RC		
West:	RC		
Existing L	and Use		
Subject:	Shopping center (Giant as anchor store)		
North:	Vacant/open space, residential detached dwellings		
South:	Retail, industrial, institutional, research and development, residential detached		
	dwellings		
East:	Retail, office, warehouse, residential detached dwellings		
West:	School, residential detached dwellings, vacant/open space		



Figure 2 - 2,000 Ft. Vicinity Neighborhood Map

E. Zoning History

The Burtonsville Crossroads Neighborhood Plan was adopted in in 2012. To implement Plan recommendations, the property was zoned from C-2 (General Commercial) and RC (Rural Cluster) to CRT. The CRT zone is intended to allow a mix of residential and nonresidential uses at appropriate densities and heights, support infill, and allow development at the scale of a smaller town or neighborhood.

- In 2006, Preliminary Plan No. 12004109 authorized the development of up to 250,000 sq. ft. of retail space and 10,000 sq. ft. of other commercial/office space in the shopping center.
- In 2008 and 2009, the Planning Board approved subsequent amendment to the Preliminary Plan.
- An amendment to the final Forest Conservation Plan No. 12004109C for the shopping center was approved by the Planning Board in 2014.
- In 2012, the Board of Appeals approved Special Exception No. S-2839 which authorized a drive-thru restaurant (Roy Rogers). This restaurant is located on the same shopping center property and is adjacent to the Project. There are no other known previous special exception or conditional use cases associated with the property.



Figure 3 - 2,000 Ft. Vicinity Zoning Map

F. Proposed Use

The Project consists of the operation of a drive-thru service window as an accessory use to a new Starbucks restaurant on an existing building pad at an existing shopping center. (See site plan figures below.)

The Project will feature an existing single drive-thru lane that will accommodate six vehicles at once. The drive-thru lane is located within the existing paved driveway aisle, located to the north and east of the new building. Pedestrian access is provided directly from the sidewalk along Old Columbia Pike and by marked crosswalks from within the shopping center parking lot. Vehicular access is provided through existing driveways located internal to the shopping center. Proposed are additional sidewalks to facilitate improved pedestrian connections to the restaurant.

The drive-thru service may operate seven days a week, between the hours of 5:30 a.m. and 11:00 p.m. The indoor seating capacity is approximately 40 persons. The outdoor seating capacity is approximately 15 persons. The restaurant may employ up to 20 persons with a maximum of eight persons working at a time.



Figure 4 – Northwesterly view towards existing building pad (grassy area) from parking area



Figure 5 – Easterly view of existing building pad (grassy area) from shopping center parking area towards Old Columbia Pike

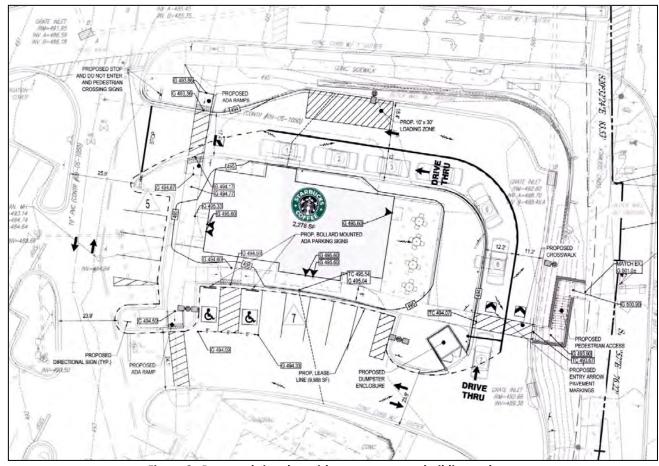


Figure 6 - Proposed site plan with new restaurant building and existing building pad, drive-thru lane, and parking.

Section III: Analysis and Findings

1. Development Standards

As discussed in Section II A above, the proposed Starbucks restaurant building is not part of this review. Also, the drive-thru lane is not part of this review because it is clearly grandfathered under section 59-7.7.1.A.1. Photographs document that the drive-thru lane existed prior to the effective date of the 2014 zoning ordinance and the drive-thru lane conforms to the definition of "site design" that is grandfathered under section 59-7.7.1.A.1 of the 2014 zoning ordinance.

Therefore, the development standards contained in section 59-6.2.7 (Queueing Design Standards) of the 2014 zoning ordinance are not part of this review because the drive-thru lane presently exists and it is a grandfathered site design. This report will analyze only the requested drive-thru use as an accessory use to the Starbucks restaurant.

Master Plan:

Burtonsville lies in the eastern corner of Montgomery County and is centered at the crossroads of highways US 29 and MD 198. The property is located within the Burtonsville Crossroads Neighborhood Plan and the Village Center Business 29 Neighborhood subarea—approximately ten miles northeast from downtown Silver Spring. The subarea consists of larger-sized properties including the Burtonsville Crossing Shopping Center, Burtonsville Office Park, a publicly-owned commuter parkand-ride lot, and the Burtonsville Town Square Shopping Center.

The Master Plan discusses interrelated themes to address challenges and opportunities with land development to create a more complete, connected, and sustainable community. The Project is compatible with the following themes (policies) contained in page seven of the Master Plan:

 Connectivity—create an expanded network of streets, bikeways, and pedestrian routes.

To facilitate improved pedestrian connections, the Project (as an accessory use to restaurant) will provide additional pedestrian connections. Additional sidewalks will link the Project to an existing walkway located parallel to the shopping center driveway entrance. Further, the Project will provide a stairway at the eastern boundary of the property to provide a new, direct pedestrian link from Old Columbia Pike. Accordingly, the Project supports this policy.

 Economy-improve the local economy with a mix of uses and new implementation tools. The Project will complement the existing mix of uses in the Village Center Business 29 Neighborhood subarea and the shopping center. Uses include a Giant supermarket, Dunkin Donuts, Petco animal supplies, Capital One Bank, Montgomery County Liquor and Wine, hair salon, and various other services and restaurants. Also, an existing vacant building pad within the shopping center will be developed and utilized as planned. The Project will contribute to the local economy and provide employment opportunities, and contribute to the County's tax base. As such, the Project supports this policy.

Environment–preserve tributary headwaters and maintain rural character.

The Project complies with approvals issued by the stormwater management plan approved by the Dept. of Permitting Services (DPS) in 2009 for the shopping center development. The Project is located within the limits of disturbance shown on the approved stormwater management plan. The property is highly disturbed and not located in a rural edge area. Therefore, the Project supports this policy.

3. Transportation

The Project site is situated in the Burtonsville Town Square shopping at the northwest quadrant of Old Columbia Pike and MD 198 in Burtonsville. Vehicular access to the restaurant and drive-thru is internal to the shopping center. The existing vehicular and pedestrian configurations were approved and built as part of Preliminary Plan No. 12004109. The drive-thru service window is situated in the northwest section of the building pad such that drive-thru operations will have adequate queuing area. Pedestrian access is by way of internal walkways through the parking lots within the shopping center. Also, the applicant proposes to provide direct pedestrian access from the walkway adjacent to Old Columbia Pike. As shown on the site plan, new stairs are provided to link the pedestrian walkway to the restaurant. Therefore, there would be no significant impact to transportation.

4. Parking

Parking is not part of this review because the parking and drive-thru lane were approved and built as part of Preliminary Plan No. 12004109. As such, this standard is not applicable.

5. Landscaping

Landscaping is not part of this review because the landscaping plan was approved and planted as part of Preliminary Plan No. 12004109. As such, this standard is standard is not applicable. However, it should be noted the existing shopping center landscaping provides partial screening of the Project from Old Columbia Pike. The land slopes down

from the Old Columbia Pike roadway to the building pad by about seven feet., which provides screening of the drive-thru lane. Additionally, the applicant proposes two shade trees to further screen the drive-thru lane from off-site views. Upon maturation of the shade trees, the tree foliage is expected to provide adequate screening. Other landscaping proposed includes additional shade trees, deciduous shrubs, evergreen shrubs, perennials, and ornamental grasses, as indicated on the applicant's landscape plan.

6. Outdoor Lighting Requirements

Outdoor lighting requirements are not part of this conditional use application. Outdoor lighting requirements associated with the Project will be reviewed pursuant to the conditions and requirements of Preliminary Plan No. 12004109.

7. Signs

Signs are not part of this conditional use application. As such, this standard is not applicable.

8. Environment and Forest Conservation

The property site is currently developed with a shopping center and parking lots. The Project consists of a use within an existing building pad area. The site contains no wetlands, streams, protected soils, endangered species, seeps, or other natural features. The Project site is not located within a Special Protection Area. A Final Forest Conservation Plan (FCP) was approved for the shopping center on February 19, 2014. The Project is within the approved limits of disturbance of the FCP and no additional approvals are required.

On June 3, 2009, the Stormwater Management Plan was approved. The Project is included within the limits of disturbance shown on the approved Stormwater Management Plan and no additional approvals are required.

9. Community Concerns

At the time of the publication of the staff report, no communication has been received by Montgomery County Planning Department from community organizations or members of the public.

Section IV: Compliance with Necessary Findings

- 1. Section 59.7.3.1. Conditional Use
- E. Necessary Findings
- 1. To approve a conditional use application, the Hearing Examiner must find that the proposed development:
 - a. Section 59.7.3.1.E.1.a: Satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;
 - **Staff Response:** This finding is satisfied. Currently, the overall property is developed in substantial conformance with Preliminary Plan No. 12004109B as a shopping center. As discussed in Section II above, the existing drive thru lane is grandfathered under section 59-7.7.1.A.1. The Project consists of drive-thru use at a new Starbucks restaurant. Therefore, with the approval of the conditional use, the Project complies with the applicable requirements under the approved preliminary plan.
 - b. Section 59.7.3.1.E.1.b: Satisfies the requirements of the zone, use standards under Article 59-3 (Uses and Use Standards), and to the extent the Hearing Examiner finds necessary to ensure compatibility, meets applicable general requirements under Article 59-6 (General Development Requirements);
 - **Staff Response:** This finding is satisfied. The Project satisfies applicable provisions under Article 59-3 (Uses and Use Standards) as shown in Section IV of this report. Section 59-6 (General Development Requirements) is not applicable because the drive-thru lane exists and is built as authorized by the approved preliminary plan for the shopping center.
 - c. Section 59.7.3.1.E.1.c: Substantially conforms with the recommendations of the applicable master plan.
 - Staff Response: This finding is satisfied. The Project is located within the Burtonsville Crossroads Neighborhood Master Plan. The Master Plan provides guidelines for the design and development of public and private land. As discussed in Section III 2 above, the Project substantially conforms with the applicable policies and recommendations contained in the Master Plan.

d. Section 59.7.3.1.E.1.d: Is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan.

Staff response: This finding is satisfied. The Project is harmonious with, and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan because it is located on an existing building pad site with a drive-thru lane, adequately buffered with landscape, and sufficiently located away from any sensitive land uses or dwelling units. The drive-thru use is consistent with the nature of surrounding commercial uses and neighborhood.

e. Section 59.7.3.1.E.1.e: Will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity, or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area; a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of an area.

Staff Response: This finding is satisfied. As discussed in Section III of this report, the Project substantially conforms to the polices and recommendations contained in the Master Plan. Further, the Master Plan recognizes that the shopping center is unlikely to be redeveloped during the life of the plan (pg. 42). A drive-thru use associated with a restaurant is customary with similarly designed and located shopping centers. There are no residential areas that would be adversely affected or altered by the Project because the Project site is sufficiently located away from residential uses to the north and it is buffered by the existing shopping center buildings.

- f. Section 59.7.3.1.E.1.f: will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the conditional use is equal or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required and:
 - i. If a preliminary subdivision plan is not filed concurrently or required subsequently, the Hearing Examiner must find that the proposed development will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, or storm drainage; or

ii. If a preliminary plan of subdivision is filed concurrently or required subsequently, the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage.

Staff Response: This finding is satisfied. The Project is not subject to a preliminary plan of subdivision because the subject property is platted as Parcel B Burtonsville Shopping Center. The adequacy of the public facilities for the shopping center buildout was determined by Preliminary Plan No. 12004109B. Therefore, a new adequate public facilities test is not required for the Project because the Project is a use that will not cause an increase in square footage or development beyond the approved preliminary plan.

- g. Section 59.7.3.1.E.1.g: will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:
 - i. The use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;
 - ii. Traffic, noise, odors, dust, illumination or lack of parking; or
 - iii. The health, safety or welfare of neighboring residents, visitors or employees.

Staff Response: This finding is satisfied. The inherent physical and operational characteristics associated with a drive-thru use will not cause undue harm to the neighborhood. There are no non-inherent conditions as a result of this application. The inherent characteristics include:

- Vehicle and pedestrian trips to and from the restaurant;
- Circulation system for the drive-thru facility;
- Parking for customers and employees;
- Varied hours of operation;
- Noise or odors associated with vehicles and a drive thru facility; and
- Lighting.

These characteristics are inherent and typically associated with drive-thru uses and do not exceed what is normally expected. Residential uses adjoining the shopping center site to the north are well-buffered from the Project in distance and by existing shopping center buildings. Further, the Project must comply with the County Noise Control Ordinance (Chapter 31B of the County Code), and as such would not create excessive

noise. The Project would cause no adverse effect with regard to inherent or non-inherent characteristics, or combination thereof, or in any of the following categories: the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood; traffic, noise, odors, dust, illumination or lack of parking; or the health, safety or welfare of neighboring residents, visitors or employees.

2. Any structure to be constructed, reconstructed, or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.

Staff Response: This finding is not applicable. The Project is not located in a Residential Detached zone.

3. The fact that a proposed use satisfies all specific requirements to approve a conditional use does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require conditional use approval.

Staff Response: Acknowledged by the applicant.

4. In evaluating the compatibility of an agricultural conditional use with surrounding Agricultural or Rural Residential zoned land, the Hearing Examiner must consider that the impact does not necessarily need to be controlled as stringently as if it were abutting a Residential zone.

Staff Response: This finding is not applicable. The Project site is in the CRT zone and is not surrounded by agricultural or rural residential zoned land.

- 5. The following conditional uses may only be approved when the Hearing Examiner finds from a preponderance of the evidence of record that a need exists for the proposed use to serve the population in the general neighborhood, considering the present availability of identical or similar uses to that neighborhood:
 - i. Filling Station;
 - ii. Light Vehicle Sales and Rental (Outdoor);
 - iii. Swimming Pool (Community); and
 - iv. the following Recreation and Entertainment Facility use: swimming pool, commercial.

Staff Response: The finding is not applicable. The Project is a not a Filling Station, Light Vehicle Sales and Rental (Outdoor), Swimming Pool (community); or a swimming pool, commercial. The Project is a drive-thru use.

- 6. The following conditional uses may only be approved when the Hearing Examiner finds from a preponderance of the evidence of record that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood:
 - i. Funeral Home; Undertaker;
 - ii. Hotel, Motel;
 - iii. Shooting Range (Outdoor);
 - iv. Drive-Thru
 - v. Landfill, Incinerator, or Transfer Station; and
 - vi. a Public Use Helipad, Heliport or a Public Use Helistop.

Staff Response: This finding is satisfied. The applicant submitted a needs analysis report dated July 6, 2016 by Valbridge Property Advisors, a qualified real estate consulting and appraisal firm with principal offices located in Columbia, Maryland. The report concludes that a public need exists for the Project due to an insufficient number of similar drive-thru uses presently serving the existing population and market area of Burtonsville. Further, the report states, the Project will not result in a multiplicity or saturation of similar uses in the Burtonsville neighborhood.

2. Section 59.3.5.14 Conditions for Approval of Drive-Thru Facility

E. Drive-Thru Facility

1. Defined

Pursuant to section 59-3.5.14.E.1 (Drive-Thru Facility) a drive-thru facility "means a facility where the customer is served while sitting in a vehicle. drive-thru includes drive-thru restaurants, banks, and pharmacies, but does not include Filling Station (see Section 3.5.13.C, Filling Station."

Staff Response: The Project meets the definition of drive-thru facility.

2. Use Standards

- b. Where a Drive-Thru is allowed as a conditional use, it may be permitted by the Hearing Examiner under Section 7.3.1, Conditional Use, and the following standards:
 - i. The use at the proposed location will not create a traffic hazard or traffic nuisance because of its location in relation to similar uses, necessity of turning movements in relation to its access to public roads and intersections, or its location in relation to other buildings or proposed buildings on or near the site and the traffic patterns from such buildings or cause frequent turning movements across sidewalks and pedestrian ways, thereby disrupting pedestrian circulation within a concentration of retail activity.

Staff Response: This standard is satisfied. The application submitted a traffic statement prepared by Lenhart Traffic Consulting, Inc., a qualified traffic engineering firm with offices located in Severna Park, Maryland. The report concludes that the Project "satisfies the requirements of the underlying Preliminary Plan of Subdivision and provides more than enough on-site queuing and site circulation to accommodate the peak period of traffic generation." Additionally, a proposed pedestrian connection will a provide a convenient and safe access to the restaurant from Old Columbia Pike. Therefore, the Project will not create a traffic hazard or traffic nuisance or cause frequent turning movements across sidewalks and pedestrian ways, disrupting pedestrian circulation within a concentration of retail activity.

ii. The use of the proposed location will not preempt frontage on any highway or public road in a way that reduces the visibility and accessibility of an interior commercial area zoned or proposed for commercial use that is oriented to the same highway or public road.

Staff Response: This standard is satisfied. The Project is proposed on an existing building pad site with a drive-thru lane. The Project will not preempt frontage on any highway or public road in a way that reduces the visibility and accessibility of an interior commercial area zoned or proposed for commercial use that is oriented to the same highway or public road because the Project is consistent with the site plan approved under Preliminary Plan No. 12004109B for a shopping center. Therefore, there would be no impact.

iii. Product displays, parked vehicles, and other obstructions that adversely affect visibility at intersections, or at entrances and exits to and from the Drive-Thru are prohibited.

Staff Response: This standard is satisfied. The applicant does not propose product displays, parked vehicles, or other obstructions that would adversely affect visibility at intersections, or at entrances and exits to and from the drivethru. The drive-thru access lane is clearly marked on the site plan and is free of obstructions. The drive-thru lane is accessed from the internal shopping center parking lot. As such, there would be no impact to street intersections or to the drive-thru entrance/exit.

Section V: Conclusion

The proposed drive-thru use, as recommended in Section I of this report, satisfies all applicable requirements for the approval of a conditional use as specified in the Montgomery County Zoning Ordinance and is consistent with the recommendations of the Burtonsville Crossroads Neighborhood Master Plan. There are no known unacceptable land use or environmental impacts associated with the Project as submitted by the applicant and as recommended by staff.

Attachments:

- 1. Hearing Examiner's order determining applicable zoning and development standards (12/28/2016)
- 2. Applicant's conditional use plan, sheets 1-7

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS for MONTGOMERY COUNTY

Stella B. Werner Council Office Building 100 Maryland Avenue, Room 200 Rockville, Maryland 20850 http://www.montgomerycountymd.gov/ozah/index.html Phone: (240) 777-6660; Fax (240) 777-6665

CASE NO. CU 17-06

APPLICATION OF BURTONSVILLE TOWNE CENTER LLC

ORDER DETERMINING APPLICABLE ZONING AND DEVELOPMENT STANDARDS

The subject application seeks a conditional use to allow a drive-thru restaurant, under Section 59-3.5.14.E of the Montgomery County Zoning Ordinance, for property located at 15600 Old Columbia Pike, Burtonsville, MD 20866. The property is further described as Parcel B, Burtonsville Shopping Center subdivision, consisting of a portion of 26.25 acres in the CRT (Commercial/Residential/Town) 1.5 C-1.0 R-1.25 H-70 Zone. The application proposes construction of a Starbucks restaurant on a pad site within the shopping center.

On November 2, 2016, the Applicant filed a "Motion to Determine Applicable Zoning and Development Standards" (Motion) with the Office of Zoning and Administrative Hearings (OZAH). The Motion requested one of two alternative rulings from OZAH in advance of the public hearing. It requested that the application be reviewed under the development standards of the C-2 Zone, which was in effect when a preliminary plan of subdivision was approved for the shopping center in 2006, and the current conditional use standards for a drive-thru restaurant under the 2014 Zoning Ordinance. Alternatively, the Applicant requested that the application be reviewed under the both the C-2 development standards and the special exception standards of the 2004 Zoning Ordinance. Exhibit 26, p. 2.

The Applicant sought a determination on what development standards will apply to the proposed drive thru restaurant because the site design and building do not meet certain development standards in the 2014 Zoning Ordinance (effective on October 29, 2014). The Applicant lists these as follows:

- 1. Section 59-4.1.7.B.2.b: This section prohibits locating a drive aisle within the "build-to" area of a lot. The Applicant proposes to locate the drive aisle within the build-to area.
- 2. Section 59-4.5.3.C.3: This section requires that (1) 70% of the building façade be located within the build-to area of the property, and (2) that the building be no more than 20 feet from the right-of-way. The proposed drive-thru restaurant does not meet these requirements.

3. Section 59-4.5.3.C.3: This Section requires that surface parking be located behind the front building line of the drive-thru restaurant.

Factual Background

The Motion includes the following relevant facts, which have been supplemented by the

Hearing Examiner:

- 1. On March 21, 2006, the Planning Board approved a preliminary plan for development of the property under the C-2 Zone. At the time, approximately 11 acres of the site was zoned RC (Rural Cluster) because of its location within the Patuxent River Primary Management Area (PMA). The preliminary plan approval permitted 250,000 square feet of retail and 10,000 square feet of commercial office.
- 2. On July 2, 2009, DPS approved a Storm Drain and Paving Plan for the entire site.
- 3. At some point in 2010, the applicant constructed the pad site. Construction included installation of curbs, sidewalks, handicapped ramps, utilities, storm drains, stormwater recharge area, driveways (including the drive-thru lane), parking areas, parking lights, fire lanes, nearby retaining walls and landscaping (outside the curb line). The perimeter buildings of the shopping center faced inward "in accord with Park Planning staff's pedestrian friendly concept." Exhibit 33, p. 2. Modifications to the pad site were made in 2014 to accommodate truck movements for the adjacent Green Turtle pad site. *Id*.
- 4. In 2013, the subject property was rezoned from the C-2 Zone to the CRT Zone under the 2004 Zoning Ordinance. According to the Applicant, the small portion of the property zoned RC was also rezoned to the CRT Zone. The Applicant states that this was to ensure that the future development could be built under the development standards of the C-2 Zone. The Applicant argues that the development standards of the C-2 Zone applied to future buildings because the CRT Zone (at the time) grandfathered C-2 development. The 2004 Zoning Ordinance stated (in Section 59-C-15.9(d)):

A project which has had a preliminary or site plan approved before the application of the CRT, CRN, or CR zone to the property may be built or altered at any time, subject to either the full provisions of the previous zone or this Division, at the option of the owner. If built under the previous approval, it will then be treated as a conforming building, structure, or use and may be renovated, continued, repaired, or reconstructed under Subsection (a) above. If built with an incremental increase over the previous approval, only that incremental increase must comply with this Division.

5. On March 4, 2014, the Council adopted a new Zoning Ordinance, effective on October 30, 2014. *Montgomery County Ordinance*, 17-43, Zoning Text Amendment 13-04. The CRT

Zone did not repeat the grandfathering language from the prior Zoning Ordinance that explicitly permitted the development under the standards of the C-2 Zone.

- 6. On July 8, 2014, DPS approved a building permit for the Greene Turtle Restaurant under the C-2 development standards of the 2004 Zoning Ordinance.
- 7. Of the 260,000 square feet of development that was approved by the 2006 preliminary plan, 119,532 square feet has been constructed. Exhibit 37.

Aerial photographs submitted by the Applicant show the subject pad site in 2012, 2014, and 2016 (Exhibit 37):



Google Earth Image
October 12, 2012



Google Earth Image Dated October 7, 2014



Google Earth Image 2016

Analysis

The Applicant argues that the C-2 development standards apply to the building (although not necessarily the use) for several reasons. It argues that (1) the Applicant has spent considerable amounts of time and money developing the property under the C-2 standards, (2) that the grandfather provision of the 2004 Zoning Ordinance still applies to development of the property, (3) that DPS determined that the C-2 development *and special exception* standards apply to the property, (4) that development of the Green Turtle pad site under the C-2 development standards serves as precedent for this use, (4) that the Applicant was reassured by Planning Staff in 2013 that future development would be grandfathered under the C-2 Zone, and (5) that the application is grandfathered under §59-7.7.1.B of the Zoning Ordinance. Exhibit 28.

DPS and Planning Staff disagree on what standards should be applied to the use. Planning Staff determined that the development standards of the C-2 Zone apply to physical improvements to the site and the use standards of the 2014 Zoning Ordinance apply to the proposed use. Exhibit 39(a). DPS concluded that the use should be reviewed completely under the 2004 Zoning Ordinance (i.e., both the physical improvements and the special exception standards applicable to the use.) Exhibit 41.

Planning Staff bases its conclusion on §§59-7.7.1.A.1 and B.1 of the 2014 Zoning Ordinance. §59-7.7.1.A.1 grandfathers "existing site design," which is defined as, "[T]he external elements between and around structures that give shape to patterns of activity, circulation, and form. Site design includes landforms, driveways, parking areas, roads, sidewalks, trails, paths, plantings, walls or fences, water features, recreation areas and facilities, lighting, public art, or other external elements." 2014 Zoning Ordinance, §59-1.4.2. Section 59-7.7.1.B.1 grandfathers existing approvals and any further "required" steps necessary to develop the property:

Any development plan, schematic development plan, diagrammatic plan, concept plan, project plan, sketch plan, preliminary plan, record plat, site plan, special exception, variance, or building permit filed or approved before October 30, 2014 must be reviewed under the standards and procedures of the property's zoning on October 29, 2014, unless an applicant elects to be reviewed under the property's current zoning. Any complete Local Map Amendment application submitted to the Hearing Examiner by May 1, 2014 must be reviewed under the standards and procedures of the property's zoning on October 29, 2014...The approval of any of these applications or amendments to these applications under Section 7.7.1.B.1 will allow the applicant to proceed through any other required application or step in the process within the time allowed by law or plan approval, under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014. The gross tract area of an application allowed under Section 7.7.1.B.1 may not be increased.

Planning Staff reasoned that the physical improvements to the pad site constitute "site design" grandfathered under §59-7.7.1.A.1. While these were grandfathered, Staff determined that the building itself is not grandfathered under that section because it does not exist. However, Staff stated:

Read together with Section 7.7.1.A.2.a, which expressly prohibits the expansion of a nonconforming use, we do not read Section 7.7.1.B.1 to grandfather a new conditional use. But under Section 59-7.7.1.B.2.b, "[a]ny allowed use...may be located in a building or structure deemed conforming under section 59-7.7.1.A.1. Thus a new conditional use can be located in a grandfathered structure.

Exhibit 39. Staff apparently presumes that, because a building could have been built at this location (even though it wasn't) under the preliminary plan approval, a building housing a new conditional use may also utilize the standards of the old zoning. *Id*.

DPS found that both the development standards and the special exception (now conditional use) standards of the 2004 Zoning Ordinance applied to the development. They consider that the conditional use is a "required application or stop in the process" necessary to implement the preliminary plan approval. Exhibit 41.

The Hearing Examiner finds that the development standards of the C-2 Zone should be applied to the building, but the conditional use standards of the 2014 Zoning Ordinance should be applied to the proposed use, although not entirely for the same reasons stated by Planning Staff.

The drive-thru lane is clearly grandfathered under §59-7.7.1.A.1 because (1) the aerial photographs demonstrate that it existed prior to the effective date of the 2014 Zoning Ordinance, and (2) it falls within the definition of "site design" that is grandfathered under §59-7.7.1.A.1 of the current Zoning Ordinance.

The more difficult question is whether the building, which admittedly is not built, may be developed under the standards of the former Zoning Ordinance. This case is unusual because it involves a pad site. The physical improvements grandfathered as "site design" include curbs, parking spaces, drive aisles, utilities and storm drainage. The pad site as constructed (including the location of the drive aisle) necessarily constrains the placement of the building on the subject site so that it cannot comply with the requirements of the current Zoning Ordinance. Thus, in order to recognize the Applicant's rights to the "grandfathered" portions of the site design, the placement of the building must, *a fortiori*, deviate from the "placement" standards of the current Zoning Ordinance.

The Hearing Examiner holds that, in this circumstance, the placement of the building may conform to the development standards of the prior zoning to the extent necessary to accommodate the grandfathered site design. The site design was constructed under the development standards of the C-2 Zone. Because the site design dictates the location of the building, the building may be completed under the standards of the C-2 Zone as well.

The Hearing Examiner further determines, however, that the conditional use standards of the current Zoning Ordinance apply to the proposed use. Section 59-7.7.1.B.1 grandfathers

existing *approvals* under the 2004 Zoning Ordinance and permits the developer to obtain all further approvals necessary to implement the approvals existing as of October 30, 2014. In this case, the "approval" grandfathered under the Zoning Ordinance is the 2006 preliminary plan. A conditional use, however, is not an approval "required" to implement the preliminary plan.

The purpose of the grandfathering clause was to permit completion of projects that were caught in "mid-stream" by the changes to the new Zoning Ordinance. Mid-stream meant projects that were working toward an approval or projects that had received one approval, but needed others before they could be completed. By allowing owners to finish out with "required approvals," the Council intended to permit those projects already in the development process to be implemented under the standards of the old Zoning Ordinance. The grandfathering was intended, however, to apply to particular approvals or plans that were pending or approved. Staff explained the intent:

1) Allow every approved and pending plan submitted X months after the ordinance is approved (development plan, concept plan, project plan, sketch plan, preliminary plan, site plan, special exception and building permit) to complete that approved plan without regard to the requirements of the new zone:

PHED Committee Packet, September 13, 2013 Worksession, pp. 14-15.

Preliminary plans and special exceptions are listed as two separate approvals in Staff's memorandum to the PHED Committee and there are distinctions between the two. A preliminary plan does not approve specific uses, particularly conditional uses, or even the layout of buildings. In this case, the 2006 preliminary plan approval states, "[T]he layout of the buildings on the property is conceptual and is shown as a number of building pads within the parking lots to provide flexibility for future tenants." Exhibit 33(a), p. 2. In a preliminary plan, the *uses* are generally described for the purpose of determining the adequacy of public facilities (i.e., whether roads, schools, and utilities are sufficient to serve the use), but are not specified. In this case, the uses

proposed in the preliminary plan are described only as 250,000 square feet of retail and 10,000 square feet of office uses. *Id.* at 5.

A conditional use, however, is not permitted by right in a zone and is not vested by the preliminary plan approval. A conditional use requires approval of a specific plan showing the layout and operation of the particular use sought. The court in *Peoples Counsel for Baltimore County v. Loyola College in Maryland*, 406 Md. 54, 71-72 (2008), described the difference between a conditional use (or special exception) and a permitted use as follows:

The special exception adds flexibility to a comprehensive legislative zoning scheme by serving as a "middle ground" between permitted uses and prohibited uses in a particular zone. Permitted and prohibited uses serve as binary, polar opposites in a zoning scheme. A permitted use in a given zone is permitted as of right within the zone, without regard to any potential or actual adverse effect that the use will have on neighboring properties. A special exception, by contrast, is merely deemed *prima facie* compatible in a given zone. The special exception requires a case-by-case evaluation by an administrative zoning body or officer according to legislatively-defined standards. That case-by-case evaluation is what enables special exception uses to achieve some flexibility in an otherwise semi-rigid comprehensive legislative zoning scheme.

Because approval of the 2006 preliminary plan did not include approval of this conditional use nor is the conditional use required to implement the approved preliminary plan, the Hearing Examiner finds that the conditional use is *not* grandfathered under Section 59-7.7.1.B.1 of the Zoning Ordinance and must comply with the use standards in §59-3.5.14 of the 2014 Zoning Ordinance.

The Hearing Examiner does not find the balance of the Applicant's arguments for reaching the same conclusion compelling. DPS issued the permit for the Green Turtle pad site *before* the effective date of the new Zoning Ordinance and there is nothing in the record to indicate that it required a conditional use approval.

The Applicant does assert that it made significant financial investment in developing the property under the old C-2 Zone. This suggests a constitutional argument that the Applicant has

acquired "vested rights" to finish development of the entire center under the C-2 development standards. Because the Applicant did not specifically make this argument, however, the Hearing Examiner does not reach the issue in this case.

Order

Upon review of the Applicant's Motion to Determine Development Standards, and all responses thereto, it is hereby

ORDERED, that the development standards of the former C-2 Zone (§59-C-4.35 of the 2004 Zoning Ordinance) should be applied to physical improvements to the subject property, and it is further

ORDERED, that the use standards of §59-3.5.14.E of the 2014 Zoning Ordinance shall apply to the proposed use.

Issued this 28th day of December, 2016.

Lynn A. Robeson Hearing Examiner

COPIES TO:

Stacy Silber, Esquire
Cynthia Bar, Esquire
Charles Frederick, Esquire, Associate County Attorney
Diane Schwartz-Jones, Director, Department of Permitting Services
Phil Estes, Planning Department
Greg Nichols, Manager, SPES at DPS
Washington Suburban Sanitary Commission
State Highway Administration
Montgomery County Public Schools
Abutting and Confronting Property Owners
(or a condominium's council of unit owners or renters, if applicable)
Civic, Renters' and Homeowners' Associations within a half mile of the site
Any Municipality within a half mile of the site

\mathbf{S}'	TANDARD .	ABB	REVIATIONS	STANDA	FOR ENTIRE PLAN SET (NOT TO SCALE)	LEGEND
	FOR E	NTIRE PL	AN SET	EXISTING NOTE	TYPICAL NOTE TEXT	PROPOSED NOTE
AC	ACRES	LOD	LIMITS OF DISTURBANCE		ONSITE PROPERTY LINE / R.O.W. LINE	
ADA	AMERICANS WITH DISABILITY ACT	LOS	LINE OF SIGHT		NEIGHBORING PROPERTY LINE / INTERIOR PARCEL LINE	
ARCH	ARCHITECTURAL	LP	LOW POINT		EASEMENT LINE	
BC .	BOTTOM OF CURB	L/S	LANDSCAPE		SETBACK	
3F	BASEMENT FLOOR	MAX	MAXIMUM		ZONING	
					LINE	CURB AND GUTTER
SK SL	BASELINE	MIN	MANHOLE		CONCRETE CURB &	SPILL CURB TRANSITION CU
BLDG	BUILDING	MJ	MECHANICAL JOINT		GUTTER	DEPRESSED CURB AND GUTTER
вм	BUILDING BENCHMARK	ос	ON CENTER		UTILITY POLE	
RL	BUILDING	PA	POINT OF ANALYSIS		WITH LIGHT	
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Y	CUBIC YARDS	PTCR	POINT OF TANGENCY, CURB RETURN	X	PARKING COUNTS	<u> </u>
DEC	DECORATIVE	PVC	POLYVINYL CHLORIDE PIPE POINT OF VERTICAL			187
DEP	DEPRESSED	PVI	INTERSECTION POINT OF VERTICAL	TC 516.4 OR 516.4	SPOT ELEVATIONS	TC516.00 TC 516.00 BC 515.55
)IP	DUCTILE IRON PIPE	PVT	TANGENCY	SAN	SANITARY	SAN
MO	DOMESTIC	R	RADIUS		LABEL STORM	# X #
LEC	ELECTRIC	RCP	REINFORCED CONCRETE PIPE		LABEL	#
LEV	ELEVATION	RET WALL	RETAINING WALL		SANITARY SEWER LATERAL	
P	EDGE OF PAVEMENT	R/W	RIGHT OF WAY	W	UNDERGROUND WATER LINE	
ES	EDGE OF SHOULDER	s	SLOPE	E	UNDERGROUND ELECTRIC LINE	———Е———
W	END WALL	SAN	SANITARY SEWER	G	UNDERGROUND GAS LINE	G
X	EXISTING	SF	SQUARE FEET	OH	OVERHEAD	———ОН ————
ES	FLARED END SECTION	STA	STATION		WIRE UNDERGROUND	T
FFE	FINISHED FLOOR	STM	STORM		TELEPHONE LINE UNDERGROUND	
FH	FIRE HYDRANT	TBR	TO BE REMOVED		CABLE LINE	
FG	FINISHED GRADE	TBRL	TO BE RELOCATED	=======	STORM SEWER	
G	GRADE GARAGE FLOOR (AT	TC	TOP OF CURB		SANITARY SEWER MAIN	s
GF	DOOR)	TELE	TELEPHONE	V	HYDRANT	٧
GH	GRADE HIGHER SIDE OF WALL	TPF	TREE PROTECTION FENCE	(\$)	SANITARY MANHOLE	(6)
GL	GRADE LOWER SIDE OF WALL	TW	TOP OF WALL	(D)	STORM	(©)
GRT	GRATE	TYP	TYPICAL	⊗WM	MANHOLE WATER	
GV	GATE VALVE	UG	UNDERGROUND	WV	METER	0
HDPE	HIGH DENSITY POLYETHYLENE PIPE	UP	UTILITY POLE	×	WATER VALVE	•
HP	HIGH POINT	w	WIDE		GAS VALVE	
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TRANSFORMER

PUBLIC OPEN SPACE

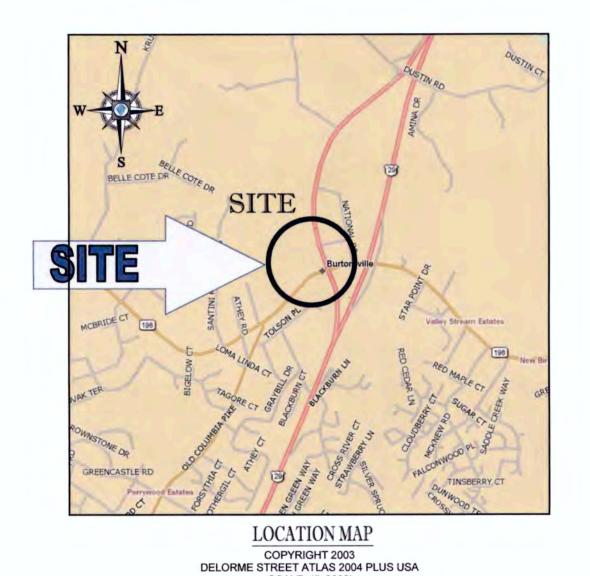
CONDITIONAL USE PLAN

FOR

STARBUCKS BURTONSVILLE



15600 OLD COLUMBIA PIKE, BURTONSVILLE TAX MAP KS62, GRID 0000, PARCEL N703 MONTGOMERY COUNTY, MARYLAND



OWNER/APPLICANT BURTONSVILLE TOWNE SQUARE, LLC 10411 MOTOR CITY DRIVE, SUITE 402 BETHESDA, MD 20817-1090 CONTACT: CHRISTOPHER T. JONES

DEVELOPER SCM SOLUTIONS, LLC 1281 E. MAGNOLIA STREET, SUITE D, UNIT 186 FORT COLLINS, CO 80524 (970) 817-4279 CONTCAT: LISA SUNDERLAND

SCALE: 1"=2000"

CIVIL ENGINEER BOHLER ENGINEERING 16701 MELFORD BOULEVARD, SUITE 310 BOWIE, MD 20715 PHONE: (301) 809 - 4500 CONTACT: MATTHEW K. JONES, P.E.

PREPARED BY



16701 MELFORD BLVD, SUITE 310 **BOWIE, MARYLAND 20715**

Phone: (301) 809-4500 (301) 809-4501 MD@BohlerEng.com

CONTACT: BRADFORD L. FOX, P.E.

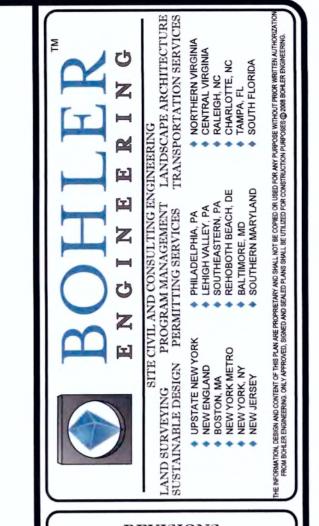
REFERENCES

16701 MELFORD BLVD, SUITE 310 BOWIE, MD 20715

UTILITIES

- BURTONSVILLE EDENS & AVAN: PHONE: (301) 347-3971

SHEET INDEX		
SHEET TITLE	SHEET NUMBER	
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ANDSCAPING PLAN	5	
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SCALE: AS NOTED

CONDITIONAL

USE PLAN

STARBUCKS

LOCATION OF SITE 15640 OLD COLUMBIA PIKE MONTGOMERY COUNTY BURTONSVILLE, MARYLAND



16701 MELFORD BLVD, SUITE 310 **BOWIE, MARYLAND 20715** Phone: (301) 809-4500 Fax: (301) 809-4501 MD@BohlerEng.com



COVER SHEET

OF 7

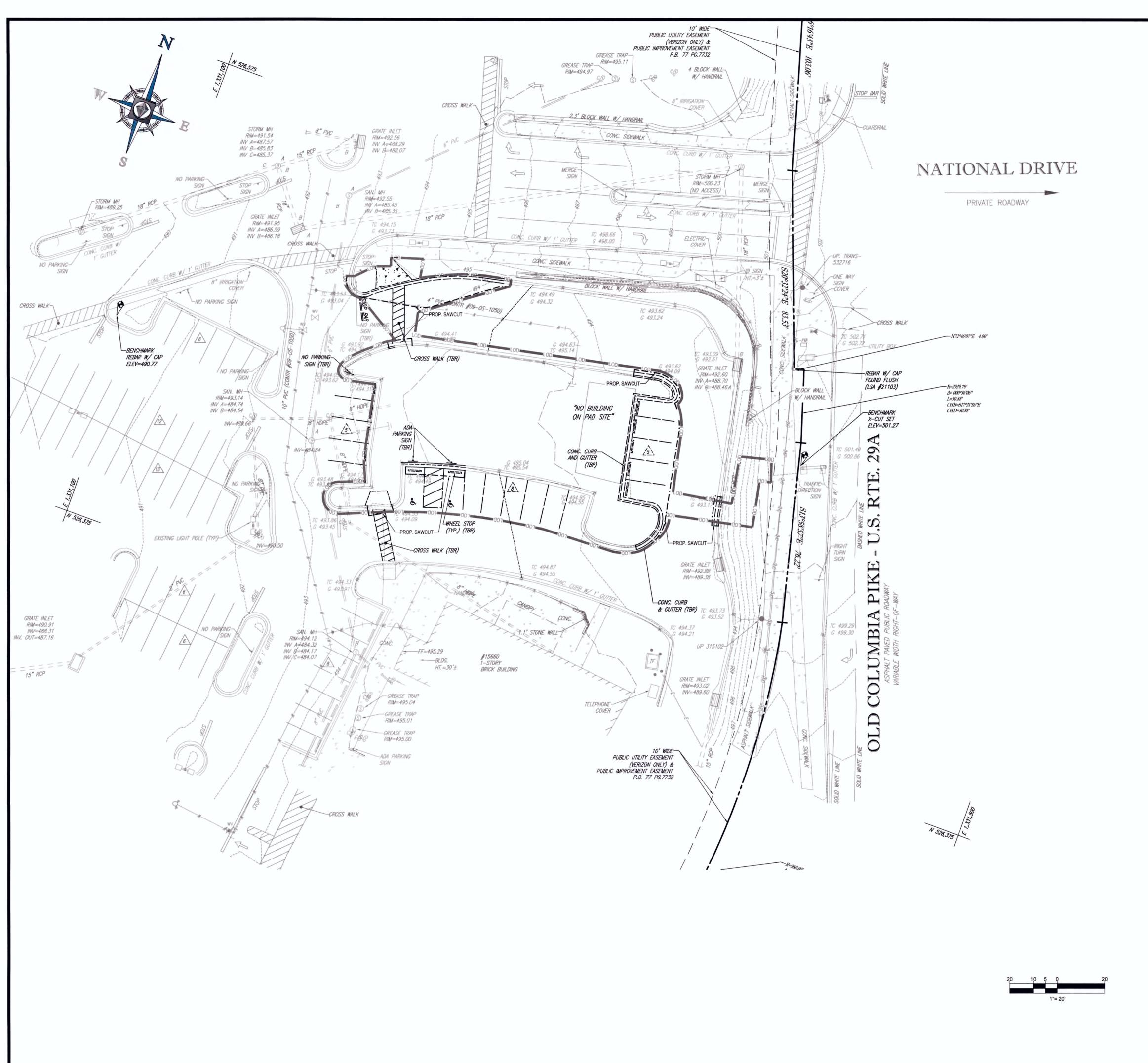
PROFESSIONAL CERTIFICATION I, MATTHEW K. JONES, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND,

GENERAL MOTE: IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJEC

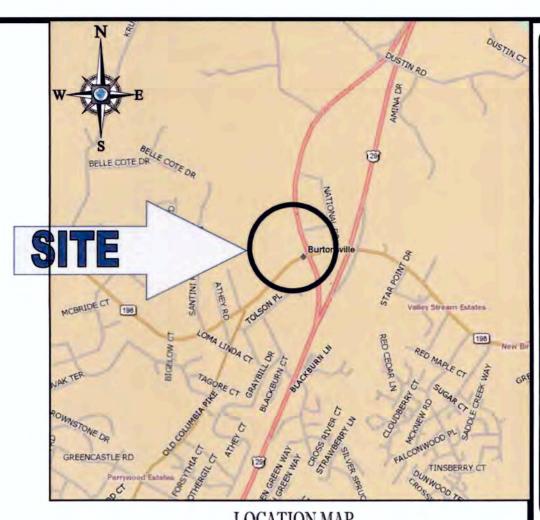
RK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION, SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIV

THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IS WRITING PRIOR TO THE START OF CONSTRUCTION, FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE.

PTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND



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LOCATION MAP COPYRIGHT 2003 DELORME STREET ATLAS 2004 PLUS USA SCALE: 1"=2000'

GENERAL NOTES

PROPERTY IS PART OF PARCEL B, BURTONSVILLE SHOPPING CENTER AS RECORDED IN PLAT NO. 23959 AND BEING THE LANDS N/F BURTONSVILLE TOWNE SQUARE, LLC AS RECORDED IN LIBER 21553 FOLIO 512 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND AND HAVING A TAX MAP NUMBER OF KS62 00 703 01 PER THE DEPARTMENT OF ASSESSMENTS.

- LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE, SOURCE INFORMATION FROM PLANS AND MARKINGS HAS BEEN COMBINED WITH OBSERVED EVIDENCE OF UTILITIES TO DEVELOP A VIEW OF THOSE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY.
- 2. THIS SURVEY WAS PERFORMED IN THE FIELD ON THE GROUND UTILIZING THE REFERENCE MATERIAL AS LISTED HEREON AND DEPICTS BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS THEREON, ON SEPTEMBER 19, 2015, BY BOHLER ENGINEERING.
- 3. THIS PROPERTY MAY BE SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS, WRITTEN OR IMPLIED. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
- 4. THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF FIELD INSPECTION OF THIS SITE.
- 5. ELEVATIONS ARE BASED ON NGVD 29 DATUM PER WSSC BENCHMARK "19881", WITH A PUBLISHED ELEVATION OF 490.937 FEET.
- 6. THE PROPERTY IS LOCATED IN OTHER AREAS ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE ANNUAL FLOODPLAIN) PER MAP ENTITLED "FIRM, FLOOD INSURANCE RATE MAP, MONTGOMERY COUNTY, MARYLAND AND INCORPORATED AREAS, PANEL 385 OF 480", MAP NUMBER 24031C0385D, WITH A MAP EFFECTIVE DATE OF SEPTEMBER 9, 2006.
- 7. ZONING: CRT (COMMERCIAL RESIDENTIAL TOWN ZONE)

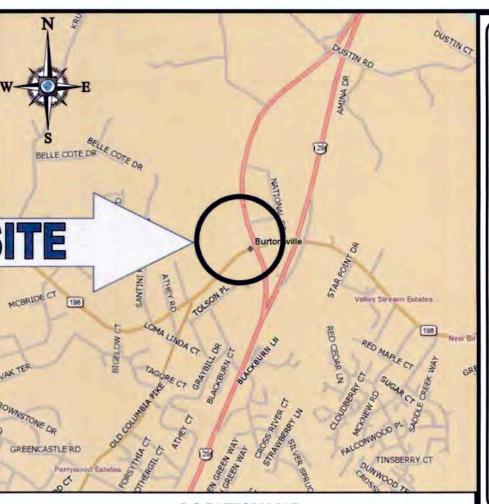
ZONING INFORMATION IS PER MONTGOMERY COUNTY ZONING CODE AND SHOULD BE VERIFIED PRIOR TO USE TO CONFIRM IT REPRESENTS CURRENT INFORMATION.

GENERAL DEMOLITION NOTES:

1. THIS PLAN REFERENCES DOCUMENTS AND INFORMATION BY:

ORIGINAL DATE: 10/05/15

- BOHLER ENGINEERING LAND SURVEY, BURTONSVILLE TOWN SQUARE, 15650 OLD COLUMBIA PIKE 5th ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND" PROJECT NO.: SB15205501
- 2. CONTRACTOR SHALL PERFORM ALL WORK IN ACCORDANCE WITH THE REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, (29 U.S.C. 651 et seq.), AS AMENDED AND ANY MODIFICATIONS, AMENDMENTS OR REVISIONS
- 3. BOHLER ENGINEERING HAS NO CONTRACTUAL, LEGAL, OR OTHER RESPONSIBILITY FOR JOB SITE SAFETY OR JOB SITE SUPERVISION, OR ANYTHING RELATED TO SAME.
- 4. THE DEMOLITION PLAN IS INTENDED TO PROVIDE GENERAL INFORMATION, ONLY, REGARDING ITEMS TO BE DEMOLISHED AND/OR REMOVED. THE CONTRACTOR MUST ALSO REVIEW THE OTHER SITE PLAN DRAWINGS AND INCLUDE IN DEMOLITION ACTIVITIES ALL INCIDENTAL WORK NECESSARY FOR THE CONSTRUCTION OF THE NEW SITE
- 5. CONTRACTOR MUST RAISE ANY QUESTIONS CONCERNING THE ACCURACY OR INTENT OF THESE PLANS OR SPECIFICATIONS, CONCERNS REGARDING THE APPLICABLE SAFETY STANDARDS, OR THE SAFETY OF THE CONTRACTOR OR THIRD PARTIES IN PERFORMING THE WORK ON THIS PROJECT, WITH BOHLER ENGINEERING, IN WRITING, AND RESPONDED TO BY BOHLER, IN WRITING, PRIOR TO THE INITIATION OF ANY SITE ACTIVITY AND ANY DEMOLITION ACTIVITY. ALL DEMOLITION ACTIVITIES MUST BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THESE PLANS AND SPECIFICATIONS AND ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS, RULES, REQUIREMENTS, STATUTES, ORDINANCES AND CODES.
- 6. PRIOR TO STARTING ANY DEMOLITION, CONTRACTOR IS RESPONSIBLE FOR/TO:
 - A.OBTAINING ALL REQUIRED PERMITS AND MAINTAINING THE SAME ON SITE FOR REVIEW BY THE ENGINEER AND OTHER PUBLIC AGENCIES HAVING JURISDICTION THROUGHOUT THE DURATION OF THE PROJECT, SITE WORK AND DEMOLITION WORK.



REVISIONS COMMENT REV DATE PER INTAKE 09/15/16 COMMENTS



DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE IN VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL - 811 NV 1-800-245-4848) (PA 1-800-242-1776) (DC 1-800-257-77 A 1-800-552-7001) (MD 1-800-257-7777) (DE 1-800-282-8

NOT APPROVED FOR CONSTRUCTION

PROJECT No DRAWN BY: CHECKED BY: DATE: SCALE:

CAD I.D.: PROJECT: CONDITIONAL

07/18/16

USE PLAN

STARBUCKS



LOCATION OF SITE 15640 OLD COLUMBIA PIKE MONTGOMERY COUNTY BURTONSVILLE, MARYLAND



16701 MELFORD BLVD, SUITE 310 **BOWIE, MARYLAND 20715** Phone: (301) 809-4500 Fax: (301) 809-4501 MD@BohlerEng.com



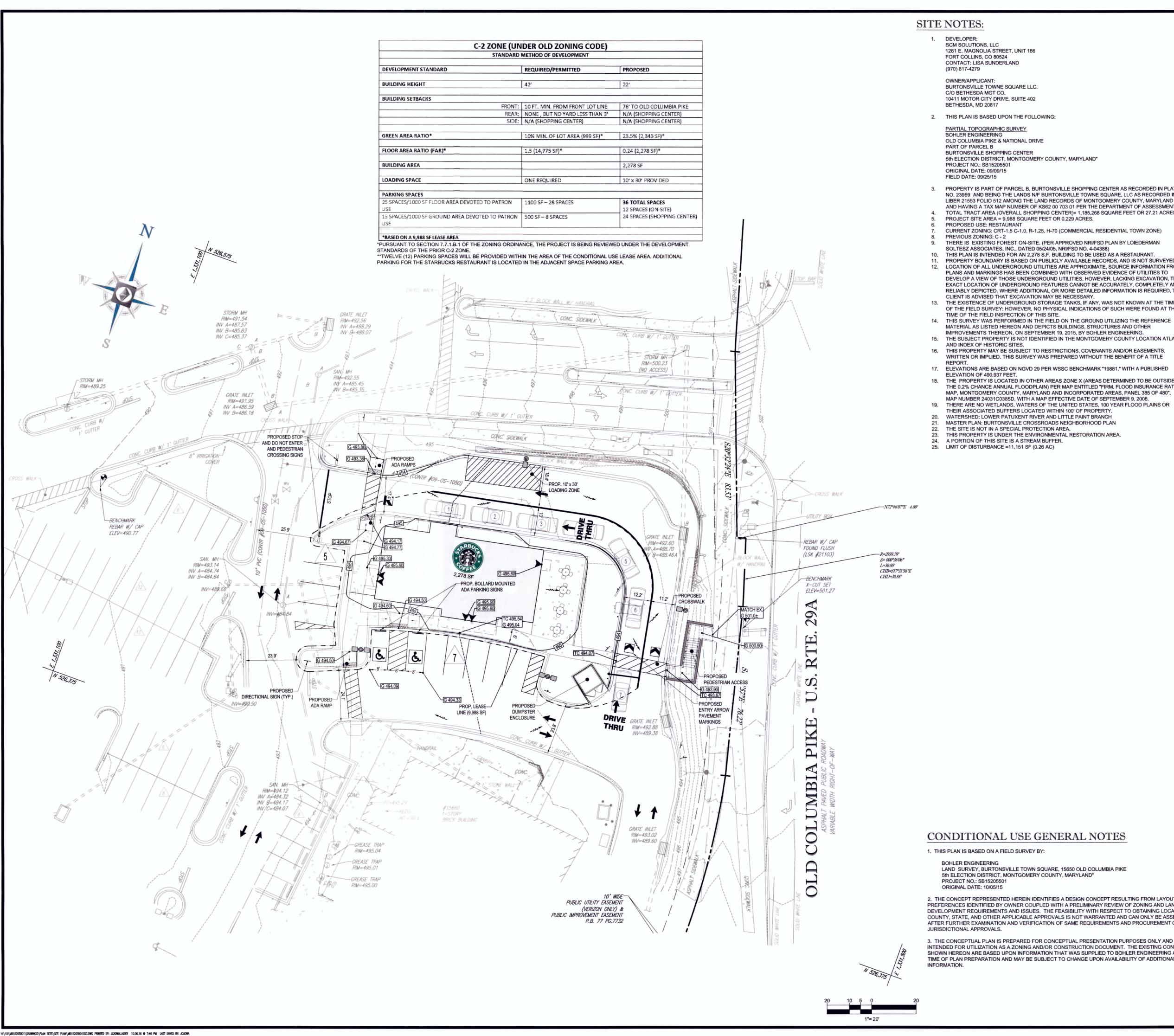
EXISTING CONDITIONS & **DEMO PLAN**

OF 7

SHEET NUMBER:

PROFESSIONAL CERTIFICATION

I, MATTHEW K. JONES, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 39999. EXPIRATION DATE: 3/15/2017



SITE NOTES:

 DEVELOPER: SCM SOLUTIONS, LLC 1281 E. MAGNOLIA STREET, UNIT 186 FORT COLLINS, CO 80524 CONTACT: LISA SUNDERLAND (970) 817-4279

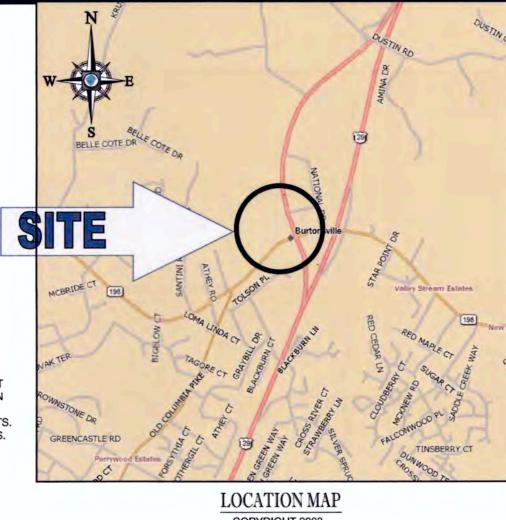
OWNER/APPLICANT: BURTONSVILLE TOWNE SQUARE LLC. C/O BETHESDA MGT CO. 10411 MOTOR CITY DRIVE, SUITE 402 BETHESDA, MD 20817

FIELD DATE: 09/25/15

THIS PLAN IS BASED UPON THE FOLLOWING:

PARTIAL TOPOGRAPHIC SURVEY BOHLER ENGINEERING OLD COLUMBIA PIKE & NATIONAL DRIVE PART OF PARCEL B BURTONSVILLE SHOPPING CENTER 5th ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND" PROJECT NO.: SB15205501 ORIGINAL DATE: 09/09/15

- 3. PROPERTY IS PART OF PARCEL B, BURTONSVILLE SHOPPING CENTER AS RECORDED IN PLAT NO. 23959 AND BEING THE LANDS N/F BURTONSVILLE TOWNE SQUARE, LLC AS RECORDED IN LIBER 21553 FOLIO 512 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND AND HAVING A TAX MAP NUMBER OF KS62 00 703 01 PER THE DEPARTMENT OF ASSESSMENTS.
- TOTAL TRACT AREA (OVERALL SHOPPING CENTER)= 1,185,268 SQUARE FEET OR 27.21 ACRES. PROJECT SITE AREA = 9,988 SQUARE FEET OR 0.229 ACRES. PROPOSED USE: RESTAURANT
- CURRENT ZONING: CRT-1.5 C-1.0, R-1.25, H-70 (COMMERCIAL RESIDENTIAL TOWN ZONE) PREVIOUS ZONING: C - 2
- THERE IS EXISTING FOREST ON-SITE. (PER APPROVED NRI/FSD PLAN BY LOIEDERMAN
- SOLTESZ ASSOCIATES, INC., DATED 05/24/05, NRI/FSD NO. 4-04388) 10. THIS PLAN IS INTENDED FOR AN 2,278 S.F. BUILDING TO BE USED AS A RESTAURANT PROPERTY BOUNDARY IS BASED ON PUBLICLY AVAILABLE RECORDS, AND IS NOT SURVEYED.
- 12. LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE, SOURCE INFORMATION FROM PLANS AND MARKINGS HAS BEEN COMBINED WITH OBSERVED EVIDENCE OF UTILITIES TO DEVELOP A VIEW OF THOSE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY.
- 13. THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY: HOWEVER, NO PHYSICAL INDICATIONS OF SUCH WERE FOUND AT THE TIME OF THE FIELD INSPECTION OF THIS SITE.
- MATERIAL AS LISTED HEREON AND DEPICTS BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS THEREON, ON SEPTEMBER 19, 2015, BY BOHLER ENGINEERING. 15. THE SUBJECT PROPERTY IS NOT IDENTIFIED IN THE MONTGOMERY COUNTY LOCATION ATLAS
- AND INDEX OF HISTORIC SITES. 16. THIS PROPERTY MAY BE SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS,
- WRITTEN OR IMPLIED. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE
- 17. ELEVATIONS ARE BASED ON NGVD 29 PER WSSC BENCHMARK "19881," WITH A PUBLISHED ELEVATION OF 490.937 FEET.
- 18. THE PROPERTY IS LOCATED IN OTHER AREAS ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE ANNUAL FLOODPLAIN) PER MAP ENTÎTLED "FIRM, FLOOD INSURANCE RATE MAP, MONTGOMERY COUNTY, MARYLAND AND INCORPORATED AREAS, PANEL 385 OF 480", MAP NUMBER 24031C0385D, WITH A MAP EFFECTIVE DATE OF SEPTEMBER 9, 2006.
- 19. THERE ARE NO WETLANDS, WATERS OF THE UNITED STATES, 100 YEAR FLOOD PLAINS OR THEIR ASSOCIATED BUFFERS LOCATED WITHIN 100' OF PROPERTY. 20. WATERSHED: LOWER PATUXENT RIVER AND LITTLE PAINT BRANCH
- 21. MASTER PLAN: BURTONSVILLE CROSSROADS NEIGHBORHOOD PLAN
- 22. THE SITE IS NOT IN A SPECIAL PROTECTION AREA. 23. THIS PROPERTY IS UNDER THE ENVIRONMENTAL RESTORATION AREA.
- 24. A PORTION OF THIS SITE IS A STREAM BUFFER.
- 25. LIMIT OF DISTURBANCE =11,151 SF (0.26 AC)



COPYRIGHT 2003 DELORME STREET ATLAS 2004 PLUS USA SCALE: 1"=2000'

NOTE:

SEE SHEET 4 FOR SITE DETAILS

DEVELOPMENT SEQUENCE: DEVELOPMENT IS PLANNED TO TAKE PLACE IN ONE PHASE

(DEMOLITION, BUILDING, AND SITE WORK).

PHONE NUMBER UTILITY COMPANY (301) 347-3971 BURTONSVILLE EDENS & AVAN (800) 778-9140 BGE ELECTRIC-USIC (800) 778-9140 **BGE GAS-USIC** (727)596-1500 FIBERLIGHT/SUNBELT TELECO (800) 289-3427 MCI (301) 210-0355 COMCAST-UTILIQUEST (301) 210-0355

VERIZON

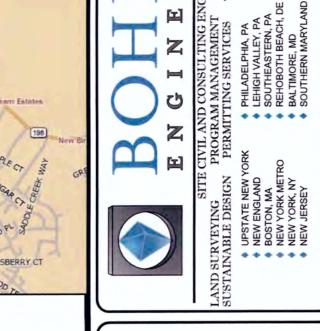
WASHINGTON GAS-UTILIQUEST

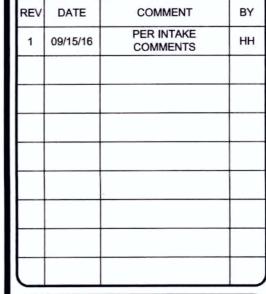
WSSC-PINPOINT UG

UTILITIES: THE FOLLOWING COMPANIES WERE NOTIFIED BY DELMARVA MISS UTILITY SYSTEM (1-800-257-7777) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVICING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST. SERIAL NUMBER(S): 15587014 AND 15587136

(301) 210-0355

(301) 868-6803





REVISIONS



DELAWARE CALL - 811 WV 1-800-245-4848) (PA 1-800-242-1776) (DC 1-800-257-77 NOT APPROVED FOR

CONSTRUCTION

DRAWN BY: CHECKED BY: SCALE:

CONDITIONAL USE PLAN

STARBUCKS

LOCATION OF SITE 15640 OLD COLUMBIA PIKE MONTGOMERY COUNTY

BURTONSVILLE, MARYLAND



16701 MELFORD BLVD, SUITE 310 **BOWIE, MARYLAND 20715** Phone: (301) 809-4500 Fax: (301) 809-4501 MD@BohlerEng.com



SITE, GRADING AND UTILITY PLAN

SHEET NUMBER:

OF 7

CONDITIONAL USE GENERAL NOTES

1. THIS PLAN IS BASED ON A FIELD SURVEY BY:

BOHLER ENGINEERING LAND SURVEY, BURTONSVILLE TOWN SQUARE, 15650 OLD COLUMBIA PIKE 5th ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND" PROJECT NO.: SB15205501 ORIGINAL DATE: 10/05/15

2. THE CONCEPT REPRESENTED HEREIN IDENTIFIES A DESIGN CONCEPT RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY OWNER COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS AND ISSUES. THE FEASIBILITY WITH RESPECT TO OBTAINING LOCAL, COUNTY, STATE, AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION AND VERIFICATION OF SAME REQUIREMENTS AND PROCUREMENT OF JURISDICTIONAL APPROVALS.

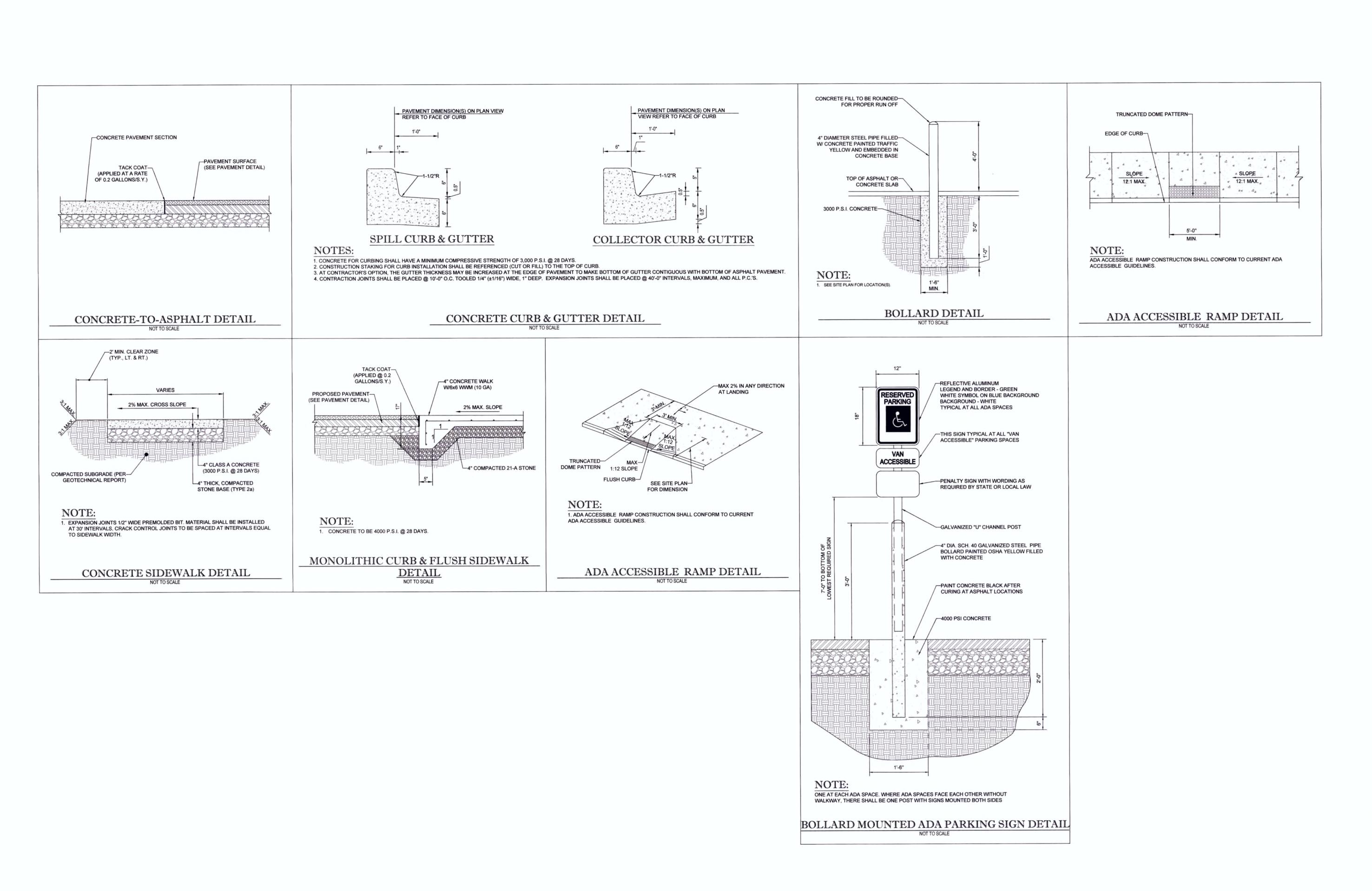
3. THE CONCEPTUAL PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A ZONING AND/OR CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON INFORMATION THAT WAS SUPPLIED TO BOHLER ENGINEERING AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE UPON AVAILABILITY OF ADDITIONAL INFORMATION.

LEGEND

_ _ _ _ _

LEASE LINE

PROFESSIONAL CERTIFICATION I, MATTHEW K. JONES, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 39999, EXPIRATION DATE: 3/15/2017



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***** REVISIONS COMMENT PER INTAKE COMMENTS



DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE. IN VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL - 811 WV 1-800-245-4848) (PA 1-800-242-1776) (DC 1-800-257-7777 VA 1-800-552-7001) (MD 1-800-257-7777) (DE 1-800-282-8555)

NOT APPROVED FOR CONSTRUCTION

DRAWN BY: CHECKED BY: DATE: SCALE: CAD I.D.:

07/18/16 1"=20' PROJECT: CONDITIONAL

USE PLAN

STARBUCKS



LOCATION OF SITE 15640 OLD COLUMBIA PIKE MONTGOMERY COUNTY BURTONSVILLE, MARYLAND



16701 MELFORD BLVD, SUITE 310 **BOWIE, MARYLAND 20715** Phone: (301) 809-4500 Fax: (301) 809-4501 MD@BohlerEng.com

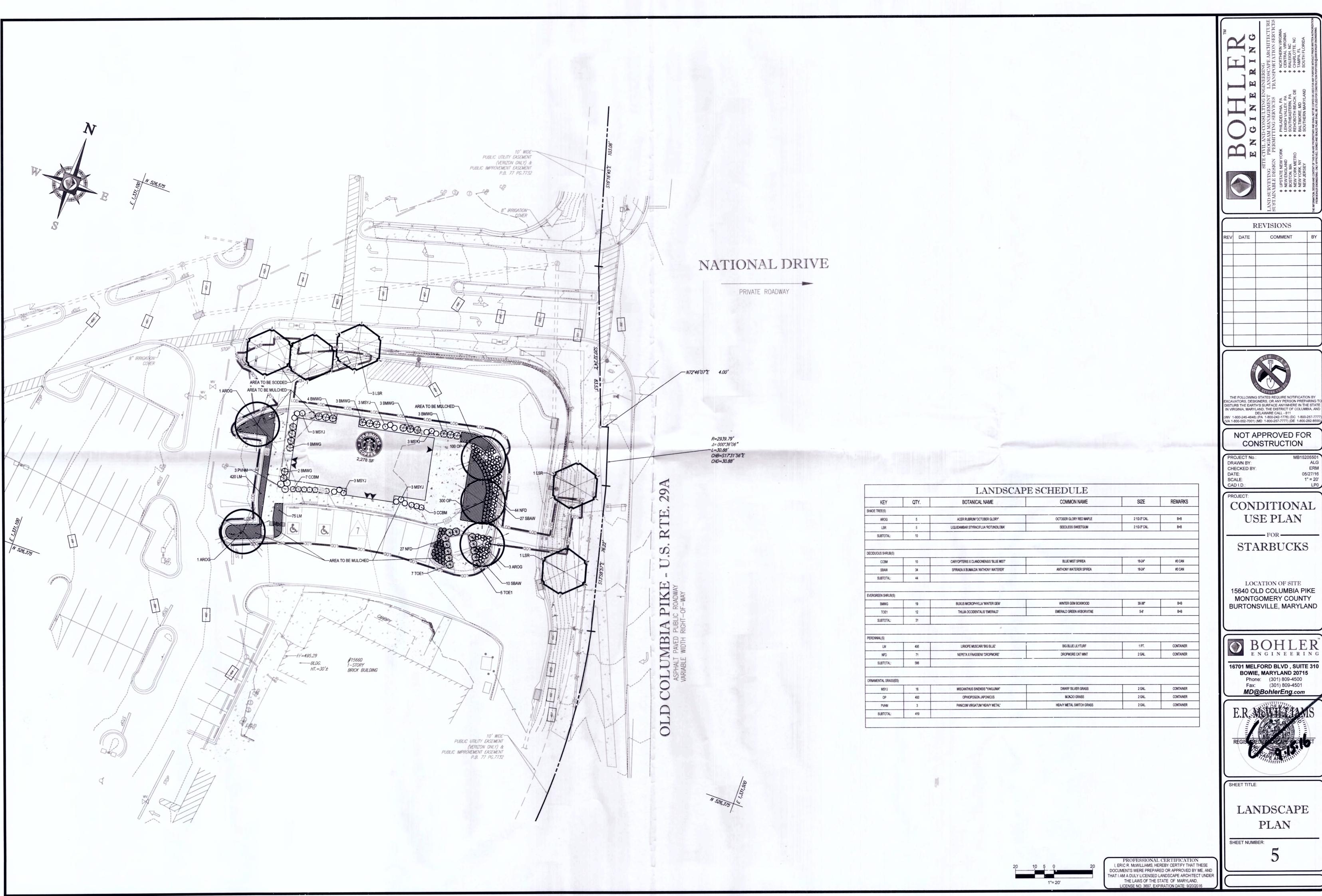


SHEET TITLE: CONDITIONAL USE PLAN **DETAILS**

SHEET NUMBER:

OF 7

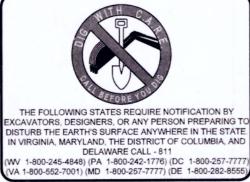
PROFESSIONAL CERTIFICATION
I, MATTHEW K. JONES, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 39999, EXPIRATION DATE: 3/15/2017



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NOT APPROVED FOR

CONSTRUCTION PROJECT No.: DRAWN BY:

CONDITIONAL

USE PLAN

STARBUCKS

LOCATION OF SITE 15640 OLD COLUMBIA PIKE MONTGOMERY COUNTY



16701 MELFORD BLVD, SUITE 310 **BOWIE, MARYLAND 20715** Phone: (301) 809-4500 Fax: (301) 809-4501 MD@BohlerEng.com



LANDSCAPE PLAN

LANDSCAPE SPECIFICATIONS

HE LANDSCAPE CONTRACTOR SHALL BE REQUIRED TO PERFORM ALL CLEARING, FINISHED GRADING, SOIL PREPARATION, PERMANENT SEEDING OR SODDING, PLANTING AND MULCHING INCLUDING ALL LABOR, MATERIALS, TOOLS AND EQUIPMENT NECESSARY FOR THE COMPLETION OF THIS PROJECT, UNLESS OTHERWISE CONTRACTED BY HE GENERAL CONTRACTOR

. MATERIALS

A GENERAL - ALL HARDSCAPE MATERIALS SHALL MEET OR EXCEED SPECIFICATIONS AS OUTLINED IN THE STATE DEPARTMENT OF TRANSPORTATION'S SPECIFICATIONS.

- B. TOPSOIL NATURAL, FRIABLE, LOAMY SILT SOIL HAVING AN ORGANIC CONTENT NOT LESS THAN 5%, A PH RANGE BETWEEN 4.5-7.0. IT SHALL BE FREE OF DEBRIS, ROCKS LARGER THAN ONE INCH (1"), WOOD, ROOTS, VEGETABLE MATTER AND CLAY CLODS.
- LAWN ALL DISTURBED AREAS ARE TO BE TREATED WITH A MINIMUM SIX INCH (6") THICK LAYER OF TOPSOIL, OR AS DIRECTED BY THE LOCAL ORDINANCE OR CLIENT, AND SEEDED OR SODDED IN ACCORDANCE WITH THE PERMANENT STABILIZATION METHODS INDICATED WITHIN THE SOIL EROSION AND SEDIMENT CONTROL NOTES.
- 1.1. LAWN SEED MIXTURE SHALL BE FRESH, CLEAN NEW CROP SEED. 1.2. SOD SHALL BE STRONGLY ROOTED, WEED AND DISEASE/PEST FREE WITH A UNIFORM THICKNESS. 1.3. SOD INSTALLED ON SLOPES GREATER THAN 4:1 SHALL BE PEGGED TO HOLD SOD IN PLACE.
- MULCH THE MULCH AROUND THE PERIMETER OF THE BUILDING SHALL BE A 3" LAYER OF DOUBLE SHREDDED BLACK CEDAR MULCH ONLY. ALL OTHER AREAS SHALL BE MULCHED WITH A 3" LAYER OF DOUBLE SHREDDED DARK BROWN HARDWOOD BARK MULCH, UNLESS OTHERWISE STATED ON THE LANDSCAPE PLAN.
- 1.1. FERTILIZER SHALL BE DELIVERED TO THE SITE MIXED AS SPECIFIED IN THE ORIGINAL UNOPENED STANDARD
- BAGS SHOWING WEIGHT, ANALYSIS AND NAME OF MANUFACTURER. FERTILIZER SHALL BE STORED IN A WEATHERPROOF PLACE SO THAT IT CAN BE KEPT DRY PRIOR TO USE. 1.2. FOR THE PURPOSE OF BIDDING, ASSUME THAT FERTILIZER SHALL BE 10% NITROGEN, 6% PHOSPHORUS AND

4% POTASSIUM BY WEIGHT. A FERTILIZER SHOULD NOT BE SELECTED WITHOUT A SOIL TEST PERFORMED BY A CERTIFIED SOIL LABORATORY.

- 1.1. ALL PLANTS SHALL IN ALL CASES CONFORM TO THE REQUIREMENTS OF THE "AMERICAN STANDARD FOR NURSERY STOCK" (ANSI Z60.1), LATEST EDITION, AS PUBLISHED BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION
- 1.2. IN ALL CASES, BOTANICAL NAMES SHALL TAKE PRECEDENCE OVER COMMON NAMES FOR ANY AND ALL PLANT MATERIAL 1.3. PLANTS SHALL BE LEGIBLY TAGGED WITH THE PROPER NAME AND SIZE. TAGS ARE TO REMAIN ON AT LEAST
- ONE PLANT OF EACH SPECIES FOR VERIFICATION PURPOSES DURING THE FINAL INSPECTION. 1.4. TREES WITH ABRASION OF THE BARK, SUN SCALDS, DISFIGURATION OR FRESH CUTS OF LIMBS OVER 11/4",
- WHICH HAVE NOT BEEN COMPLETELY CALLUSED, SHALL BE REJECTED PLANTS SHALL NOT BE BOUND WITH WIRE OR ROPE AT ANY TIME SO AS TO DAMAGE THE BARK OR BREAK BRANCHES. 1.5. ALL PLANTS SHALL BE TYPICAL OF THEIR SPECIES OR VARIETY AND SHALL HAVE A NORMAL HABIT OF
- GROWTH: WELL DEVELOPED BRANCHES, DENSELY FOLIATED, VIGOROUS ROOT SYSTEMS AND BE FREE OF DISEASE INSECTS, PESTS, EGGS OR LARVAE
- 1.6. CALIPER MEASUREMENTS OF NURSERY GROWN TREES SHALL BE TAKEN AT A POINT ON THE TRUNK SIX INCHES (6") ABOVE THE NATURAL GRADE FOR TREES UP TO AND INCLUDING A FOUR INCH (4") CALIPER SIZE. IF THE CALIPER AT SIX INCHES (6") ABOVE THE GROUND EXCEEDS FOUR INCHES (4") IN CALIPER, THE CALIPER SHOULD BE MEASURED AT A POINT 12" ABOVE THE NATURAL GRADE.
- 1.7. SHRUBS SHALL BE MEASURED TO THE AVERAGE HEIGHT OR SPREAD OF THE SHRUB, AND NOT TO THE 1.8. TREES AND SHRUBS SHALL BE HANDLED WITH CARE BY THE ROOT BALL.

CONTRACTOR TO UTILIZE WORKMANLIKE INDUSTRY STANDARDS IN PERFORMING ALL LANDSCAPE CONSTRUCTION. THE SITE IS TO BE LEFT IN A CLEAN STATE AT THE END OF EACH WORKDAY. ALL DEBRIS, MATERIALS AND TOOLS SHALL BE PROPERLY STORED, STOCKPILED OR DISPOSED OF

WASTE MATERIALS AND DEBRIS SHALL BE COMPLETELY DISPOSED OF AT THE CONTRACTOR'S EXPENSE. DEBRIS SHALL NOT BE BURIED, INCLUDING ORGANIC MATERIALS, BUT SHALL BE REMOVED COMPLETELY FROM THE SITE.

BEFORE AND DURING PRELIMINARY GRADING AND FINISHED GRADING. ALL WEEDS AND GRASSES SHALL BE DUG

OUT BY THE ROOTS AND DISPOSED OF IN ACCORDANCE WITH GENERAL WORK PROCEDURES OUTLINED HEREIN. B. ALL EXISTING TREES TO REMAIN SHALL BE PRUNED TO REMOVE ANY DAMAGED BRANCHES. THE ENTIRE LIMB OF ANY DAMAGED BRANCH SHALL BE CUT OFF AT THE TRUNK. CONTRACTOR SHALL ENSURE THAT CUTS ARE SMOOTH AND STRAIGHT. ANY EXPOSED ROOTS SHALL BE CUT BACK WITH CLEAN, SHARP TOOLS AND TOPSOIL SHALL BE PLACED AROUND THE REMAINDER OF THE ROOTS. EXISTING TREES SHALL BE MONITORED ON A REGULAR BASIS FOR ADDITIONAL ROOT OR BRANCH DAMAGE AS A RESULT OF CONSTRUCTION. ROOTS SHALL NOT BE LEFT EXPOSED FOR MORE THAN ONE (1) DAY. CONTRACTOR SHALL WATER EXISTING TREES AS NEEDED

CONTRACTOR SHALL ARRANGE TO HAVE A UTILITY STAKE-OUT TO LOCATE ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY LANDSCAPE MATERIAL. UTILITY COMPANIES SHALL BE CONTACTED THREE (3) DAYS PRIOR TO THE BEGINNING OF WORK.

CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES TO REMAIN. A TREE PROTECTION ZONE SHALL BE ESTABLISHED AT THE DRIP LINE OR 15 FEET FROM THE TRUNK OR AT THE LIMIT OF CONSTRUCTION DISTURBANCE, WHICHEVER IS GREATER. LOCAL STANDARDS THAT MAY REQUIRE A MORE TRICT TREE PROTECTION ZONE SHALL BE HONORED.

- B. A FORTY-EIGHT INCH (48") HIGH WOODEN SNOW FENCE OR ORANGE COLORED HIGH-DENSITY 'VISI-FENCE', OR APPROVED EQUAL, MOUNTED ON STEEL POSTS SHALL BE PLACED ALONG THE BOUNDARY OF THE TREE PROTECTION ZONE. POSTS SHALL BE LOCATED AT A MAXIMUM OF EIGHT FEET (8') ON CENTER OR AS INDICATED
- WHEN THE TREE PROTECTION FENCING HAS BEEN INSTALLED, IT SHALL BE INSPECTED BY THE APPROVING AGENCY PRIOR TO DEMOLITION, GRADING, TREE CLEARING OR ANY OTHER CONSTRUCTION. THE FENCING ALONG THE TREE PROTECTION ZONE SHALL BE REGULARLY INSPECTED BY THE LANDSCAPE CONTRACTOR AND MAINTAINED UNTIL ALL CONSTRUCTION ACTIVITY HAS BEEN COMPLETED.
-). AT NO TIME SHALL MACHINERY, DEBRIS, FALLEN TREES OR OTHER MATERIALS BE PLACED, STOCKPILED OR LEFT STANDING IN THE TREE PROTECTION ZONE.

CONTRACTOR SHALL ATTAIN A SOIL TEST FOR ALL AREAS OF THE SITE PRIOR TO CONDUCTING ANY PLANTING. SOIL TESTS SHALL BE PERFORMED BY A CERTIFIED SOIL LABORATORY. LANDSCAPE CONTRACTOR SHALL REPORT ANY SOIL OR DRAINAGE CONDITIONS CONSIDERED DETRIMENTAL TO

- THE GROWTH OF PLANT MATERIAL. SOIL MODIFICATIONS, AS SPECIFIED HEREIN, MAY NEED TO BE CONDUCTED BY THE LANDSCAPE CONTRACTOR DEPENDING ON SITE CONDITIONS. THE FOLLOWING AMENDMENTS AND QUANTITIES ARE APPROXIMATE AND ARE FOR BIDDING PURPOSES ONLY.
- COMPOSITION OF AMENDMENTS SHOULD BE REVISED DEPENDING ON THE OUTCOME OF A TOPSOIL ANALYSIS PERFORMED BY A CERTIFIED SOIL LABORATORY 1.1. TO INCREASE A SANDY SOIL'S ABILITY TO RETAIN WATER AND NUTRIENTS, THOROUGHLY TILL ORGANIC MATTER INTO THE TOP 6-12". USE COMPOSTED BARK, COMPOSTED LEAF MULCH OR PEAT MOSS. ALL PRODUCTS SHOULD BE COMPOSTED TO A DARK COLOR AND BE FREE OF PIECES WITH IDENTIFIABLE LEAF
- OR WOOD STRUCTURE. AVOID MATERIAL WITH A PH HIGHER THAN 7.5. 1.2. TO INCREASE DRAINAGE, MODIFY HEAVY CLAY OR SILT (MORE THAN 40% CLAY OR SILT) BY ADDING COMPOSTED PINE BARK (UP TO 30% BY VOLUME) AND/OR AGRICULTURAL GYPSUM. COARSE SAND MAY BE USED IF ENOUGH IS ADDED TO BRING THE SAND CONTENT TO MORE THAN 60% OF THE TOTAL MIX. SUBSURFACE DRAINAGE LINES MAY NEED TO BE ADDED TO INCREASE DRAINAGE.
- 1.3. MODIFY EXTREMELY SANDY SOILS (MORE THAN 85%) BY ADDING ORGANIC MATTER AND/OR DRY, SHREDDED CLAY LOAM UP TO 30% OF THE TOTAL MIX.

UNLESS OTHERWISE CONTRACTED, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF TOPSOIL AND THE ESTABLISHMENT OF FINE-GRADING WITHIN THE DISTURBANCE AREA OF THE

- B. LANDSCAPE CONTRACTOR SHALL VERIFY THAT SUBGRADE FOR INSTALLATION OF TOPSOIL HAS BEEN ESTABLISHED. THE SUBGRADE OF THE SITE MUST MEET THE FINISHED GRADE LESS THE REQUIRED TOPSOIL THICKNESS (1"±).
- ALL LAWN AND PLANTING AREAS SHALL BE GRADED TO A SMOOTH, EVEN AND UNIFORM PLANE WITH NO ABRUPT CHANGE OF SURFACE AS DEPICTED WITHIN THIS SET OF CONSTRUCTION PLANS, UNLESS OTHERWISE DIRECTED BY THE PROJECT ENGINEER OR LANDSCAPE ARCHITECT.
- D. ALL PLANTING AREAS SHALL BE GRADED AND MAINTAINED TO ALLOW FREE FLOW OF SURFACE WATER IN AND AROUND THE PLANTING BEDS. STANDING WATER SHALL NOT BE PERMITTED IN PLANTING BEDS.

CONTRACTOR SHALL PROVIDE A SIX INCH (6") THICK MINIMUM LAYER OF TOPSOIL, OR AS DIRECTED BY THE LOCAL ORDINANCE OR CLIENT, IN ALL PLANTING AREAS. TOPSOIL SHOULD BE SPREAD OVER A PREPARED SURFACE IN A UNIFORM LAYER TO ACHIEVE THE DESIRED COMPACTED THICKNESS.

- B. ON-SITE TOPSOIL MAY BE USED TO SUPPLEMENT THE TOTAL AMOUNT REQUIRED. TOPSOIL FROM THE SITE MAY BE REJECTED IF IT HAS NOT BEEN PROPERLY REMOVED, STORED AND PROTECTED PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL FURNISH TO THE APPROVING AGENCY AN ANALYSIS OF BOTH IMPORTED AND ON-SITE TOPSOIL TO BE UTILIZED IN ALL PLANTING AREAS. THE PH AND NUTRIENT LEVELS MAY NEED TO BE ADJUSTED THROUGH SOIL MODIFICATIONS AS NEEDED TO ACHIEVE THE REQUIRED LEVELS AS SPECIFIED IN THE MATERIALS SECTION ABOVE.
- ALL PLANTING AND LAWN AREAS ARE TO BE CULTIVATED TO A DEPTH OF SIX INCHES (6"). ALL DEBRIS EXPOSED FROM EXCAVATION AND CULTIVATION SHALL BE DISPOSED OF IN ACCORDANCE WITH GENERAL WORK PROCEDURES SECTION ABOVE. THE FOLLOWING SHALL BE TILLED INTO THE TOP FOUR INCHES (4") IN TWO DIRECTIONS (QUANTITIES BASED ON A 1,000 SQUARE FOOT AREA):
- 1.1. 20 POUNDS 'GROW POWER' OR APPROVED EQUAL 1.2. 20 POUNDS NITRO-FORM (COURSE) 38-0-0 BLUE CHIP
- E. THE SPREADING OF TOPSOIL SHALL NOT BE CONDUCTED UNDER MUDDY OR FROZEN CONDITIONS.

- A. INSOFAR THAT IT IS FEASIBLE, PLANT MATERIAL SHALL BE PLANTED ON THE DAY OF DELIVERY. IN THE EVENT THAT THIS IS NOT POSSIBLE, LANDSCAPE CONTRACTOR SHALL PROTECT UNINSTALLED PLANT MATERIAL. PLANTS SHALL NOT REMAIN UNPLANTED FOR LONGER THAN A THREE DAY PERIOD AFTER DELIVERY. PLANTS THAT WILL NOT BE PLANTED FOR A PERIOD OF TIME GREATER THAN THREE DAYS SHALL BE HEALED IN WITH TOPSOIL OR MULCH TO HELP PRESERVE ROOT MOISTURE.
- B. PLANTING OPERATIONS SHALL BE PERFORMED DURING PERIODS WITHIN THE PLANTING SEASON WHEN WEATHER AND SOIL CONDITIONS ARE SUITABLE AND IN ACCORDANCE WITH ACCEPTED LOCAL PRACTICE. PLANTS SHALL NOT BE INSTALLED IN TOPSOIL THAT IS IN A MUDDY OR FROZEN CONDITION.
- C. ANY INJURED ROOTS OR BRANCHES SHALL BE PRUNED TO MAKE CLEAN-CUT ENDS PRIOR TO PLANTING UTILIZING CLEAN, SHARP TOOLS. ONLY INJURED OR DISEASED BRANCHING SHALL BE REMOVED.
- D. ALL PLANTING CONTAINERS AND NON-BIODEGRADABLE MATERIALS SHALL BE REMOVED FROM ROOT BALLS DURING PLANTING. NATURAL FIBER BURLAP MUST BE CUT FROM AROUND THE TRUNK OF THE TREE AND FOLDED DOWN AGAINST THE ROOT BALL PRIOR TO BACKFILLING.
- E. POSITION TREES AND SHRUBS AT THEIR INTENDED LOCATIONS AS PER THE PLANS AND SECURE THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO EXCAVATING PITS, MAKING NECESSARY ADJUSTMENTS AS DIRECTED.
- F. PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY, THE PROPOSED LANDSCAPE, AS SHOWN ON THE APPROVED LANDSCAPE PLAN, MUST BE INSTALLED, INSPECTED AND APPROVED BY THE APPROVING AGENCY. THE APPROVING AGENCY SHALL TAKE INTO ACCOUNT SEASONAL CONSIDERATIONS IN THIS REGARD AS FOLLOWS. THE PLANTING OF TREES, SHRUBS, VINES OR GROUND COVER SHALL OCCUR ONLY DURING THE FOLLOWING PLANTING SEASONS:
- 1.1. PLANTS: MARCH 15 TO DECEMBER 15 1.2. LAWN: MARCH 15 TO JUNE 15 OR SEPT. 1 TO DECEMBER 1
- G. PLANTINGS FEQUIRED FOR A CERTIFICATE OF OCCUPANCY SHALL BE PROVIDED DURING THE NEXT APPROPRIATE SEASON AT THE MUNICIPALITY'S DISCRETION. CONTRACTOR SHOULD CONTACT APPROVING AGENCY FOR POTENTIAL SUBSTITUTIONS.
- H. FURTHERMORE. THE FOLLOWING TREE VARIETIES ARE UNUSUALLY SUSCEPTIBLE TO WINTER DAMAGE. WITH TRANSPLANT SHOCK AND THE SEASONAL LACK OF NITROGEN AVAILABILITY, THE RISK OF PLANT DEATH IS GREATLY INCREASED. IT IS NOT RECOMMENDED THAT THESE SPECIES BE PLANTED DURING THE FALL PLANTING SEASON

PLATANUS X ACERIFOLIA ACER RUBRUM BETULA VARIETIES POPULOUS VARIETIES CARPINUS VARIETIES PRUNUS VARIETIES PYRUS VARIETIES CRATAEGUS VARIETIES KOELREUTERIA QUERCUS VARIETIES LIQUIDAMBER STYRACIFLUA TILIA TOMENTOSA LIRIODENDRON TULIPIFERA ZELKOVA VARIETIES

- PLANTING PITS SHALL BE DUG WITH LEVEL BOTTOMS, WITH THE WIDTH TWICE THE DIAMETER OF ROOT BALL. THE ROOT BALL SHALL REST ON UNDISTURBED GRADE. EACH PLANT PIT SHALL BE BACKFILLED IN LAYERS WITH
- THE FOLLOWING PREPARED SOIL MIXED THOROUGHLY: 1 PART PEAT MOSS
- 1 PART COMPOSTED COW MANURE BY VOLUME 3 PARTS TOPSOIL BY VOLUME
- 21 GRAMS 'AGRIFORM' PLANTING TABLETS (OR APPROVED EQUAL) AS FOLLOWS: A) 2 TABLETS PER 1 GALLON PLANT
- B) 3 TABLETS PER 5 GALLON PLANT C) 4 TABLETS PER 15 GALLON PLANT
- D) LARGER PLANTS: 2 TABLETS PER 1/2" CALIPER OF TRUNK
- J. FILL PREPARED SOIL AROUND BALL OF PLANT HALF-WAY AND INSERT PLANT TABLETS. COMPLETE BACKFILL AND WATER THOROUGHLY
- K. ALL PLANTS SHALL BE PLANTED SO THAT THE TOP OF THE ROOT BALL, THE POINT AT WHICH THE ROOT FLARE BEGINS, IS SET AT GROUND LEVEL AND IN THE CENTER OF THE PIT. NO SOIL IS TO BE PLACED DIRECTLY ON TOP OF THE ROOT BALL
- L. ALL PROPOSED TREES DIRECTLY ADJACENT TO WALKWAYS OR DRIVEWAYS SHALL BE PRUNED AND MAINTAINED TO A MINIMUM BRANCHING HEIGHT OF 7' FROM GRADE.
- M. GROUND COVER AREAS SHALL RECEIVE A 1/4" LAYER OF HUMUS RAKED INTO THE TOP 1" OF PREPARED SOIL PRIOR TO PLANTING. ALL GROUND COVER AREAS SHALL BE WEEDED AND TREATED WITH A PRE-EMERGENT CHEMICAL AS PER MANUFACTURER'S RECOMMENDATION.
- N. NO PLANT, EXCEPT GROUND COVERS, GRASSES OR VINES, SHALL BE PLANTED LESS THAN TWO FEET (2') FROM EXISTING STRUCTURES AND SIDEWALKS.
- O. ALL PLANTING AREAS AND PLANTING PITS SHALL BE MULCHED AS SPECIFIED HEREIN TO FILL THE ENTIRE BED AREA OR SAUCER. NO MULCH IS TO TOUCH THE TRUNK OF THE TREE OR SHRUB.
- P. ALL PLANTING AREAS SHALL BE WATERED IMMEDIATELY UPON INSTALLATION IN ACCORDANCE WITH THE WATERING SPECIFICATIONS AS LISTED HEREIN.

10. TRANSPLANTING (WHEN REQUIRED) A. ALL TRANSPLANTS SHALL BE DUG WITH INTACT ROOT BALLS CAPABLE OF SUSTAINING THE PLANT.

- B. IF PLANTS ARE TO BE STOCKPILED BEFORE REPLANTING, THEY SHALL BE HEALED IN WITH MULCH OR SOIL ADEQUATELY WATERED AND PROTECTED FROM EXTREME HEAT, SUN AND WIND
- C. PLANTS SHALL NOT BE DUG FOR TRANSPLANTING BETWEEN APRIL 10 AND JUNE 30.
- D. UPON REPLANTING, BACKFILL SOIL SHALL BE AMENDED WITH FERTILIZER AND ROOT GROWTH HORMONE.
- E. TRANSPLANTS SHALL BE GUARANTEED FOR THE LENGTH OF THE GUARANTEE PERIOD SPECIFIED HEREIN.
- F. IF TRANSPLANTS DIE, SHRUBS AND TREES LESS THAN SIX INCHES (6") DBH SHALL BE REPLACED IN KIND. TREES GREATER THAN SIX INCHES (6") DBH MAY BE REQUIRED TO BE REPLACED IN ACCORDANCE WITH THE MUNICIPALITY'S TREE REPLACEMENT GUIDELINES.

A. NEW PLANTINGS OR LAWN AREAS SHALL BE ADEQUATELY IRRIGATED BEGINNING IMMEDIATELY AFTER PLANTING. WATER SHALL BE APPLIED TO EACH TREE AND SHRUB IN SUCH MANNER AS NOT TO DISTURB BACKFILL AND TO THE EXTENT THAT ALL MATERIALS IN THE PLANTING HOLE ARE THOROUGHLY SATURATED. WATERING SHALL CONTINUE AT LEAST UNTIL PLANTS ARE ESTABLISHED.

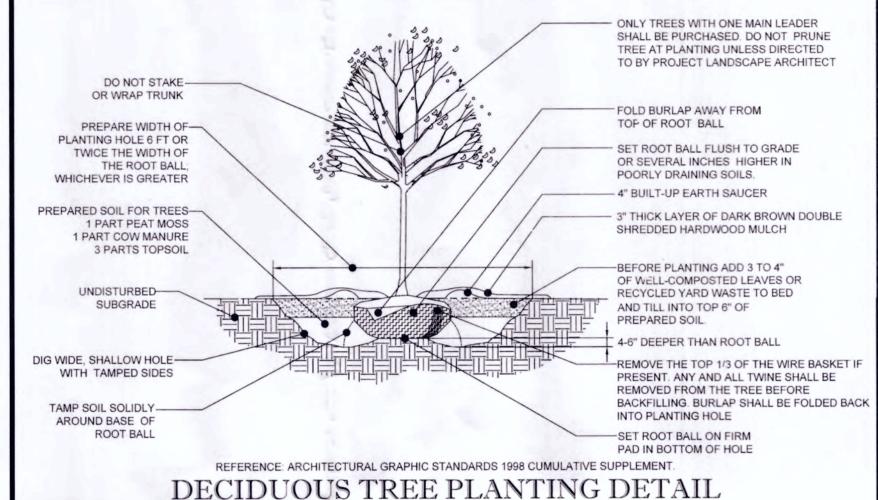
- B. SITE OWNER SHALL PROVIDE WATER IF AVAILABLE ON SITE AT TIME OF PLANTING. IF WATER IS NOT AVAILABLE ON SITE, CONTRACTOR SHALL SUPPLY ALL NECESSARY WATER. THE USE OF WATERING BAGS IS RECOMMENDED FOR ALL NEWLY PLANTED TREES.
- C. IF AN IRRIGATION SYSTEM HAS BEEN INSTALLED ON THE SITE, IT SHALL BE USED TO WATER PROPOSED PLANT MATERIAL, BUT ANY FAILURE OF THE SYSTEM DOES NOT ELIMINATE THE CONTRACTOR'S RESPONSIBILITY OF MAINTAINING THE DESIRED MOISTURE LEVEL FOR VIGOROUS, HEALTHY GROWTH.

- THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANTS FOR A PERIOD OF ONE (1) YEAR FROM APPROVAL OF LANDSCAPE INSTALLATION BY THE APPROVING AGENCY. CONTRACTOR SHALL SUPPLY THE OWNER WITH A MAINTENANCE BOND FOR TEN PERCENT (10%) OF THE VALUE OF THE LANDSCAPE INSTALLATION WHICH WILL BE RELEASED AT THE CONCLUSION OF THE GUARANTEE PERIOD AND WHEN A FINAL INSPECTION HAS BEEN COMPLETED AND APPROVED BY THE OWNER OR AUTHORIZED REPRESENTATIVE
- B. ANY DEAD OR DYING PLANT MATERIAL SHALL BE REPLACED FOR THE LENGTH OF THE GUARANTEE PERIOD. REPLACEMENT OF PLANT MATERIAL SHALL BE CONDUCTED AT THE FIRST SUCCEEDING PLANTING SEASON. ANY DEBRIS SHALL BE DISPOSED OF OFF-SITE, WITHOUT EXCEPTION.
- TREES AND SHRUBS SHALL BE MAINTAINED BY THE CONTRACTOR DURING CONSTRUCTION AND THROUGHOUT THE 90 DAY MAINTENANCE PERIOD AS SPECIFIED HEREIN. CULTIVATION, WEEDING, WATERING AND THE PREVENTATIVE TREATMENTS SHALL BE PERFORMED AS NECESSARY TO KEEP PLANT MATERIAL IN GOOD
- CONDITION AND FREE OF INSECTS AND DISEASE. D. LAWNS SHALL BE MAINTAINED THROUGH WATERING, FERTILIZING, WEEDING, MOWING, TRIMMING AND OTHER OPERATIONS SUCH AS ROLLING, REGARDING AND REPLANTING AS REQUIRED TO ESTABLISH A SMOOTH, ACCEPTABLE LAWN, FREE OF ERODED OR BARE AREAS.

- A. UPON THE COMPLETION OF ALL LANDSCAPE INSTALLATION AND BEFORE THE FINAL ACCEPTANCE, THE CONTRACTOR SHALL REMOVE ALL UNUSED MATERIALS, EQUIPMENT AND DEBRIS FROM THE SITE. ALL PAVED AREAS ARE TO BE CLEANED.
- B. THE SITE SHALL BE CLEANED AND LEFT IN A NEAT AND ACCEPTABLE CONDITION AS APPROVED BY THE OWNER.

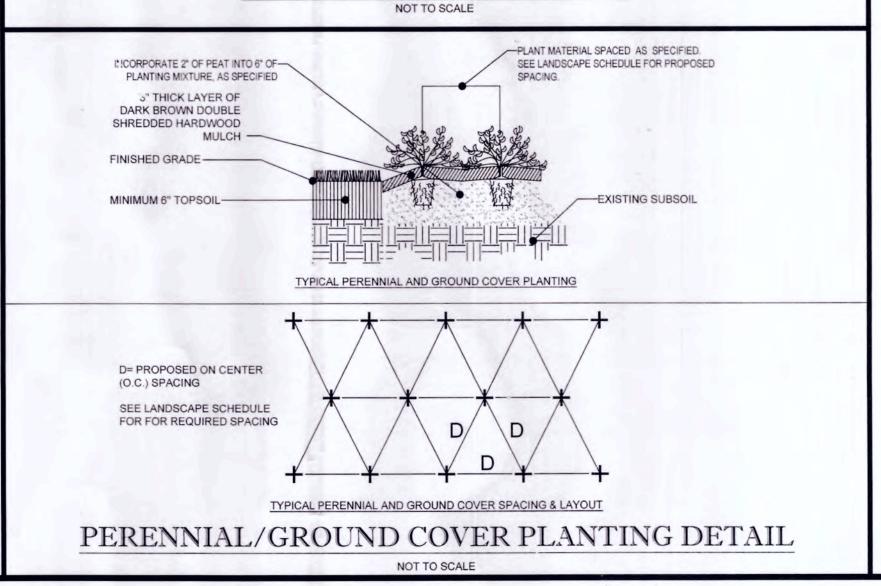
ONLY TREES WITH ONE MAIN LEADER SHALL BE PURCHASED. DO NOT PRUNE TREE AT PLANTING UNLESS DIRECTED TO BY PROJECT LANDSCAPE ARCHITECT DO NOT STAKE OR-FOLD BURLAP AWAY FROM TOP OF WRAP TRUNK ROOT BALL SET ROOT BALL FLUSH TO GRADE OR PREPARE WIDTH OF-SEVERAL INCHES HIGHER IN PLANTING HOLE 6 FT POORLY DRAINING SOILS. OR TWICE THE WIDTH OF THE ROOT BALL; 4" BUILT-UP EARTH SAUCER WHICHEVER IS - 3" THICK LAYER OF DARK GREATER BROWN DOUBLE SHREDDED HARDWOOD MULCH PREPARED SOIL FOR-TREES 1 PART PEAT MOSS 1 BEFORE PLANTING ADD 3 TO 4' PART COW MANURE 3 OF WELL-COMPOSTED LEAVES PARTS TOPSOIL OR RECYCLED YARD WASTE TO BED AND TILL INTO TOP 6" OF PREPARED SOIL. 4-6" DEEPER THAN ROOT BALL UNDISTURBED-SUBGRADE REMOVE THE TOP 1/3 OF THE WIRE BASKET IF PRESENT. ANY AND ALL TWINE SHALL BE REMOVED DIG WIDE, SHALLOW HOLE-FROM THE TREE BEFORE BACKFILLING, BURLAP SHAL WITH TAMPED SIDES BE FOLDED BACK INTO PLANTING HOLE TAMP SOIL SOLIDLY AROUND BASE OF ROOT BALL SET ROOT BALL ON FIRM PAD IN BOTTOM OF HOLE REFERENCE: ARCHITECTURAL GRAPHIC STANDARDS 1998 CUMULATIVE SUPPLEMENT

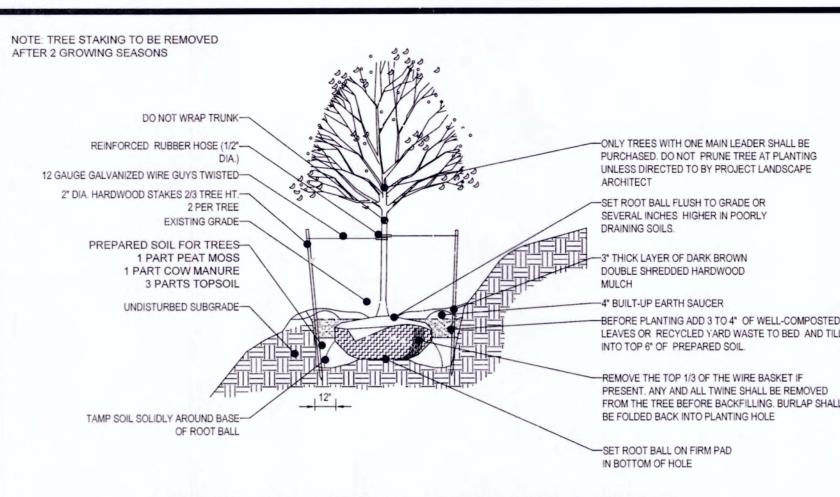
EVERGREEN TREE PLANTING DETAIL



PLANT SHALL BE- FOR CONTAINER-GROWN TRANSPLANTED AT THE SAME SHRUBS, USE FINGER OR GRADE AS IT BORE IN THE SMALL HAND TOOLS TO PULL NURSERY PLOT PRIOR TO THE ROOTS OUT OF THE OUTER BALLING AND BURLAPPING LAYER OF POTTING SOIL; THEN CUT OR PULL APART ANY PLANTING MIX -ROOTS THAT CIRCLE THE 1 PART PEAT MOSS PERIMETER OF THE CONTAINE 1 PART COW MANURE 3 PARTS TOPSOIL PLANTING 3" THICK LAYER OF DARK MIXTURE WILL CHANGE WITH BROWN DOUBLE SOIL CONDITIONS SHREDDED HARDWOOD - FINISHED GRADE EFORE PLANTING, ADD 3 TO 4" -TTT--PLACE SHRUB ON OF WELL-COMPOSTED LEAVES FIRM SOIL IN AND RECYCLED YARD WASTE BOTTOM OF HOLE. TO BED AND TILL INTO TOP 6" OF PREPARED SOIL REMOVE THE TOP 1/3 OF THE WIRE BASKET IF PRESENT, ANY 24" MINIMUM AND ALL TWINE SHALL BE SUBGRADE REMOVED FROM THE SHRUE -SOIL SURFACE ROUGHENED BEFORE BACKFILLING, BURLAP SHALL BE FOLDED BACK INTO TO BIND WITH NEW SOIL PLANTING HOLE

REFERENCE: ARCHITECTURAL GRAPHIC STANDARDS 1998 CUMULATIVE SUPPLEMENT DECIDUOUS AND EVERGREEN SHRUB PLANTING DETAIL





TREE PLANTING ON SLOPE DETAIL

SEEDING SPECIFICATIONS

PRIOR TO SEEDING, AREA IS TO BE TOPSOILED, FINE GRADED, AND RAKED OF ALL DEBRIS LARGER THAN 2" DIAMETER.

PRIOR TO SEEDING, CONSULT MANUFACTURER'S RECOMMENDATIONS AND INSTRUCTIONS

SEEDING RATES PERENNIAL RYEGRASS KENTUCKY BLUEGRASS

RED FESCUE

SPREADING FESCUE

FERTILIZER (20:10:10)

1 LB/1.000 SQ FT 1 1/2 LBS/1,000 SQ FT 1 1/2 LBS/1,000 SQ FT 14 LBS/1.000 SQ FT 90 LBS/1.000 SQ FT

1/2 LB/1,000 SQ FT

GERMINATION RATES WILL VARY AS TO TIME OF YEAR FOR SOWING. CONTRACTOR TO IRRIGATE SEEDED AREA UNTIL AN ACCEPTABLE STAND OF COVER IS ESTABLISHED BY OWNER.

OWNER MAINTENANCE RESPONSIBILITIES

UPON OWNER'S (OR OWNER CONTRACTOR'S) COMPLETION OF LANDSCAPING WORK, THE OWNER IS FULLY RESPONSIBLE FOR ALL FUTURE MAINTENANCE, CARE, UPKEEP, WATERING, AND TRIMMING OF ALL INSTALLED VEGETATION, PLANTS, TREE, BUSHES, SHRUBS, GRASSES, GRASS, ORNAMENTAL PLANTS AND FLOWERS, FLOWERS, GROUND COVER, AND LANDSCAPING, INCLUDING ALL LANDSCAPE ISLANDS AND AREAS ADJACENT OR PART OF THE LANDSCAPED AREAS. THIS RESPONSIBILITY INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING:

- TREES ADJACENT TO WALKWAYS AND AREAS OF PEDESTRIAN TRAFFIC MUST BE MAINTAINED TO ASSURE THAT ANY BRANCHES MUST BE LIMBED UP TO A CLEARANCE HEIGHT OF 7 FT. (FROM ALL PEDESTRIAN SURFACES) OR PRUNED BACK TO AVOID ANY INTERFERENCE WITH THE TYPICAL PATH
- TREES WITHIN VEHICULAR SIGHT LINES. AS ILLUSTRATED ON THE LANDSCAPE PLAN. ARE TO BE TRIMMED TO A CLEARANCE HEIGHT OF 7 FT. (FROM ALL PAVED, TRAVELED SURFACES), OR AS OTHERWISE INDICATED ON THE PLANS.
- VEGETATIVE GROUND COVER, SHRUBS AND ORNAMENTAL PLANTS AND GRASSES MUST BE TRIMMED. O THAT NO PORTION OF THE PLANT EXCEEDS 30 INCHES ABOVE GRADE (OF ALL PAVED, TRAVE SURFACES) ALONG AND WITHIN THE SIGHT LINES OF PARKING LOTS AND INGRESS-EGRESS WAYS.
- FALLEN PLANT FLOWERS, FRUIT, SEEDS AND DEBRIS DROPPINGS ARE TO BE REMOVED IMMEDIATELY FROM VEHICULAR AND PEDESTRIAN TRAFFIC AREAS TO PREVENT TRIPPING, SLIPPING OR ANY OTHER HAZARDS

DRAWN BY: CHECKED BY

THESE REQUIREMENTS DO NOT AFFECT THE PLANT LIFE GUARANTEES THE LANDSCAPE CONTRACTOR IS

REVISIONS

DATE COMMENT



W 1-800-245-4848) (PA 1-800-242-1776) (DC 1-800-257-77: VA 1-800-552-7001) (MD 1-800-257-7777) (DE 1-800-282-858) NOT APPROVED FOR

CONSTRUCTION

SCALE:

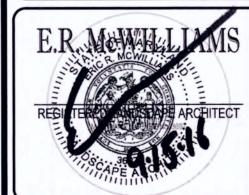
CONDITIONAL

STARBUCKS

LOCATION OF SITE 15640 OLD COLUMBIA PIKE MONTGOMERY COUNTY BURTONSVILLE, MARYLAND



Phone: (301) 809-4500 Fax: (301) 809-4501 MD@BohlerEng.com



LANDSCAPE

PROFESSIONAL CERTIFICATION THE LAWS OF THE STATE OF MARYLAND,

LICENSE NO. 3697, EXPIRATION DATE: 9/20/201

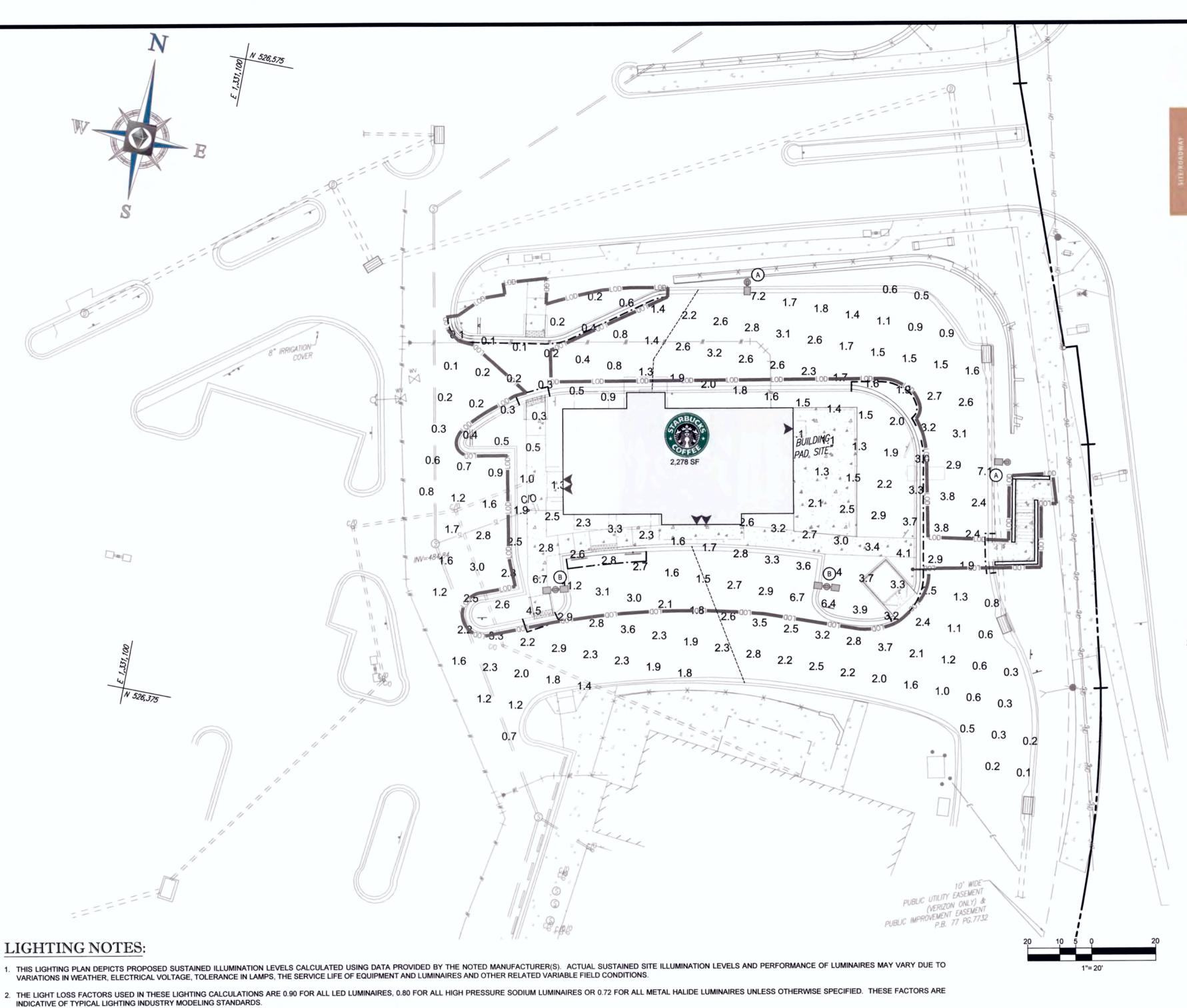
C:\USERS\EMCMILIAMS\APPDATA\LOCAL\TEMP\ACPUBLISH_8336\MD8152055LPO.DMG PRINTED BY: EMCMILIAMS 9.15.16 **0** 5:25 PM LAST SAVED BY: AGANINON

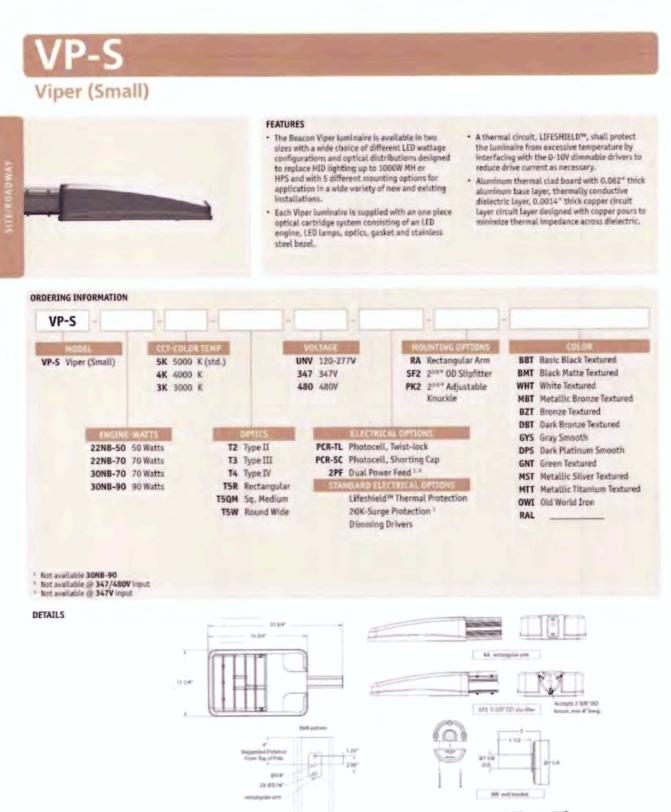
I, ERIC R. McWILLIAMS, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME. AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER

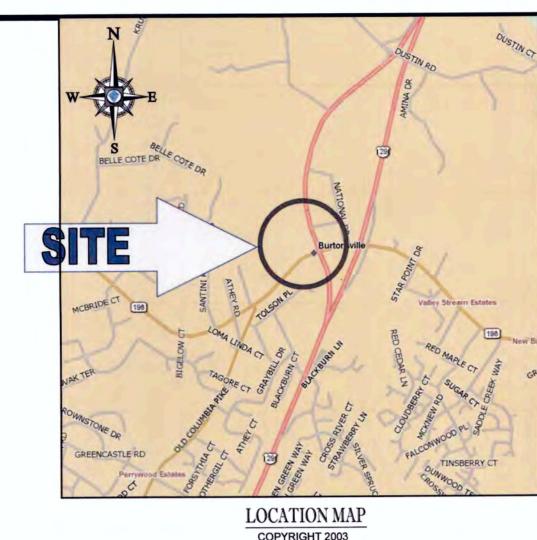
16701 MELFORD BLVD, SUITE 310 **BOWIE, MARYLAND 20715**

DETAILS

SHEET NUMBER:







COPYRIGHT 2003 DELORME STREET ATLAS 2004 PLUS USA SCALE: 1"=2000'

REVISIONS COMMENT EV DATE PER INTAKE 09/15/16 COMMENTS



XCAVATORS, DESIGNERS, OR ANY PERSON PREPARING DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE IN VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, A DELAWARE CALL - 811 W 1-800-245-4848) (PA 1-800-242-1776) (DC 1-800-257-77 /A 1-800-552-7001) (MD 1-800-257-7777) (DE 1-800-282-85)

NOT APPROVED FOR CONSTRUCTION

07/18/16

DRAWN BY: CHECKED BY DATE: SCALE:

CONDITIONAL

STARBUCKS

LOCATION OF SITE 15640 OLD COLUMBIA PIKE MONTGOMERY COUNTY BURTONSVILLE, MARYLAND

16701 MELFORD BLVD, SUITE 310

BOWIE, MARYLAND 20715 Phone: (301) 809-4500 (301) 809-4501 MD@BohlerEng.com

PROFESSIONAL ENGINEER

LIGHTING **PLAN**

OF 7

SHEET NUMBER:

I. MATTHEW K. JONES, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT LAM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 39999, EXPIRATION DATE: 3/15/2017

SQUARE STRAIGHT STEEL POLES

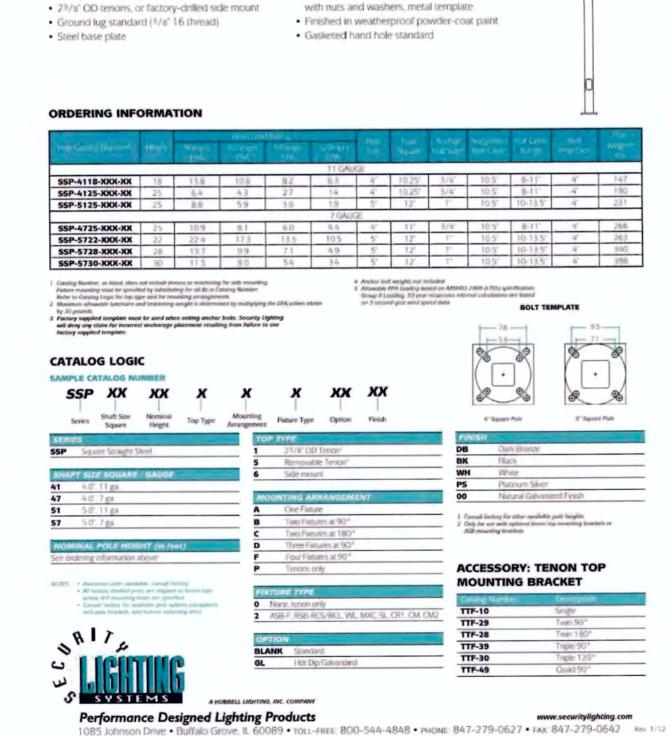
Four L-shaped fully galvanized anchor bolts

BEACON

Specifications

One-piece construction

HID 2-19" adjuitable brought



STARBUCKS OLD COLUMBIA PIKE & NATIONAL DR BURTONSVILLE, MD PREPARED BY: MARK WERTH SECURITY LIGHTING SYSTEMS 847-499-5168 MWERTH@SECURITYLIGHTING.COM MAY 17, 2016

PRODUCT SUBSTITUTION NOTE

IF ANY LIGHTING PRODUCT SUBSTITUTIONS ARE REQUESTED BY THE CONTRACTOR THE PROJECT CIVIL ENGINEER CONSULTANT MUST HAVE THE SUBSTITUTIONS APPROVED BY MONTGOMERY COUNTY PLANNING DEPARTMENT STAFF.

QUANTITY WIND LOAD CONFIG QUANTITY FITTERS POLE TYPE: LABEL QUANTITY EPA SYMBOL FIXTURE TYPE: SSP-4118-**-TT (4") 7.2 90mph 0.87 TTFVIPER 0.67 SGL VP-S-48NB-110-5K-T4-UNV-RA-** (B) DBL180 2 TTFVIPER

. THE LIGHTING VALUES AND CALCULATION POINTS DEPICTED ON THIS PLAN ARE ALL ANALYZED ON A HORIZONTAL GEOMETRIC PLANE AT ELEVATION ZERO (GROUND LEVEL) UNLESS OTHERWISE NOTED. THE VALUES DEPICTED ON THIS PLAN ARE IN

THE LUMINAIRES, LAMPS AND LENSES MUST BE REGULARLY INSPECTED/MAINTAINED TO ENSURE THAT THEY FUNCTION PROPERLY. THIS WORK SHOULD INCLUDE, BUT NOT BE LIMITED TO, FREQUENT VISUAL INSPECTIONS, CLEANING OF LENSES, AND

WHERE APPLICABLE, THE EXISTING CONDITION LIGHT LEVELS ILLUSTRATED ARE REPRESENTATIVE OF AN APPROXIMATION UTILIZING LABORATORY DATA FOR SIMILAR FIXTURES, UNLESS ACTUAL FIELD MEASUREMENTS ARE TAKEN WITH A LIGHT METER AND ARE, CONSEQUENTLY, APPROXIMATIONS ONLY. DUE TO FACTORS SUCH AS FIXTURE MAINTENANCE, EQUIPMENT TOLERANCES, WEATHER CONDITIONS, ETC, ACTUAL LIGHT LEVELS MAY DIFFER. EXISTING LIGHT LEVELS DEPICTED ON THIS PLAN SHOULD BE

THIS LIGHTING PLAN IS INTENDED TO SHOW THE LOCATIONS AND TYPE OF LUMINAIRES, ONLY. POWER SYSTEM, CONDUITS, WIRING, VOLTAGES AND OTHER ELECTRICAL COMPONENTS ARE THE RESPONSIBILITY OF THE ARCHITECT, MEP AND/OR LIGHTING

CONTRACTOR, AS INDICATED IN THE CONSTRUCTION CONTRACT DOCUMENTS. THESE ITEMS MUST BE INSTALLED AS REQUIRED BY STATE AND LOCAL REGULATIONS. CONTRACTOR IS RESPONSIBLE FOR INSTALLING LIGHTING FIXTURES AND APPURTENANCES

THE LIGHTING CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CONTRACTOR REQUIREMENTS INDICATED IN THE SITE PLAN, INCLUDING BUT NOT LIMITED TO, GENERAL NOTES, GRADING AND UTILITY NOTES, SITE SAFETY, AND ALL GOVERNMENTAL RULES,

1. UPON OWNER'S ACCEPTANCE OF THE COMPLETED PROJECT, THE OWNER SHALL BE RESPONSIBLE FOR ALL MAINTENANCE, SERVICING, REPAIR AND INSPECTION OF THE LIGHTING SYSTEM AND ALL OF ITS COMPONENTS AND RELATED SYSTEMS, TO ENSURE

13. THE FOOTCANDLE LEVELS AS SHOWN ARE BASED ON THE FOLLOWING CRITERIA. ANY SUBSTITUTIONS IN SPECIFIED FIXTURES OR CHANGES TO LAYOUT WILL AFFECT LIGHTING LEVELS SHOWN AND WILL NOT BE THE RESPONSIBILITY OF SECURITY LIGHTING.

. IT IS LIGHTING CONTRACTOR'S RESPONSIBILITY TO COORDINATE WITH THE PROJECT ARCHITECT OR OWNER REGARDING THE POWER SOURCE(S) FROM WITHIN THE BUILDING, AND TIMING DEVICES NECESSARY TO MEET THE DESIGN INTENT.

10. THE CONTRACTOR MUST VERIFY THAT INSTALLATION OF LIGHTING FIXTURES COMPLIES WITH THE REQUIREMENTS FOR SEPARATION FROM OVERHEAD ELECTRICAL WIRES AS INDICATED IN THE HIGH VOLTAGE PROXIMITY REGULATIONS N.J.A.C. 12-186.

RELAMPING (IF NECESSARY) AT LEAST ONCE EVERY SIX (6) MONTHS. FAILURE TO FOLLOW THE ABOVE STEPS COULD CAUSE THE LUMINARIES, LAMPS AND LENSES TO FAIL PROPERLY TO FUNCTION.

CONTRACTOR MUST BRING TO DESIGNER'S ATTENTION, PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, ANY LIGHT LOCATIONS THAT CONFLICT WITH DRAINAGE, UTILITIES, OR OTHER STRUCTURES.

14. THE CONTRIBUTION OF THE SOFFIT / BUILDING LIGHTING IS NOT REFLECTED ON THE DRAWING UNLESS SOFFIT / BUILDING LIGHTING IS SPECIFIED IN THE FIXTURE SCHEDULE BELOW.

16. FINAL ADJUSTMENTS TO AIMING ANGLE/DIRECTION OF FIXTURES MAY BE REQUIRED TO ELIMINATE LIGHT TRESPASS OR GLARE ONTO ADJOINING PROPERTIES OR ROADWAYS.

IN ACCORDANCE WITH ALL APPLICABLE BUILDING AND ELECTRICAL CODES AND ALL OTHER APPLICABLE RULES, REGULATIONS, LAWS AND STATUTES.

* PROJECT WIND LOAD CRITERIA BASED ON: ASCE 7-10 WIND SPEEDS (3-SEC PEAK GUST MPH) 50 YEAR MEAN RECURRENCE INTERVAL

THIS LAYOUT MAY NOT MEET TITLE 24 OR LOCAL ENERGY REQUIREMENTS. IF THIS LAYOUT NEEDS TO BE TITLE 24 COMPLIANT OR MEET OTHER ENERGY REQUIREMENTS, PLEASE CONSULT FACTORY WITH SPECIFIC DETAILS REGARDING

PROJECT REQUIREMENTS SO THAT REVISIONS MAY BE MADE TO THE DRAWING. THIS LIGHTING PATTERN REPRESENTS ILLUMINATION LEVELS CALULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRES MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS.

ADEQUATE LIGHTING LEVELS ARE PRESENT AND FUNCTIONING AT ALL TIMES.

12. DEFLECTORS MUST BE INSTALLED ON ALL UP-LIGHTING FIXTURES TO PREVENT EXCESS ILLUMINATION AND GLARE.

LAWS, ORDINANCES, REGULATIONS AND THE LIKE.

15. DISTANCE BETWEEN READINGS IS 10 FEET.

** - SPECIFY COLOR