



Dr. Boyd's Veterinary Resort, Conditional Use, CU 17-15

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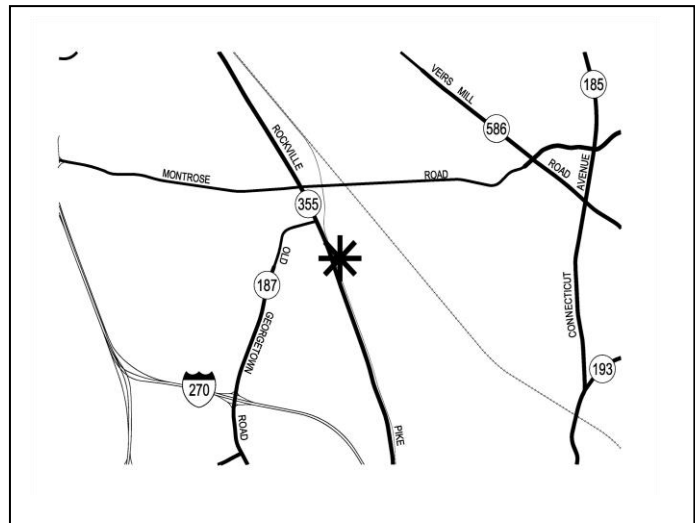
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Completed: 06/30/17

Description

- Request for an Animal Boarding and Care conditional use;
- CR4.0, C3.5, R3.5, H300 Zone, 1.6-acres located at 11503 Rockville Pike (northeast quadrant of the Nicholson Lane intersection), Rockville;
- 2010 *White Flint Sector Plan*;
- The Hearing Examiner's public hearing is scheduled for 8/18/17;
- Applicant: DBVR ROCKVILLE, LP dba Dr. Boyd's Veterinary Resort;
- Filing date: 5/2/17.



Summary

- Staff recommends approval with conditions.
- The proposal is for an Animal Boarding and Care facility, which is a conditional use per Section 59.3.5.1.B.2; and it will have a Veterinary Office/Hospital which is a limited use per Section 59.3.5.1.C.2. The limited use portion of the proposed facility is not part of this Application.
- The Application is exempt from Chapter 22A Forest Conservation Law; is in general conformance with the Sector Plan; and it meets the development standards of the CR Zone.
- On April 17, 2014, the Planning Board approved Sketch Plan No. 320140010 for this property and other parcels across Rockville Pike for a mixed-use development of 1.64 million square feet. The proposed use may be replaced when the Saul Centers White Flint project is built on this Site.
- Staff did not receive any comments from noticed persons in the community.

Conditions of Approval

Staff recommends the following conditions of approval:

1. Conditional Use approval is limited to a maximum 12,496-square-foot cat and dog boarding and care facility for no more than 200 pets.
2. The facility may be open and accessible to pet owners 24-hours a day, every day of the year.
3. The Applicant must establish staggered work schedules for all employees to ensure that no more than two employees leave the facility within the weekday morning peak period (6:30 to 9:30 a.m.) and no employees arrive or leave (unless in the event of an emergency) within the weekday evening peak period (4:00 to 7:00 p.m.).
4. No animals may be walked or exercised in outdoor areas that are beyond the limits of the commercial retail center while being boarded and/or receiving medical treatment at the veterinary resort.
5. The outdoor exercise yard/dog run must not be used before 7:00 a.m., and after 9:00 p.m., seven days a week.
6. The waste and runoff from the outdoor exercise yard must not be directly or indirectly discharged into a storm drain or other channel that may drain to the local stream. Applicant must implement the animal waste management, clean-up and disposal protocols for the outdoor exercise yard as shown on the revised Conditional Use Plan and as described in the revised Statement of Justification, both dated June 22, 2017.
7. The Applicant must revise plans as follows:
 - a) Prior to issuance of the Certificate of Occupancy, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type.
 - b) All on-site down-lights must have cut-off fixtures.
 - c) All existing and proposed fixtures must have deflectors to prevent excess illumination and glare.
 - d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting residentially developed properties.
 - e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the details sheet of the Conditional Use Plan.
8. Prior to issuance of the Certificate of Occupancy, all landscaping on the Applicant's Landscape Plan must be planted as shown.

Site and Neighborhood Description

Site Description

The Site is currently developed with a one-story retail building with approximately 20,496 square feet (former Staples office supplies store), located at 11503 Rockville Pike (MD 355) in Rockville (also known as the August Heller Property, Parcel A) (Attachment 1). The Site has two existing vehicular curb cuts on the northbound side of Rockville Pike and a third access point on the east side of the Site (behind the building) from Nicholson Lane. There are 112 existing surface parking spaces as shown in Figure 1 below. The proposed conditional use will occupy 12,496 square feet of the 20,496 square feet of the existing building and the remainder of the building (8,000 square feet) is used by a men's clothing store.

Figure 1. Subject Site Aerial Photo



Neighborhood Description

The staff-defined neighborhood is bounded by Marinelli Road to the north, Citadel Avenue/Huff Court to the east, Nicholson Lane to the south and Rockville Pike/MD 355 to the west. Existing land uses are predominantly commercial and retail shopping centers, mid-rise office buildings, auto-related uses, multi-family housing and off-street surface parking lots. To the north of the Site is the Nuclear Regulatory Commission (NRC) office building and Strathmore Court, a four-story, multi-family apartment building. To the east, the Site is bound by one-story retail structures and to the south is a surface

parking lot associated with a one-story retail use. All properties inside the staff-defined neighborhood are zoned CR (Attachment 2). Rockville Pike is a six-lane, divided major highway with a master-planned right-of-way of 162 feet, and Nicholson Lane is a four-lane arterial road with a master-planned 90-foot right-of-way. The Site is within a ¼-mile of the existing White Flint Metro Station entrance. Although there were twelve Special Exceptions (SEs) approved between 1960 and 2000 within one mile of the Site, none exists today.

Figure 2 Staff-defined Neighborhood



Zoning and Land Use History

In 1956, the August Heller property, Parcel A was recorded. The 1970 *North Bethesda-Garrett Park Master Plan* zoned the site C-1, Local-Commercial. The 1978 *North Bethesda Sector Plans* rezoned the Site to C-2, General Commercial. In 1990, the Site underwent building permit review for a 20,496-square-foot retail commercial center; a Preliminary Plan and Site Plan were not required. The 1992 *North Bethesda-Garrett Park Master Plan* retained the Site's C-2 zoning. The Site is currently in the 2010 *White Flint Sector Plan* area and is identified as part of the Nuclear Regulatory Commission (NRC) District. The White Flint Sector Plan rezoned the Site to CR4.0, C3.5, R3.5, H300. In 2014, the Planning Board approved Sketch Plan No. 320140010, Saul Centers White Flint, for up to 1.43 million square feet

of residential development and up to 205,000 square feet of non-residential development for this Site and other properties on the other side of Rockville Pike (Attachments 3 and 4).

Project Description

The Applicant, Dr. John Boyd, DVM, currently operates two veterinary resorts in southern California (Irvine and San Diego), established in 2011. The Applicant proposes to bring the business model for these veterinary resorts to the Site. The proposed facility will occupy 12,496 square feet of an existing 20,496-square foot retail commercial center for an Animal Boarding and Care use in conjunction with a Veterinary Office/Hospital (Limited Use Section 59.3.5.1.C.2). Approximately 75 percent of the facility will be designed for veterinary office/hospital care. The Zoning Ordinance allows the proposed Veterinary Office/Hospital care as a Limited Use; per Section 59.3.5.1.B.2 only the Animal Boarding and Care portion of the proposed facility is subject to the conditional use review. The Applicant has addressed the Limited Use standards and is currently pursuing permits from the Montgomery County Department of Permitting Services for interior renovations for this portion of the building. The Property Owner and the Applicant both acknowledge the proposed Conditional Use is for an interim period, until market conditions are such that the Site can be redeveloped to implement the approved Sketch Plan No. 320140010, Saul Centers White Flint.

The Animal Boarding and Care facility is designed for up to 200 pets. Although both dogs and cats will be accepted, most of the pets at the facility will be dogs. The facility will operate and be accessible to pet owners 24-hours a day, every day of the year. Interior areas where animals will be boarded will be sound-proofed to mitigate excessive noise. The facility will provide a full spectrum of primary care veterinary services, such as orthopedic surgery, pre/post-operative x-rays, injury care, and special medication administration and monitoring. It will also provide expanded services that include convalescent care, training, grooming and rehabilitation. Per the Applicant's Statement of Justification, "Each patient at the veterinary hospital will receive a high-level of medical supervision and benefit from a carefully thought-out "pet resort" design that includes state-of-the-art operating systems to promote accessibility, ventilation, cleanliness, fire safety and transparency in care." Animals will not be allowed outdoors between 9:00 p.m. and 7:00 a.m. Staffing levels will vary with the demands for services--during the maximum periods of utilization there will be approximately 19-20 employees as follows: one veterinarian; four veterinary technicians/assistants; three to four receptionists/administrative aides; and eleven care takers/trainers/groomers/boarding specialists.

Pet owners are encouraged and financial incentives are offered, to have drop-off and pick-up trips scheduled on-line during off-peak hours. This approach results in a managed, steady stream of site visits that are spread throughout a 24-hour period ranging from one to 10 visits per hour.

Sixteen existing parking spaces behind the building will be converted into a 3,200-square foot outdoor exercise yard and dog run (Attachment 5). This outdoor area will be enclosed by an eight-foot-high vinyl fence and will include two picnic tables with sun umbrellas for staff supervising the dogs. A five-foot-high vinyl fence will be located inside the exercise yard to create fenced "break out" yards where dogs will be placed based on comparable size with other dogs. The dog run will be located on three sides of the exercise area's perimeter with a series of doors where dogs enter and exit into the exercise yard. Both the indoor and outdoor yards are designed so that any dog displaying inappropriate behavior can be either removed or moved to the small "break out" yards. Dogs with inappropriate physical or vocal behavior are kept in quiet quarters and are referred to the full-time, in-house professional trainers.

As many as 60 dogs per day will have access to the outdoor exercise yard under staff supervision. The outdoor exercise yard will be an impervious concrete “broom finish” surface area for dogs to relieve themselves. Solid animal waste cleaned up inside the building will be disposed of in the sanitary sewer system. Animal waste in the outdoor exercise area will be immediately picked up, manually and with mops, to continually maintain a sanitary and odor-free environment. The outdoor yard will be cleaned at a minimum, twice daily, with an industrial strength wet-vacuum machine (also known as auto-scrubber) that scrubs and removes all debris and cleaning fluids, leaving behind a non-slip finish. The auto-scrubbers are also used indoors on a regular basis. The contents of the auto-scrubbers are emptied indoors and put into the sewer system.

Two areas of the outside edges of the exercise yard will have bollards to separate and deter vehicles in the parking lot from parking too close to the eight-foot high vinyl fence enclosing the exercise yard (Attachment 5). The bollards are made of a solid concrete material and do not have lighting fixtures. Several light poles are located along the Site’s common property line with the NRC Property behind the building.

Figure 3: Proposed Conditional Use Plan

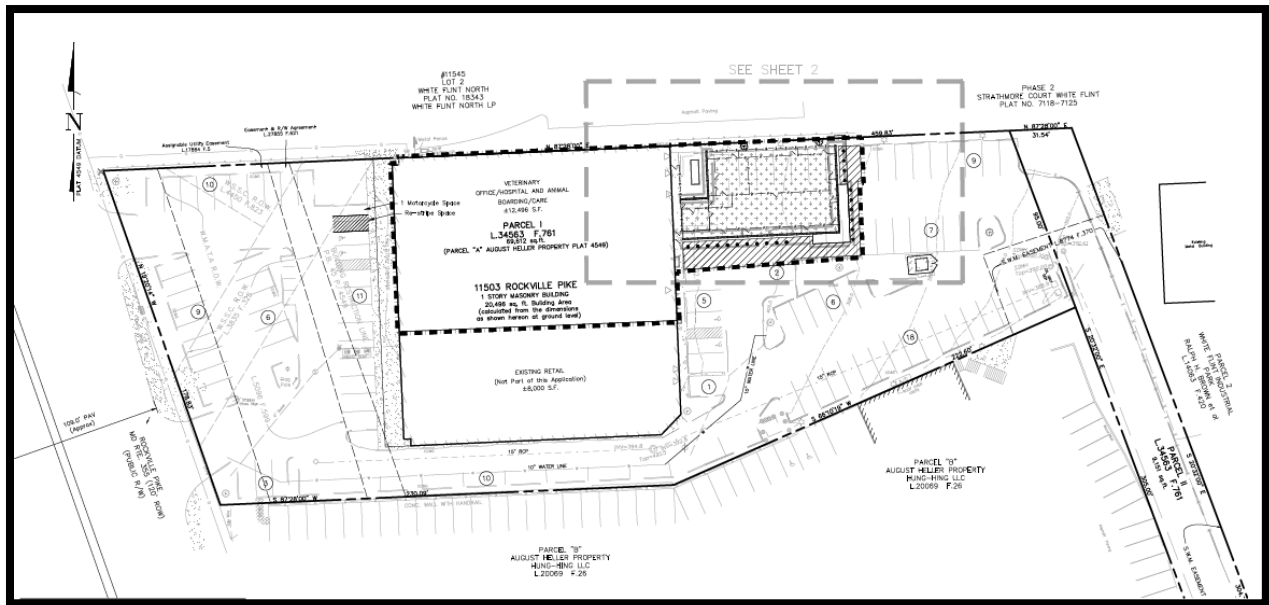


Figure 4: Proposed Veterinary Resort Floor Plan



The Applicant submitted a revised Conditional Use Plan with an interior floor plan and an outdoor exercise area and a revised Statement of Justification on June 22, 2017, with additional information about indoor and outdoor animal waste management protocols.

Analysis

Master Plan Conformance

The Site is in the 2010 *White Flint Sector Plan* area and is identified as part of the Nuclear Regulatory Commission (NRC) District. The Plan states that “[t]hese properties may be more appropriate for primarily non-residential uses” (Attachment 6). The proposed use of the Site as commercial retail services is consistent with the Sector Plan.

Transportation Planning

Transportation Demand Management

The Site is within the boundary of the North Bethesda TMD. The Applicant is not required to enter into a Traffic Mitigation Agreement with the Planning Board and the Montgomery County Department of Transportation (MCDOT) to participate in the North Bethesda Transportation Management Organization (TMO) because the proposed facility is not an Optional Method Development.

Sector Plan Roadways, Bikeways and Transitways

In accordance with the 2010 *White Flint Sector Plan* and 2005 *Countywide Bikeways Functional Master Plan*, the sector-planned roadways and bikeways are listed below.

1. Rockville Pike is designated as a six-lane divided major highway, M-6, with a recommended 162-foot-wide right-of-way. At future preliminary plan for the proposed Saul Centers White Flint will require right-of-way dedication for the site's Rockville Pike frontage because the existing right-of-way varies from 120 to 142 feet.

The 2013 *Countywide Transit Corridors Functional Master Plan* for the Bus Rapid Transit (BRT) recommends the MD 355 South Corridor along the Property's frontage of Rockville Pike with a maximum of two transit lanes within a minimum right-of-way of 162 feet. However, the proposed right-of-way is not expected to be operational in the near future and therefore is not relevant to this Application.

2. Nicholson Lane is designated as a four-lane arterial, A-69, with a recommended 90-foot wide right-of-way, bike lane, BL-27, and the recreation loop on the north side of the road. Per the White Flint Bike Lane Network report (reviewed by the Planning Board on December 3, 2015) and previous development approvals, the proposed bike lanes will be upgraded to separated bike lanes on both sides of the road. At future preliminary plan review for this Property, right-of-way dedication will be required because the existing right-of-way varies from 83 to 93 feet.

Available Transit Service

The following four transit routes serve the Site (and all operate with 30-minute headways):

- a. Ride On route 5 operates along Rockville Pike between the Paul S. Sarbanes Transit Center/Silver Spring Metrorail Station and the Twinbrook Metrorail Station on weekdays, Saturdays and Sundays.
- b. Ride On route 38 operates along Rockville Pike between the Wheaton Metrorail Station and the Potomac Community Center on Weekdays, Saturdays and Sundays.
- c. Ride On route 46 operates along Rockville Pike between the Shady Grove Metrorail Station and the NIH-Medical Center Metrorail Station on weekdays, Saturdays and Sundays.
- d. Metrobus route C8 operates along Rockville Pike and Nicholson Lane between the White Flint Metrorail Station and the College Park-University of Maryland Station on weekdays and Saturdays.

The proposed conditional use is approximately 800 feet south of the White Flint Metrorail Station. Bus stops are located on the Site's Rockville Pike frontage and the opposite side of the Nicholson Lane frontage.

Pedestrian Facilities

Existing sidewalks along the Site's frontages of Rockville Pike and Nicholson Lane are six-feet wide with no green panel along the curb.

Transportation Adequate Public Facilities Review

The Proposed use (classified as veterinary clinic for traffic analysis purposes) with up to 200 pets (daily maximum capacity) generates fewer weekday trips than the former Staples store as shown in the table below:

| Use of 12,496 sq. ft. | AM Peak Hour | | PM Peak Hour | |
|--|--------------|--------|--------------|--------|
| | Vehicle | Person | Vehicle | Person |
| Specialty Retail | 85 | 117 | 34 | 47 |
| Veterinary Care & Pet Boarding Facility ¹ | 29 | 29 | 29 | 29 |
| Decrease in Trips | 56 | 88 | 5 | 18 |

The Applicant is not required to participate in the White Flint Special Taxing District and make the special taxing district payment in lieu of satisfying the Transportation Adequate Public Facilities (APF) test because the existing square footage of the building will not be expanded or increased.

Environment

The Site contains no streams or stream buffers, wetlands or wetland buffers, hydraulically adjacent steep slopes, 100-year floodplains, known habitats of rare, threatened or endangered species, or forest areas. The proposal is therefore, in conformance with the *Environmental Guidelines*.

On October 11, 2016, Planning Department Staff confirmed an exemption from the requirements of Article II of Chapter 22A, Forest Conservation, for this Conditional Use (Exemption No. 42017038E (Attachment 7)). Environmental staff had originally been concerned about potential contaminated runoff from the outdoor exercise area based on the proposed cleanup method of animal waste that would reach the Rock Creek stream system and create a non-inherent environmental impact. In response, the Applicant has made substantial physical and operational changes to their plans, thus alleviating Staff's concerns about this potential problem. The Applicant's revised method of animal waste management, cleanup and disposal is acceptable.

Community Comment

Staff has not received any comments from the surrounding community.

¹ Projected weekday peak-hour trips based on travel patterns from the Applicant's other existing facilities.

Conditions for Granting a Conditional Use

Section 7.3.1.E Necessary Findings

To approve a conditional use application, the Hearing Examiner must find that the proposed development:

Section 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.*

The parcel was recorded in 1956. The developer of the existing commercial center received a building permit in approximately 1990. The Applicant states that the proposed Conditional Use is for an interim period, until market conditions can support the redevelopment of the site per the approved Sketch Plan. This request does not conflict with, or require an amendment to, the binding elements in the Planning Board's approval of Sketch Plan No. 320140010 in (corrected) Resolution MCPB No. 14-20 mailed on May 2, 2014.

Section 7.3.1.E.1.b. *Satisfies the requirements of the zone, use standards under Article 59-3, and to the extent the Hearing Examiner finds necessary to ensure compatibility, meets applicable general requirements under Article 59-6;*

CR Zone Requirements

Although the proposed use is allowed as a conditional use in the CR Zone, the proposed facility is contained in a building that is deemed a legal structure per Section 59-7.7.1.A.1 of the Montgomery County Zoning Ordinance that became effective on October 30, 2014. Section 7.7.1.A.1, states:

A legal structure or site design existing on October 30, 2014 that does not meet the zoning standards on or after October 30, 2014 is conforming and may be continued, renovated, repaired, or reconstructed if the floor area, height, and footprint of the structure are not increased, except as provided for in Section 7.7.1.C for structures in Commercial/Residential, Employment, or Industrial zones, or Section 7.7.1.D.5 for structures in Residential Detached zones.

Staff has no evidence to suggest that the structure and site design were not legal on October 30, 2014. Therefore, the existing structure and site design may be continued even if the Site does not meet the standards of the current CR Zone. The Application shows that the existing building that will house the proposed facility complies with the development standards of the C-2 Zone in effect when the building permit was reviewed in 1990 (Attachment 8). The only new development standards applicable to the proposed use are off-street parking requirements in the new Zoning Ordinance.

Off-Street Parking standards per Section 4.5.3.C:

| Development Standards | Required/Permitted | Proposed |
|---|--|------------------------|
| Vehicle Parking Section 6.2.4.B Veterinary Office/Hospital (9,997 s.f.) | | |
| Employee (5.5 maximum per shift) | 1.00/employee = 6 spaces min. 2.50/employee = 14 spaces max | |
| Doctors practicing simultaneously (1.0) | 2.0/doctor = 2 spaces min. 3.5/doctor = 4 spaces max. | |
| Animal Boarding/Care (2,499 s.f.) | 1.00/employee = 14 spaces min. | |
| 13.5 employees maximum per shift) | 3.00/employee = 41 spaces max. | |
| Existing retail (up to 8,000 s.f.) | 3.5/1,000 s.f. (min.) = 28 spaces 6.0/1,000 s.f. (max.) = 48 spaces | |
| Total | | |
| | 50 spaces (min.) | |
| | 107 spaces (max.) | 95 spaces ² |
| Bicycle Parking Spaces (Section 6.2.4) | N/A | N/A |

Use Standards

Animal Boarding and Care (Section 59-3.5.1.B.2.b)

2. Use Standards

b. Where Animal Boarding and Care 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. In the AR, R, RC, RNC, RE-2, RE-2C, RE-1, and R-200 zones:

This section is not applicable because the Site is in the CR Zone.

ii. In the Commercial/Residential and Employment zones any part of a building used for animal boarding or care must be soundproofed.

The Floor Plan shows that walls of all interior boarding space will be reinforced with Sound Attenuation Batts (SABs) that consist of light weight, flexible fiberglass insulation material designed to deliver noise control in metal stud wall cavities of interior partitions.

iii. In the CRT, CR, and NR zones an outdoor exercise yard is allowed if:

- a) It is fenced and set back a minimum of 50 feet from any Residential zone; and*
- b) Any animal is prohibited from being outdoors between 9:00 p.m. and 7:00 a.m.*

² Number includes four marked accessible spaces.

The outdoor exercise yard and dog run will be completely enclosed by an eight-foot-high vinyl fence. Site Note #7 states that any part of a building used for animal boarding and care must be soundproofed; and Site Note #8 states that any animal is prohibited from being outdoors between 9:00 p.m. and 7:00 a.m.

General Development Requirements

Division 6.1 Site Access

The Site's three existing access points (two on Rockville Pike and one on Nicholson Lane) provide safe and convenient vehicular, bicycle and pedestrian circulation within and between lots on the same block face and reduce traffic congestion.

Division 6.2 Parking, Queuing, and Loading

The existing 112 existing parking spaces at the Site will be reduced by 16 existing parking spaces that will be converted into an outdoor exercise area of approximately 3,200-square feet.

The Site is within one mile of the White Flint Metro Station, and therefore, qualifies for reduced parking area provisions of the CR Zone. The required parking for this proposed use is a minimum of 50 and a maximum 107 spaces. After conversion of the 16 parking spaces for the dog exercise area, 95 parking spaces will remain and will be within the range for parking requirements for all uses on the Site (including the 8,000-square foot unit and the Limited Use for the Veterinary Office/Hospital) as demonstrated in the Off-Street Parking standards table and a Parking Lot exhibit (Attachment 9).

Division 6.3 Open Space and Recreation

Not applicable, because the proposed Conditional Use will not expand or increase the building floor area, height or footprint, the Site qualifies as a conforming legal structure and site design that is exempt from compliance with current development/zoning standards per Section 59-7.7.1.A.1 of the Zoning Ordinance as discussed on page 10 of this report.

Division 6.4 General Landscaping and Outdoor Lighting

The application includes a Landscaping Plan for new landscaping in the outdoor exercise area. No outdoor lighting features are proposed in this Application; however, outdoor lighting in the exercise area is required for months of the year when dusk/sunset occurs before 9:00 p.m. The proposed conditions of approval for outdoor lighting address this finding.

Division 6.5 Screening Requirements

Screening requirements in Section 59-6.5.2.C.2 are not applicable to this application because none of the abutting zones are Agricultural, Rural Residential or Residential.

Division 6.6 Outdoor Display and Storage

Not applicable because the Applicant does not propose to have outdoor display and storage-related merchandise, material or equipment.

Division 6.7 Signs

The Site has an existing freestanding sign that will be used for the proposed use. No new or additional signage are proposed.

Section 7.3.1.E.1.c. *Substantially conforms with the recommendations of the applicable master plan;*

The Site is in the 2010 *White Flint Sector Plan* area and is identified as a part of the NRC District. The Plan states that “[t]hese properties may be more appropriate for primarily non-residential uses.” The continued use of the Site as commercial retail services is in conformance with the Sector Plan.

- a. *Is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan;*

The proposal is harmonious with, and will not alter, the character of the surrounding uses in the neighborhood in a manner inconsistent with the Sector Plan.

- b. *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;*

As discussed in the Neighborhood Description section of this report, there are no existing or proposed Conditional Uses/Special Exceptions in the defined neighborhood. The predominant land use near the Site is non-residential. The proposal is in substantial conformance with the recommendations of the sector plan and will not alter the nature of the area.

- c. *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 to 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 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; and*
 - 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, and*

A Preliminary Plan of Subdivision is not required for this Conditional Use application. The Site is served by adequate public services and facilities and the proposal will have no impact on public schools. The proposed conditional use will not result in an adverse impact to the neighboring highway network. Because the Applicant does not intend to alter, expand or increase the existing building's footprint and the proposed outdoor exercise area and dog run will be smaller than 5,000 square feet, a Stormwater Management Concept Plan is not required.

- d. *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 a lack of parking; or*
 - iii. *The health, safety, or welfare of neighboring residents, visitors or employees.*

The first step in an analysis of the inherent and non-inherent adverse effects of a conditional use is to define the boundaries of the surrounding neighborhood. See the Staff-defined Neighborhood Description section above for the Subject Site.

An analysis of inherent and non-inherent adverse effects considers size, scale, scope, light, noise, traffic and environment. Every conditional use has some of these effects, in varying degrees. A determination must be made during the review whether these effects are acceptable or would create adverse impacts sufficient to result in a denial of the request. To that end, the inherent effects associated with the use must be determined. In addition, non-inherent effects must be determined as these effects may, by themselves, or in conjunction with inherent effects, form a sufficient basis to deny a conditional use.

The proposed Animal Boarding and Care use has inherent and non-inherent impacts such as: (1) vehicular trips to and from the site based on its 24 hour-a-day, seven days a week; (2) the elimination and conversion of 16 existing parking spaces for an outdoor exercise area and dog run, including an area where dogs will relieve themselves; (3) episodic noise from barking dogs in interior and outdoor exercise areas and the inside boarding area; and (4) odor in the outdoor exercise yard's dog relief area.

The proposal will eliminate 16 existing parking spaces for conversion to an outdoor exercise play yard and dog run. The sound-proofing methods proposed for interior areas where animals will be boarded will mitigate any excessive noise. On June 22, 2017, the Applicant submitted revised information regarding the animal waste management method because a non-inherent impact was identified in the original statement of justification for animal waste disposal in the outdoor exercise yard. Environmental Staff now supports this revised method. As discussed in the transportation analysis on pages 7, 8 and 9 of this report, the proposal will not significantly impact traffic in the neighborhood. The Applicant's daily operations include financial incentives for pet

owners to drop off and pick up pets by scheduling these trips on-line, and to spread trips out to off-peak hours to eliminate congestion at the facility.

Section 59.7.3.E.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.*

No renovation or addition to the existing retail unit is proposed; the existing structure will continue to be compatible with the character of the surrounding neighborhood.

Section 59.7.3.E.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 is not sufficient to require conditional use approval.*

The proposal satisfies all specific requirements and, as conditioned, the use will be compatible with nearby properties.

Section 59.7.3.E.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 stringent as if it were abutting a Residential Zone.*

Not applicable; the application is not for an agricultural use.

Section 59.7.3.E.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:*

- a. *Filling Station*
- b. *Light Vehicle Sales and Rental (Outdoor)*
- c. *Swimming Pool (Community); and*
- d. *The following Recreation and Entertainment Facility use: swimming pool, commercial.*

Not applicable; the application does not include any of these uses.

Section 59.7.3.E.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:*

- a. *Funeral Home; Undertaker*
- b. *Hotel, Motel*
- c. *Shooting Range (Outdoor)*
- d. *Drive-Thru*
- e. *Landfill, Incinerator, or Transfer Station; and*
- f. *A Public Use Helipad, Heliport or a Public Use Helistop.*

Not applicable: the proposal does not include any of these uses.

Conclusion

The proposed conditional use complies with the general conditions and standards for approval of an Animal Boarding and Care facility subject to the recommended conditions of approval. It is consistent with recommendations of the Sector Plan, will not alter the character of the surrounding neighborhood, and will not result in any unacceptable noise, traffic, or environmental impacts on surrounding properties. Staff recommends approval subject to conditions.

Attachments:

1. Site photos
2. Montgomery County Zoning Map
3. Sketch Plan No. 320140010 location map
4. Planning Board Resolution MCPB No.14-20, Sketch Plan No. 320140010
5. Conditional Use Plan sheets 1, 2 and 3
6. 2010 White Flint Sector Plan (pages 12, 13, 22, 24, 25, 27, 42, 43, 64 and 65)
7. Forest Conservation Exemption letter
8. C-2 Development Standards exhibit
9. Parking Lot Exhibit

11503 ROCKVILLE PIKE EXISTING BUILDING ELEVATIONS



**Front of building from Rockville Pike facing northeast.
Entire building**



**Front of building from Rockville Pike facing northeast.
Unit to be used for veterinarian office.**



**Front of building from Rockville Pike facing northeast.
Main entrance to proposed veterinarian office.**



Rear of unit.



Rear of building.



Rear of building facing northwest.

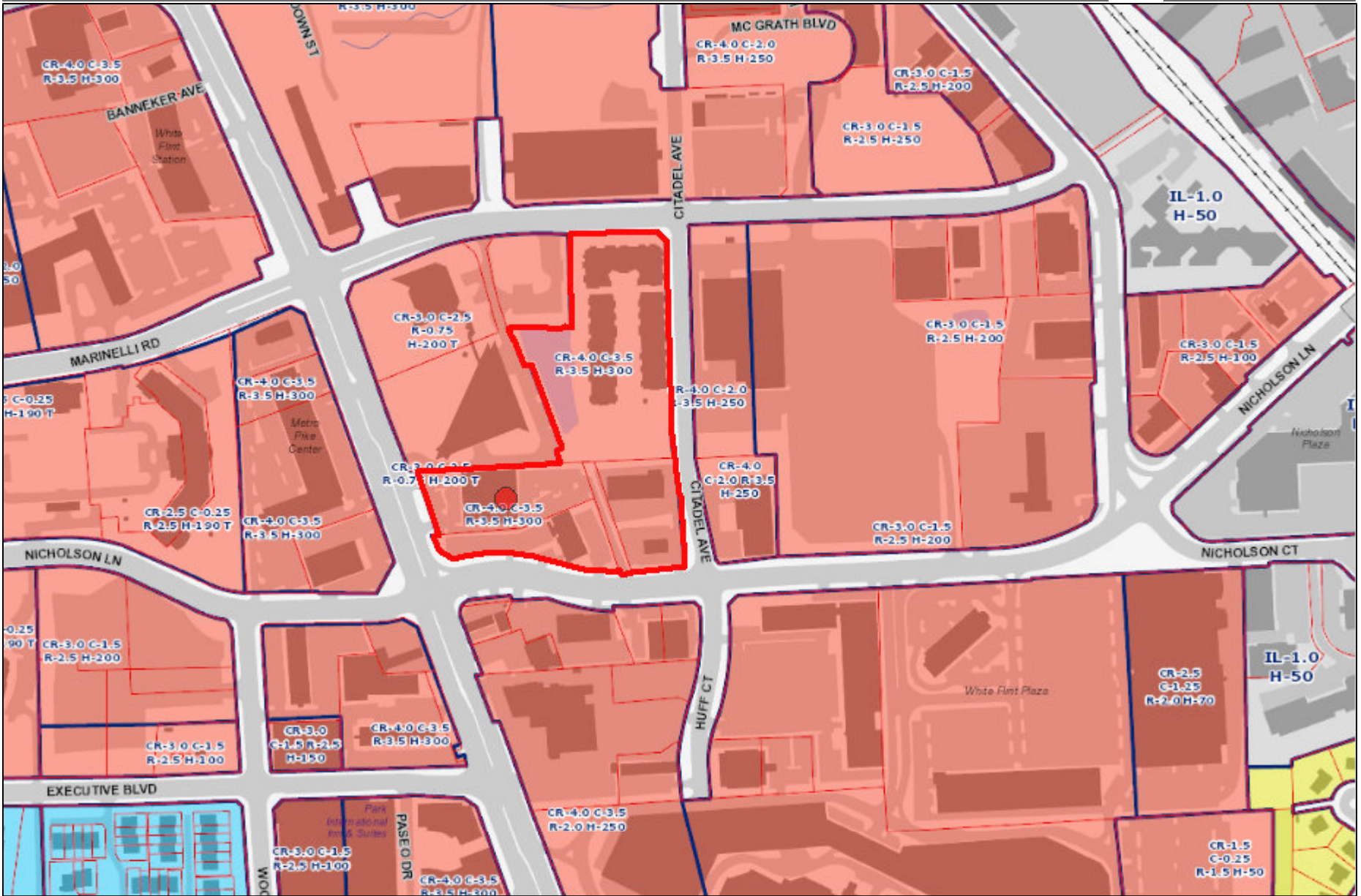


Dumpsters in rear of building.

Montgomery County Zoning

ATTACHMENT 2

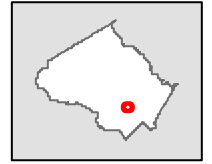
Date: 6/29/2017



| | |
|--------------------|---|
| Account # | 00048956 |
| Address | 11503 ROCKVILLE PIK ROCKVILLE, 20852 |
| Zone | CR-4.0 C-3.5 R-3.5 H-300 |
| Overlay Zone | N/A |
| TDR Overlay Zone | N/A |
| Landuse | Retail |
| Parcel, Lot, Block | N820 , N/A , N/A |

| | |
|-------------------------|-----------------------------|
| Parking District | N/A |
| CBD | N/A |
| Special Protection Area | N/A |
| Urban District | N/A |
| Enterprise Zone | N/A |
| Arts & Ent. District | N/A |
| Special Tax District | N/A |
| Legal Description | PARA AUGUST HELLER PROPERTY |

| | |
|---------------------------|-------------------------|
| Bike/Ped Priority Area | White Flint |
| Urban Renewal Area | N/A |
| Metro Station Policy Area | White Flint |
| Priority Funding Area | Yes |
| Septic Tier | Tier 1: Sewer existing |
| Municipality | N/A |
| Master Plan | WHITE FLINT SECTOR PLAN |
| Historic Site/District | N/A |



1 inch = 492 feet

Saul Centers White Flint ATTACHMENT 3

Sketch Plan No. 320140010



ATTACHMENT 4



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

MAY 2, 2014

MCPB No. 14-20
Sketch Plan No. 320140010
Project Name: Saul Centers White Flint
Date of Hearing: April 17, 2014

CORRECTED RESOLUTION

WHEREAS, under Section 59-C-15.42 of the Montgomery County Code the Montgomery County Planning Board ("Planning Board" or "Board") is authorized to review sketch plan applications; and

WHEREAS, on September 18, 2013, Saul Holdings Limited Partnership ("Applicant"), filed an application for approval of a sketch plan for construction of a maximum of 1,641,744 square feet of development, comprising up to 1,436,526 square feet of residential uses and a minimum of 205,218 square feet of non-residential uses, on 9.42 acres of CR-4 C3.5 R3.5 H300-zoned land, located in the northwest and northeast quadrants of the intersection of Rockville Pike and Nicholson Lane ("Subject Property") in the White Flint Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320140010 Saul Centers White Flint ("Sketch Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated April 4, 2014, setting forth its analysis of, and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on April 17, 2014, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain binding elements and conditions, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED that, the Planning Board approves Sketch Plan No. 320140010 Saul Centers White Flint for construction of a maximum of 1,641,744 square feet of development, comprising up to 1,436,526 square feet of

Approved as to
Legal Sufficiency:

Christina Sount 5/13/14

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

residential uses and a minimum of 205,218 square feet of non-residential uses on the Subject Property, subject to the following binding elements and conditions:¹

A. Binding Elements. The following site development elements are binding under Section 59-C-15.43(b)(4) of the Montgomery County Zoning Ordinance:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public use space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements are illustrative.

B. Conditions. This approval is subject to the following conditions:

1. Density

The development is limited to 1,641,744 square feet of total development, including a minimum of 205,218 square feet of non-residential uses, with the balance up to the maximum total square footage permitted to be residential uses. The final amount of non-residential development and residential dwelling units will be determined at subsequent Site Plan(s).

2. Height

The development is limited to the maximum height of 300 feet.

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59-C-15.43(d). Total points must equal at least 100 and be chosen from at least 4 categories as required by Section 59-C-15.82(a). The requirements of Division 59-C-15 and the Implementation Guidelines must be fulfilled for each public benefit proposed.

- a. Major Public Facility achieved through the provision of land area for bike sharing stations;
- b. Transit Proximity;
- c. Connectivity and mobility, achieved through minimum parking and public parking;
- d. Diversity of Uses and Activities, achieved through enhanced accessibility

¹ For the purpose of these binding elements and conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

- e. Quality of Building and Site Design, achieved through underground parking, public art, public open space and exceptional design; and
- f. Protection and Enhancement of the Natural Environment, achieved through tree canopy, vegetated roof, cool roof, and the purchase of Building Lot Terminations.

4. Building Lot Terminations (BLTs)

Prior to issuance of the first core and shell building permit for each phase of the project, the Applicant must provide proof of purchase and/or payment to the Department of Permitting Services (DPS) of BLTs proportionate to each phase of development with a total of 3.59 BLTs for all phases.

5. Moderately Priced Dwelling Units (MPDUs)

The development must provide MPDUs in accordance with Chapter 25A.

- 6. The Applicant must extinguish the access easement agreement with Landow and Company, as shown in the land records, in order to count the easement area towards public use and open space. If the access easement is not extinguished prior to the first preliminary plan approval for the west side of the development, the Applicant must amend the Sketch Plan to revise the public benefit points and any resulting density impacts.
- 7. The Applicant must build the extension of Woodglen Drive from Street A to Nicholson Lane as part of the development phase for Building B West or Building C West, whichever comes first.

BE IT FURTHER RESOLVED that, having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of § 59-C-15.43(c), the Planning Board finds that, as conditioned herein, the elements of the Sketch Plan are appropriate in concept and appropriate for further review. Specifically, the Planning Board FINDS the Sketch Plan:

- 1. *meets the objectives, general requirements, and standards of Division 59-C-15;*
 - a. The Sketch Plan meets the objectives of Section 59-C-15.2 specifically, the development as approved will:
 - i. *Implement the policy recommendations of applicable master and sector plans.*

The Sketch Plan transforms an auto-oriented suburban development pattern into an urban center of residences and businesses where people walk to work, shops and transit;

- ii. *Target opportunities for redevelopment of single-use areas and surface parking lots with a mix of uses.*

The Sketch Plan redevelops single-use commercial strip centers, a multi-story commercial building and drive-thru restaurant all surrounded by surface parking, with high-intensity mixed-use development;

- iii. *Reduce dependence on the automobile by encouraging development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities.*

The Sketch Plan provides a high-intensity, mixed use development with public facilities and amenities within ¼ mile of the White Flint Metro Station;

- iv. *Allow a mix of uses, densities, and building heights appropriate to various contexts to ensure compatible relationships with adjoining neighbors.*

The Sketch Plan includes a mix of uses to achieve the recommended density and building height in the Sector Plan. The building and site design achieve compatibility with existing and approved but unbuilt building heights that range between 150 and 300 feet, while minimizing the impacts on existing view sheds of adjoining neighbors;

- v. *Allow an appropriate balance of employment and housing opportunities.*

The Sketch Plan offers a variety of housing options including market-rate units, MPDU, and enhanced accessible units for the disabled. The Sketch Plan also provides non-residential uses in the form of ground floor retail and an office building; and

- vi. *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

The Sketch Plan provides the required public benefits from a minimum of four categories to achieve the desired incentive density above the standard method limit.

b. The Sketch Plan meets the general requirements of Section 59-C-15.6 as follows:

i. Section 15-C-15.61 - Master Plan and Design Guidelines Conformance

The Sketch Plan conforms to the Sector Plan and Design Guidelines as outlined in Finding #2 below.

ii. Section 59-C-15.62 - Bicycle Parking Spaces and Commuter Shower/Change Facility

The Sketch Plan provides accommodation for the minimum required number of bicycle parking spaces for residents and visitors and commuter shower/change facilities within each building. Details will be provided at the time of Site Plan(s).

iii. Section 59-C-15.63 - Parking

The number of parking spaces satisfies the minimums and maximum as outlined in the Section. The final number of parking spaces will be determined at Site Plan(s) based on the number of residential dwelling units, retail and office square footage.

Section 59-C-15.7 - Development Standards

The Sketch Plan meets the development standards of Section 59-C-15.7, as shown in the Data Table below:

| Project Data Table | | | |
|---------------------------|--|--|---|
| Section | Development Standard | Permitted/ Required | Approved |
| 59 - C | Gross Tract Area (sf) WEST: CR4, C3.5, R3.5, H300 EAST: CR4, C3.5, R3.5, H300 TOTAL | n/a n/a | 238,597 171,839 410,436 |
| 15.71 | Density (sf) <i>Non-residential (C)</i> WEST EAST subtotal | 835,089 601,437 1,436,526 (3.5 FAR) | 202,500 2,500 205,218¹ (0.5 FAR) |
| | <i>Residential (R)</i> WEST EAST subtotal | 835,089 601,437 1,436,526 (3.5 FAR) | 720,000 716,526 ² 1,436,526 (3.5 FAR) |
| | TOTAL CR DENSITY | 1,641,744 (4.0 FAR) | 1,641,744 (4.0 FAR) |
| 15.71 | Building Height (feet) | 300 | (up to) 300 |
| 15.72 | Minimum Setback | n/a | n/a |
| 15.73 | Minimum Public Use Space (%) | 10 | 10 |
| 15.74 | Residential Amenity Space (sf) | Determined at Site Plan based on final unit count. | |
| 15.631 | Parking (spaces) <i>Minimum</i> <i>Maximum</i> | 1,188 2,461 | 2,188 |

¹ Applicant seeks 0.5 FAR of non-residential uses to achieve the maximum allowed 4.0 FAR for a mixed-use development

² Applicant is utilizing the CR density averaging provision by "transferring" 115,089 square feet of permitted residential density from the West Side to the East Side.

2. *Furtheres the recommendations and objectives of the White Flint Sector Plan;*

The proposed Sketch Plan is consistent with, and furthers, the recommendations of the Sector Plan. The western portion is located in the Metro West District (Block 3:

Holladay), while the eastern segment is in the NRC District. The western segment is identified in the Sector Plan as the Holladay property, after the name of the previous property owner.

The Sector Plan states that the “Wisconsin and The Grand multifamily developments reflect earlier success with high-rise residential development, while the [proposed] Holladay development along Rockville Pike represents the type of mixed-use envisioned in this Plan. There is already substantial residential development in this block and redevelopment should focus on employment and retail uses” (p.29).

The Sector Plan recommends to “rezone the TS-M zoned Holladay property, located at Marinelli Road and Rockville Pike and the C-2 property at the corner of Nicholson Lane and Rockville Pike to the CR-4: C3.5, R3.5, H300. The Holladay property is currently subject to a development plan with a maximum 2.2 FAR. If the owners choose to take advantage of the greater potential FAR of the CR Zone, the new plan will be subject to the requirements of the CR Zone” (p.29).

The eastern portion of Saul Center White Flint is located at the north-eastern quadrant of Rockville Pike and Nicholson Lane in the NRC District. The Sector Plan noted that properties south of the Nuclear Regulatory Commission (NRC), including the Subject Property, “may be more appropriate for primarily non-residential uses” (p.43). Nevertheless, the Sector Plan recommended that the Subject Property be rezoned to the CR-4 C3.5 R3.5 H-300, thereby allowing its portion of the development to be predominantly residential.

a. Density and Building Height

The Sketch Plan densities adhere to the Sector Plan’s recommendations for density and height. *Buildings A, B, and C West* are 230-300 feet high and *Building A and B East* with a maximum height of 300 feet are consistent with the Sector Plan building height recommendations. The Above Grade Parking Option, proposed as an alternative for *Building B East*, is also consistent with the recommended height.

b. Transportation Network

The proposed streets are consistent with Sector Plan recommendations and White Flint Urban Design guidelines for public and private streets.

Rockville Pike

Along Rockville Pike (M-6), the Sector Plan envisions the reconstruction of the roadway into an urban boulevard with improved pedestrian sidewalks,

on-road bicyclist accommodation, and bus priority lanes (p.53). Rockville Pike is designated as a six-lane divided major highway, with a recommended 162-foot wide right-of-way. The Applicant is dedicating 81 feet from the centerline.

The *Approved and Adopted (2013) Countywide Transit Corridors Functional Master Plan* recommends two-lane median BRT treatment for the MD 355 South Corridor within the Sector Plan area. Montgomery County Department of Transportation (MCDOT) and SHA will conduct future design studies for this Corridor.

According to the Sector Plan, Woodglen Drive Extended (B-3) can "carry traffic as part of the determination of master plan transportation system adequacy" (p.51). The Sector Plan identifies eight conditions for Woodglen Drive Extended and three other streets, including:

- "public easements must be granted for the roadway and be reviewed and approved by the Maryland-National Capital Park and Planning Commission (M-NCPPC) and Department of Transportation (MCDOT) for connectivity and consistency with Figure 43 of the White Flint Sector Plan prior to acceptance of the easement" and
- the "design of the road must follow or improve the corresponding Road Code standard for a similar public road, unless approved by MCDOT and the Planning Board at subdivision review stage or otherwise specified in the Sector Plan" (p.52).

Woodglen Drive Extended along the Subject Property's western frontage is designated as a two-lane business district street, B 3, with a 60-foot wide right-of-way. A 60-foot wide right-of-way is provided.

Nicholson Lane is designated as a four-lane arterial, A-69, with the recommended 90-foot wide right-of-way, including bike lanes, BL-27, and the recreation loop on the south/opposite side. At Preliminary Plan review, right-of-way dedication will be required because the existing right-of-way varies from 83 to 93 feet.

Marinelli Road is designated as a four-lane business district street, B-6, with a 90-foot wide right-of-way, a shared use path, SP-41, on the north side, and a signed shared roadway (i.e., bike lanes without signage). Details regarding dedication will be finalized at Preliminary Plan review because the existing right-of-way varies from 86 to 93 feet.

Private Streets

Street A and *Street C* are private streets that are illustrated in the Sector Plan (p.56). The White Flint Urban Design Guidelines note that local streets may include features, such as a street right-of-way that is 60 feet or less; alternative roadway pavement; and character elements that can distinguish the neighborhood (p.10). All private streets are consistent with the Sector Plan and the Design Guidelines.

c. Public Use

The proposed public use spaces are consistent with the Sector Plan recommendations. The Sector Plan recommends a hierarchical public use space system in which each space contributes variety in function and setting (p.20). The Sketch Plan provides urban plazas and promenades with design elements that include public art, street furniture, bicycle racks and planted areas to enhance the neighborhood experience of residents, workers, shoppers, and visitors.

d. Bikeway Network and Recreation Loop

The Sector Plan recommends Shared Use Paths for Rockville Pike (LB-5), Marinelli Road (SP-41) and Woodglen Drive Extended (SP-41), and bike lanes for Nicholson Lane (BL-27). Woodglen Drive Extended will have a bike lane and shared use path. This segment will complete the route from the White Flint Metro Station to the Bethesda Trolley Trail to the south at the intersection of Woodglen Drive and Edison Lane. The Applicant will dedicate required right-of-way along Nicholson Lane, Marinelli Road and Rockville Pike for the implementation of the bikeway/paths.

The Sector Plan establishes a recreation loop, "a signed pathway that is to be incorporated into the street right-of-way as part of the sidewalk" (p.61). The submitted cross-section for Nicholson Lane will accommodate the recreation loop.

e. Pedestrian Promenades

The Sector Plan recommends using the existing WMATA easement along the east side of MD 355 as a pedestrian promenade. This promenade is envisioned as a "distinctive streetscape [that] lends character and importance to the pedestrian experience" (p.18). The Sketch Plan illustrates the easement; however, it does not illustrate how this space can become a distinctive streetscape. This will be clarified at Site Plan.

Environment

The Sector Plan contains several recommendations to achieve a compact, walkable, and green community that fully integrates all aspects of sustainability. Minimization of carbon emissions; reduction of energy through site design and energy-efficient buildings; improving air and water quality; and usage of environmental site design techniques are some of the Sector Plan's recommendations. The Sketch Plan illustrates vegetated and cool roofs throughout the development along with bio-filters and stormwater vaults. The Sketch Plan also demonstrates increased walkability, utilization of compact building footprints, and decreased imperviousness, all to further the environmental recommendations of the Sector Plan. The approved environmental features of the Sketch Plan are appropriate in concept and are appropriate for further, detailed review at Site Plan(s).

f. White Flint Design Guidelines

The Sketch Plan furthers the recommendations and objectives of the *Approved White Flint Urban Design Guidelines* (Design Guidelines). The Design Guidelines provide specific recommendations for the Metro West and NRC districts. As proposed, the *Buildings A West* and *B West* are consistent with the intent of the design guidelines. The Design Guidelines recommend to "locate and size taller building components to reduce the impact of their shadows on streets and public use spaces," and illustrate a build-to-line along Rockville Pike (p.29). *Building B West* is perpendicular to Rockville Pike so it reduces shadows on *Street A* and public use space at the intersection of Marinelli Road and Rockville Pike. At Site Plan, the above-grade garage for *Building C West*, and possibly *Building B East*, must be designed in a manner that will meet the Design Guidelines.

The *Alternate Street B Layout* supports the Design Guidelines objectives of having building and site design that enhance pedestrian activity by limiting vehicular intrusions in pedestrian priority places (p. 12); integrating private space with adjacent public rights-of-way (p. 12); surrounding the public space by building walls with ground floor activating uses to the maximum extent (p. 14); and designing building components that work together to ensure that public spaces around buildings create a quality of place (p. 16).

The Sector Plan makes no specific recommendations for the NRC District,

but the Design Guidelines illustrate an east-west local street and build-to-lines for the area at Rockville Pike and Nicholson Lane.

3. Achieves compatible internal and external relationships between existing and proposed nearby buildings, open space, and uses;

The buildings and open spaces are compatible with existing nearby buildings, open spaces and uses. This compatibility is achieved through:

- Building heights similar to those of the NRC campus (approx. 190 feet), residential buildings of the Grand (approx. 226 feet), existing North Bethesda Market I (approx. 289 feet) approved - but unbuilt North Bethesda Market II (approx. 300) and approved-unbuilt North Bethesda Gateway (approx. 250);
- Strong definition of blocks that transform the suburban, auto-oriented framework of land use in the area;
- Creation of defined streetscapes and open spaces;
- Replacement of surface parking with structured parking creating a stronger relationship between buildings, sidewalks, and streets; and
- Continuation of the existing promenade along the East side.

4. Provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading;

The Sketch Plan enhances circulation, parking, and loading for cars, trucks, pedestrians, and bicyclists. Specifically, it provides:

- A finer, urban street grid for cars, pedestrians, and bicyclists to increase mobility options;
- Off-street loading areas for the residential and non-residential uses on side streets alleviating congestion on Rockville Pike, Nicholson Lane, and Marinelli Road;
- Sidewalks, shared use paths and bike lanes to facilitate the safe movement of pedestrians and bicyclists throughout the Subject Property;
- Increased parking for bicycles and sufficient vehicular parking, mostly below-grade, for residents and visitors; and
- Woodglen Drive Extended with bike lanes to connect the White Flint Metro Station to the Bethesda Trolley Trail.

5. Includes public benefits that support the approved incentive density;

The Application includes public benefits that address the general incentive and density considerations required by Section 59-C-15.83. The public benefits:

- a. Take into consideration "the recommendations, objectives, and priorities of the applicable master or sector plan" by providing the diversity of housing, general sustainability measures, and connectivity improvements;
- b. Meet "the CR Zone Incentive Density Implementation Guidelines and any design guidelines adopted for the applicable master plan area" by providing the proper calculations and criteria for each public benefit and proposing public open space, structured parking, and public art as recommended in the Design Guidelines;
- c. Are appropriate for "the size and configuration of the tract" by improving the configuration through surface parking lots being replaced largely by underground parking to allow for public use and public open spaces in proximity to Metro;
- d. Adequately address "the relationship of the site to adjacent properties" by designing the building at an appropriate scale for the surroundings with heights and a layout that contributes to the framework for this emerging, urban area;
- e. Consider "the presence or lack of similar public benefits nearby" through the provision of environmental benefits, public open space along Rockville Pike for sitting, and dining, and public art, all which are currently lacking in this area; and
- f. Provide "enhancements beyond the elements listed in the individual public benefit descriptions or criteria that increase public access to or enjoyment of the benefit" which will be developed and assessed during Preliminary and Site Plan reviews.

To achieve the incentive density for this development, the Applicant must provide public benefits from at least four of the seven categories to achieve at least 100 points. The public benefit categories are approved as follows:

| Public Benefits Calculations | | | |
|---|---------------------------------|------------------|-----------------|
| Public Benefit | Incentive Density Points | | |
| | Max Allowed | Requested | Approved |
| 59-C-15.851: Major Public Facilities | 70 | 5 | 5 |
| 59-C-15.852: Transit Proximity | 50 | 50 | 50 |
| 59-C-15.853: Connectivity and Mobility | | | |
| Minimum Parking | 10 | 2 | 2 |
| Public Parking | 25 | 2 | 2 |
| Wayfinding Signage | 10 | 3 | 0 |
| 59-C-15.854: Diversity of Uses and Activities | | | |
| Enhanced Accessibility | 20 | 6 | 6 |
| 59-C-15.855: Quality of Building and Site Design | | | |
| Structured Parking | 20 | 15 | 10 |
| Public Art | 15 | 4 | 4 |
| Public Open Space | 20 | 14 | 14 |
| Exceptional Design | 10 | 4 | 4 |
| 59-C-15.856: Protection and Enhancement of the Natural Environment | | | |
| Building Lot Terminations | 30 | 5 | 5 |
| Tree Canopy | 15 | 4 | 4 |
| Vegetated Roof | 15 | 3 | 3 |
| Cool Roof | 10 | 3 | 3 |
| TOTAL | 320 | 120 | 112 |

Major Public Facilities

Under Section 59-C-15.851(c), the Planning Board may approve up to 70 incentive density points for the conveyance of a site for the construction of a major public facility. In this case, the Applicant requested 5 points for providing a potential location for a bike sharing station on each side of Rockville Pike. This provision will support the County’s Capital Bikeshare Program in White Flint and contribute towards Sector Plan goals of minimizing carbon emission and increasing alternative modes of transportation. At Site Plan, the Applicant must provide a detailed layout and acceptance of the bike station by an appropriate public agency, community association, or nonprofit organization. The Planning Board grants the five requested points for this public benefit.

Transit Proximity

Under Section 59-C-15.852, the Planning Board may approve up to 50 incentive density points for the development that adjoins or confronts a service level one transit stop. The Site is across the street from the White Flint Metro Station, which allows the development to be eligible for Level 1 transit as defined in the

Zoning Ordinance. The Planning Board grants all requested points for this public benefit as suggested in the 2012 Commercial/Residential Zones Incentive Density Implementation Guidelines (CR Guidelines).

Connectivity between Uses, Activities, and Mobility Options

Minimum Parking

Under Section 59-C-15.853(b), the Planning Board may approve up to 10 incentive density points for providing less than the maximum allowed number of parking spaces. Per the CR Guidelines, the incentive density is calculated on a sliding scale. The Applicant requested 2 points for providing 2,188 proposed parking spaces which is less than the maximum allowed 2,461 spaces. The calculation yields a total of 2 points with final parking counts to be determined at Site Plan. The Planning Board grants all requested points for this public benefit.

Public Parking

Under Section 59-C-15.853(d), the Planning Board may approve up to 25 points for providing up to the maximum number of parking spaces allowed as public parking. The Applicant requested 2 points for providing 85 parking spaces as public parking. Per the CR Guidelines, the incentive density is calculated on a sliding scale. Initial estimate of parking calculation yields a total of 2 point with final parking counts to be determined at Site Plan. The Planning Board grants all requested points for this public benefit.

Wayfinding Signage

Under Section 59-C-15.853(i), the Planning Board may approve up to 10 points for design and implementation of a way-finding system orienting pedestrians and cyclists to major open spaces, cultural facilities, and transit opportunities. Per the CR Guidelines, an incentive density of up to 5 points is appropriate for installing wayfinding signage in proposed open spaces and public spaces. The Applicant requested 3 points for identifying potential locations and providing a conceptual design for wayfinding devices to destinations such as the Wall Park, White Flint Recreation Loop, Bethesda Trolley Trail, and the Metro Station. The Planning Board found that this public benefit was not appropriate for the particular context and size of the project and does not grant any requested points for Wayfinding Signage.

Diversity of Uses and Activities

Enhanced Accessibility for the Disabled

Under Section 59-C-15.853(f), the Planning Board may approve up to 20 points for constructing dwelling units that satisfy American National Standards Institute

A117.1 Residential Type A standards or an equivalent County standard. The incentive density points are calculated on a sliding scale as a percentage of complying units. The Applicant requested 6 points for providing 29 accessible units. The Final location and area of the accessible units will be determined at Site Plan. The Planning Board grants all requested points for this public benefit.

Quality of Building and Site Design

Structured Parking

Under Section 59-C-15.855(b), the Planning Board may approve up to 20 points for placing parking within above- or below-grade structures. This incentive is granted on a sliding scale based on the percentage of spaces provided above and below grade. The Applicant requested 15 points for 1,050 spaces above grade and 1,138 below-grade which includes the above-grade parking alternative for Building B East. At the time of Preliminary and/or Site Plan, the Applicant may be eligible for additional points if parking is provided in a below-grade structure. The Planning Board found that points were not appropriate for providing parking within above-grade structures given the particular context. The Planning Board grants 10 points for the provision of 1,138 parking spaces in a below-grade structure.

Public Art

Under Section 59-C-15.855(d), the Planning Board may approve up to 15 points for the installation of public art to be reviewed by the Arts and Humanities Council. Per the CR Guidelines, 7.5 points are appropriate for public art that is found to fulfill at least five of the eight stated criteria including achieving aesthetic excellence; ensuring an appropriate interaction between the art and the architectural setting in terms of scale, materials, and context; and ensuring public access and inviting public participation. The Applicant requested 4 points for identifying plazas, green spaces, and significant corners that will have highest visibility and frequency of interaction with the public. While the public art concept is still evolving, The Planning Board found enough evidence to grant the request for 4 points. Review by the Public Arts Trust Steering Committee by function of the Art Review Panel must be completed prior to any Board hearing on a Site Plan.

Public Open Space

Under Section 59-C-15.855(e), the Planning Board may approve up to 20 points for open space in addition to the minimum 10% public use space required. Points for this incentive are granted on a sliding scale based on the percentage of the net lot area. The Applicant requested 14 points for providing 40,000 square

feet of additional open space above the required square feet of public use space for a total of 14 points. The Planning Board grants all requested points for this public benefit.

Exceptional Design

Under Section 59-C-15.855(d), the Planning Board may approve up to 10 points for building or site design that enhance the character of a setting. Per the CR guidelines, incentive density of 5 points is appropriate for development that meets at least four of the six criteria. The Applicant requested 4 points. The Planning Board found that the project satisfies the following three criteria: creating a sense of place and serves as a landmark; enhancing the public realm in a distinct and original manner; and using design solutions to make compact, infill development living, working and shopping environments more pleasurable and desirable. The Planning Board grants all requested points for this public benefit.

The Sketch Plan features an arrival plaza at the intersection of Rockville Pike and Marinelli Road. This space is designed with streetscape elements and interactive water features to create a distinct landmark. Moving south along Rockville Pike, a collection of public spaces are proposed with design elements along with green spaces, stormwater management areas that double as passive landscape amenities, gathering areas, and walking paths.

The Project lines a portion of Woodglen Extended and the two intimately-scaled through-block connections with residential units and residential lobbies. The proposed design of these open spaces featuring public art, street furniture, bicycle racks, and planted areas will create an urban residential-street typology unique to White Flint area.

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT)

Under Section 59-C-15.856(a), the Planning Board may approve up to 30 points of incentive density for the purchase of BLT easements, of which 5 points are mandatory. Points are granted by the calculation of BLTs as provided in Section 59-C-15.87(a) of the Zoning Ordinance. The Applicant requested 5 points for the purchase of 3.59 BLT easements. The Planning Board grants all requested points for this public benefit.

Tree Canopy

Under Section 59-C-15.856(d), the Planning Board may approve up to 15 points for tree canopy coverage at 15 years of growth of at least 25% of the on-site open space. The CR Guidelines finds 7.5 points appropriate for development that meets the requirements of the Zoning Ordinance. The Applicant requested 4 points for meeting the requirement of the Zoning Ordinance. The Planning Board grants all requested points for this public benefit.

Vegetated Roofs

Under Section 59-C-15.856(f), the Planning Board may approve up to 15 points for providing vegetated roofs with a soil depth of at least 4 inches and covering at least 33% of the total roof excluding space for mechanical equipment on four buildings. The CR Guidelines recommends 7.5 points for development that meets the Zoning Ordinance requirements. The Applicant requested 3 points for meeting the requirement of the Zoning Ordinance. The Planning Board grants all requested points for this public benefit.

Cool Roofs

Under Section 59-C-15.856(f), the Planning Board may approve up to 10 points for constructing roof area that is not covered by a vegetated roof with a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12. Per the CR Guidelines, an incentive density of 5 points is appropriate for sites greater than one acre. The Project proposes 90% cool roof on available roof area throughout the 9.42-acre site. The Applicant requested 3 points. The Planning Board grants all requested points for this public benefit.

6. *Establishes a feasible and appropriate provisional phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The development will be built in five phases with flexibility to sequence the phasing in any order and/or combination.

| Phasing Plan | |
|--------------|---|
| Phase A West | Building A West; Street A; and Woodglen Drive between Marinelli Rd and Street A |
| Phase B West | Building B West; Street B; and Woodglen Drive between Street A and Nicholson Lane |
| Phase C West | Building C West; and Woodglen Drive between Street A and Nicholson Lane |
| Phase A East | Building A East; Rockville Pike Promenade; Street C between Rockville Pike and Drive D; and Drive D |
| Phase B East | Building B East; Drive E; and Street C between Drive D and Drive E |

Phasing of roads, parking and public benefits are proportionally appropriate to the scale and characteristics of the relevant phase of development. The table below shows the public benefits approved with this Sketch Plan by each phase of development:

| Public Benefits Calculations Phased | | | | | | |
|---|-----------------|--------------|--------------|--------------|--------------|--------------|
| | Points Approved | Phases | | | | |
| | | Bldg A West | Bldg B West | Bldg C West | Bldg A East | Bldg B East |
| Major Public Benefit | 5 | 2.5 | 0.0 | 0.0 | 2.5 | 0.0 |
| Transit Proximity | 50 | 10 | 10 | 10 | 10 | 10 |
| Connectivity between Uses, Activities, and Mobility Options | | | | | | |
| Minimum Parking | 2 | 0.25 | 0.25 | 1.0 | 0.25 | 0.25 |
| Public Parking | 2 | 0.5 | 0.0 | 1.0 | 0.5 | 0.0 |
| Way finding Signage | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Diversity of Uses and Activities | | | | | | |
| Enhanced Accessibility | 6 | 2.0 | 1.0 | 0.0 | 2.0 | 1.0 |
| Quality of Building and Site Design | | | | | | |
| Structured Parking | 10 | 3.33 | 3.33 | 0.0 | 3.34 | 0.0 |
| Public Art | 4 | 1.0 | 1.0 | 1.0 | 1.0 | 0.0 |
| Public Open Space | 14 | 3.5 | 3.0 | 3.5 | 2.0 | 2.0 |
| Exceptional Design | 4 | 1.25 | 1.0 | 1.0 | 0.75 | 0.0 |
| Protection and Enhancement of the Natural Environment | | | | | | |
| Building Lot Terminations | 5 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |
| Tree Canopy | 4 | 1.0 | 0.75 | 1.0 | 0.75 | 0.5 |
| Vegetated Roof | 3 | 0.75 | 0.75 | 0.5 | 0.5 | 0.5 |
| Cool Roof | 3 | 0.75 | 0.75 | 0.5 | 0.5 | 0.5 |
| TOTAL | 117.75 | 28.08 | 23.08 | 20.75 | 25.33 | 14.75 |

BE IT FURTHER RESOLVED that at the time of site plan, the Planning Board may approve changes to this Sketch Plan under certain circumstances. If the Applicant proposes to change a condition of approval or binding element, or agrees to a change proposed by another party, the proposed change must satisfy the requirements for approval of a sketch plan and site plan, including Section 59-C-15, Section 59-D-3.4, and the Sector Plan. If Staff proposes to change a condition of approval or binding

element, however, the Board may approve the change if necessary to ensure conformance with Section 59-C-15, Section 59-D-3.4, or the Sector Plan. In other words, for the Board to approve an Applicant-proposed change of a binding element it must find consistency with applicable standards; for the Board to approve a Staff-proposed modification to a ~~Staff-proposed~~ the binding element that the Applicant has not agreed to, the Board must find that the proposed change is necessary to meet the site plan approval standards, including conformance with zoning and Sector Plan requirements.

Alternatively, based on detailed review of a site plan, the Board may find that any element of the approved Sketch Plan, including a binding element, does not meet the requirements of the zone, Sector Plan, or other findings necessary to approve a site plan, and deny the site plan application.

The Board's review of sketch plans is governed by Section 59-C-15.43, which provides that "in approving a sketch plan" the Board must find that certain elements of the plan are "appropriate in concept and appropriate for further detailed review at site plan." Because the Board's approval of a sketch plan is in concept only and subject to further detailed review at site plan, it necessarily follows that the Board may find, based on detailed review of a site plan, that any element of a sketch plan does not meet the requirements of the zone, master plan, or other requirements for site plan approval. The Board does not have the authority at the time of sketch plan to predetermine that any element of the Sketch Plan will satisfy all applicable requirements for site plan approval. As a practical matter it would be unwise for it to do so, due to the limited detail contained in a sketch plan and the sketch plan's unlimited validity period. If the Board were unable to require changes to binding elements at the time of site plan to ensure compliance with all code and master plan requirements, the Board might have decided to approve fewer elements of this Sketch Plan as binding.

Although the Board does not have the authority to provide complete certainty about the conditions of approval or binding elements of a sketch plan, this does not mean that the Board should or will require changes to an approved sketch plan without good reason. To do so would be inefficient and unfair to Applicants and community members whose expectations about the future shape of development will be formed by what the Board approves in a sketch plan; and

BE IT FURTHER RESOLVED, that under the Sketch Plan approval, maximum density for the project is 4 FAR based on the Gross Tract Area (GTA) of the Subject Property that is part of the Sketch Plan, and maximum building height for the project is 300 feet. At the time of Site Plan or otherwise, the Sketch Plan may be amended, if necessary, in order to reallocate this approved maximum density among the various buildings included in the Sketch Plan and to increase or decrease building height of any individual building included in the Sketch Plan within the maximum approved building

height. Provided such reallocations of approved density and/or increase of individual building heights do not result in the project exceeding a total density of 4 FAR based on the GTA of the Subject Property and do not result in any portion of the project exceeding the maximum building height of 300 feet. Such an amendment will not be considered to have increased the approved density or building height of the project for the purposes of Section 7.7.1.B.3.a.i of the Zoning Ordinance, as adopted by the Montgomery County Council on March 5, 2014; and

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that all binding elements of the plans for Sketch Plan No. 320140010 Saul Centers White Flint, stamped received by M-NCPPC on March 21, 2014 are required except as modified herein; and

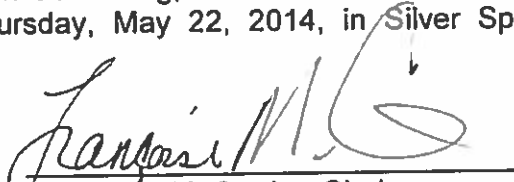
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the effective date of this Resolution is May 2, 2014 (which is the date that ~~this~~ the original Resolution is was mailed to all parties of record); and

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

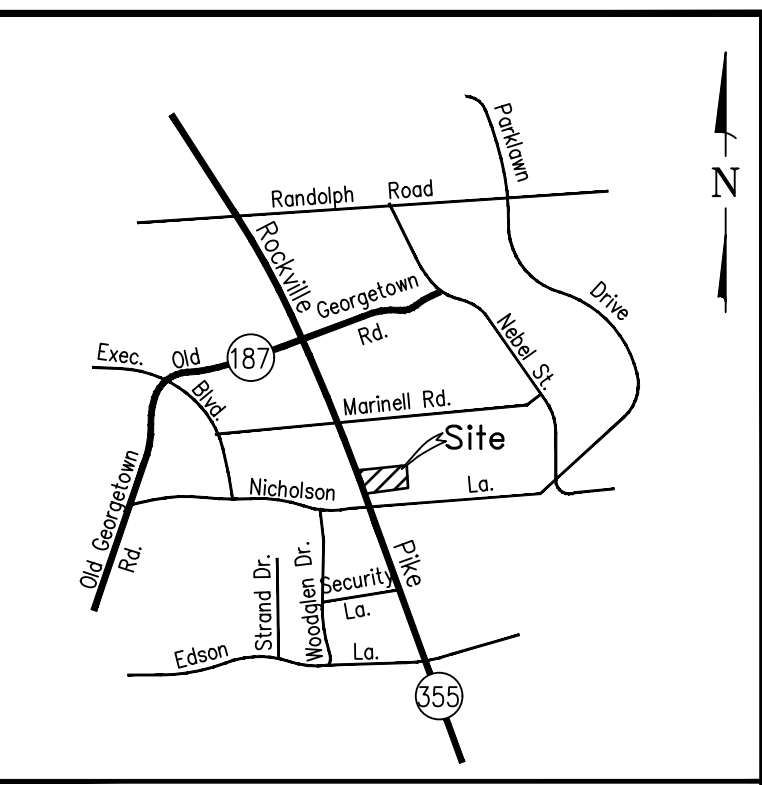
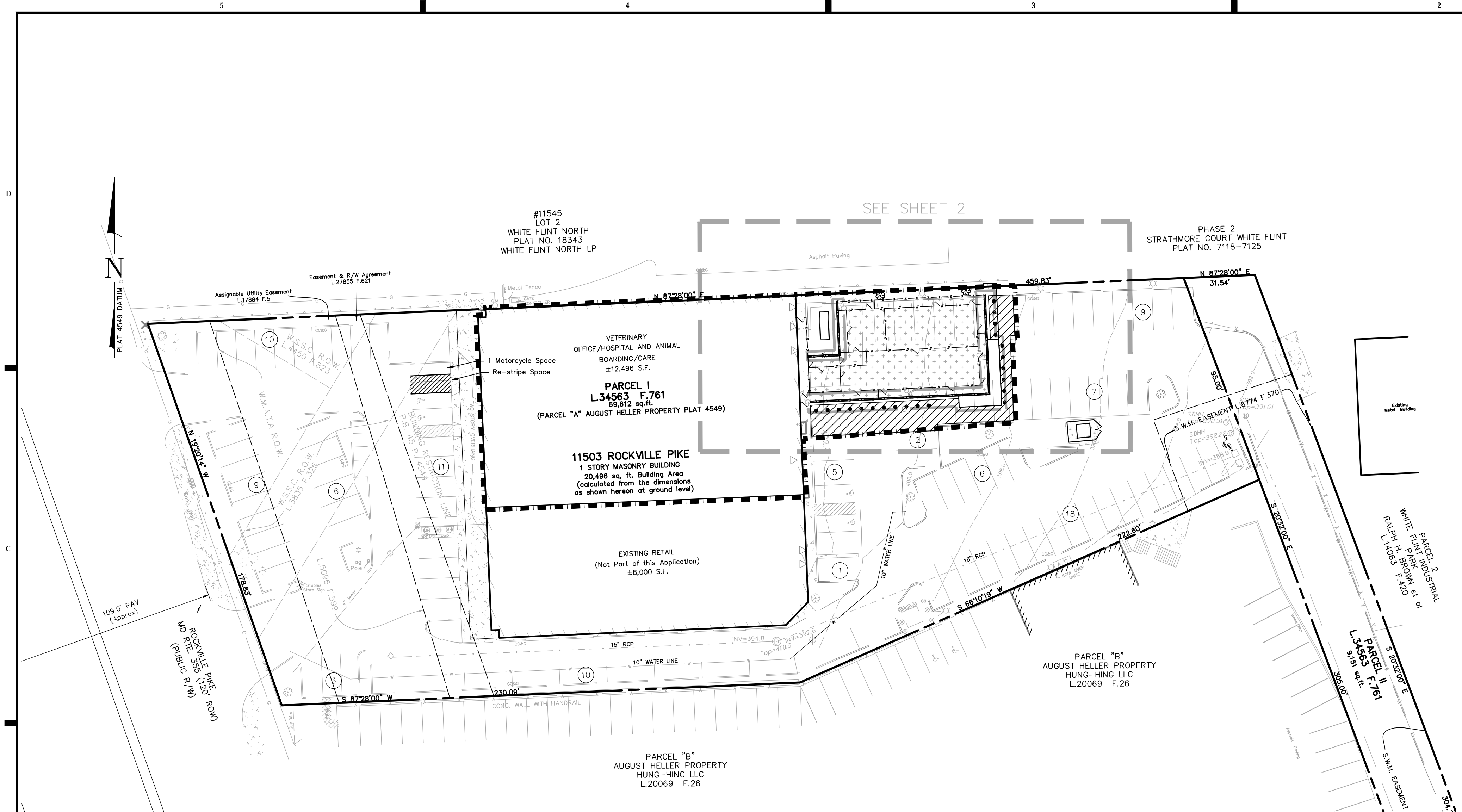
* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Dreyfuss, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioner Dreyfuss voting in favor, and Commissioner Anderson abstaining, and Commissioner Presley absent, at its regular meeting held on Thursday, May 22, 2014, in Silver Spring, Maryland.



Françoise M. Carrier, Chair
Montgomery County Planning Board



VICINITY MAP
SCALE 1" = 2,000'

GTM ARCHITECTS

7735 OLD GEORGETOWN ROAD
SUITE 700
BETHESDA, MD 20814
(240)333-2000
(240)333-2001 FAX
WWW.GTMARCHITECTS.COM



| DR. BOYD'S VET CLINIC | |
|---------------------------------------|---|
| SITE DATA | |
| Subject Property | Parcel N820, Plat 4549 |
| Subject Subdivision | August Heller Property, Parcel A, Plat No. 4549 |
| Tax Map | HQ122 |
| Zoning | CR-4.0, C-3.5, R-3.5, H-300 |
| Development Method (Section 4.5.3) | Standard Method |
| Property Address | 11503 Rockville Pike, Rockville, MD 20852 |
| Gross Tract Area: | |
| Subject Property | 69,612 s.f. / 1.60 Acres |
| Previously Dedicated ROW | 3,916 s.f. / 0.09 Acres |
| Total | 73,528 s.f. / 1.69 Acres |
| Proposed ROW Dedication | 0 s.f. / 0.00 Acres |
| Net Tract Area | 69,612 s.f. / 1.60 Acres |
| Proposed Use | Animal Services: Animal Boarding/Care |
| Compatibility Standards - Sect. 4.1.8 | N/A |
| Master Plan | White Flint Sector Plan |

Seal

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland License No. 16906, Expiration Date: 04/21/2018

Consultants
CALIBER DESIGN, INC.
2290 SHAW ROAD, SUITE 620
STERLING, VA.

COMPREHENSIVE STRUCTURAL SOLUTIONS, LLC
8509 CHURCHILL DOWNS RD.
GAITHERBURG, MD.

MHG
9220 WIGHTMAN ROAD, SUITE 120
MONTGOMERY VILLAGE, MD.

Project
DR. BOYD'S VET CLINIC

11503 ROCKVILLE PIKE
ROCKVILLE, MD.

Owner
B.F. SAUL COMPANY
7501 WISCONSIN AVE
SUITE 1500E
BETHESDA, MD

Developer

| Date | Issue Description |
|----------|------------------------------------|
| 03-24-17 | ISSUE FOR CONDITIONAL USE APPROVAL |
| 05-19-17 | ISSUE FOR CONDITIONAL USE APPROVAL |
| 06-07-17 | ISSUE FOR CONDITIONAL USE APPROVAL |
| 06-22-17 | ISSUE FOR CONDITIONAL USE APPROVAL |

| Conditional Use Plan Area (s.f.) - Section 4.5.2 (A) | |
|--|--|
| Veterinary Office (Limited Use) | 9,997 s.f. |
| Animal Boarding/Care (Conditional Use) | 2,499 s.f. |
| Total | 12,496 s.f. |
| Vehicle Parking - Section 6.2.4.B | |
| Veterinary Office/Hospital (9,997 s.f.) | |
| Employee (5.5 max. per shift) | 1.00/employee = 6 spaces Min. 2.50/employee = 14 spaces Max. |
| Doctors practicing simultaneously (1.0 Doctors) | 2.00/doctor = 2 spaces Min. 3.50/doctor = 4 spaces Max. |
| Animal Boarding/Care (2,499 s.f.) | 1.00/employee = 14 spaces Min. 3.00/employee = 41 spaces Max. |
| Retail (up to 8,000 s.f.) | 3.5/1000 s.f. (Min.) = 28 spaces Min. 6.0/1000 s.f. (Max.) = 48 spaces Max. |
| Total | 50 spaces (Min) 112 spaces (Max) |
| Bicycle Parking - Section 6.2.4.C | |
| Veterinary Office/Hospital | N/A |
| Animal Boarding/Care | N/A |

GTM Project No. 16.0267
Checked By RM
Drawn By MM
Scale 1" = 30'

Sheet Title

CONDITIONAL USE PLAN

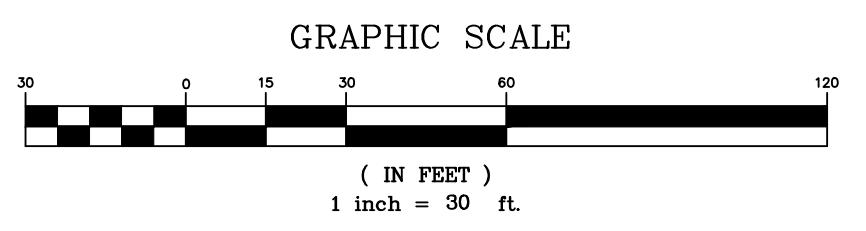
Sheet No.
C201

COPYRIGHT, 2016 GTM ARCHITECTS, INC.

| EXISTING | PROPOSED |
|--------------|---------------------------------------|
| --- 37.0 --- | CONTOUR (10) |
| --- 37.4 --- | CONTOUR (2) |
| • 374.0 | SPOT ELEVATION |
| ===== | CURB & GUTTER |
| ===== | CONCRETE |
| ===== | ASPHALT |
| ===== | BUILDING WALL |
| ===== | RETAINING WALL |
| ----- | LIMITS OF DISTURBANCE |
| ----- | WATER LINE (CONCRETE) |
| ----- | FIRE HYDRANT |
| ----- | SEWER LINE |
| ----- | STORM DRAIN LINE |
| ----- | OVERHEAD UTILITY WIRES |
| ----- | GAS LINE |
| ----- | UNDERGROUND ELECTRIC |
| ----- | UNDERGROUND COMMUNICATIONS |
| ----- | LIGHT POLE |
| ----- | TREE |
| ----- | WHITETOPPING (BROOM FINISH) |
| ----- | NO PARKING |
| ----- | 8" W.V. FENCE |
| ----- | 8" W.V. FENCE |
| ----- | LIMITS OF CONDITIONAL USE APPLICATION |
| ----- | HEADER CURB |

- General Notes
- The topography in the area of work is taken from a field run survey prepared by this office and last updated in July 2016 and March 2017. The remainder of the topography shown is taken from a compilation of surveys prepared by this office and by MNCPPC Sheet 215NW05 2 foot contour topography.
 - Property line information is based on an ALTA/ACSM Survey dated March 8, 2007 and prepared by this office.
 - Information concerning existing underground utilities was obtained from available records, however, the contractor must determine the location and elevation of all utilities by digging test pits by hand at all utility crossings and connections well in advance of construction. If clearances between utilities are less than those shown on the plan or twelve (12) inches, whichever is less, contact the Engineer and the appropriate utility owner before proceeding with construction. If connection elevations are difference than those shown on the plan, contact the Engineer before proceeding with the work.

- Site Notes
- The structure, site improvements and landscaping was existing on October 30, 2014. The building footprint and floor area is not increased by this construction.
 - The property is exempt from Forest Conservation requirements per Forest Conservation Exemption # 42017038E dated October 11, 2016.
 - The proposed improvements will not result in more than 5,000 square feet of disturbance or more than 100 cubic yards of earth movement, and are therefore exempt from Montgomery County Sediment Control Permit requirements.
 - Proposed utility services will be extended from existing on-site systems.
 - Proposed curb around dog yard to meet existing curb at sidewalk adjacent to building. Spot elevations are based on available topographic information. Contractor to provide a consistent height curb around perimeter of dog yard that provides positive drainage. Contractor to confirm grades and advise Civil Engineer of any discrepancies or issues prior to constructing curb.
 - 2,499 square feet of interior GFA, no more than 5,000 square feet of exterior square footage, and associated parking spaces shall be utilized for Animal Boarding & Care. All other areas of the building and site are not subject to this Conditional Use, excluding binding elements.
 - Any part of a building used for animal boarding or care must be sound-proofed.
 - Any animal is prohibited from being outdoors between 9:00pm and 7:00am.
 - This plan is only for the Conditional Use application. The Development Standards table does not include other uses on the property.



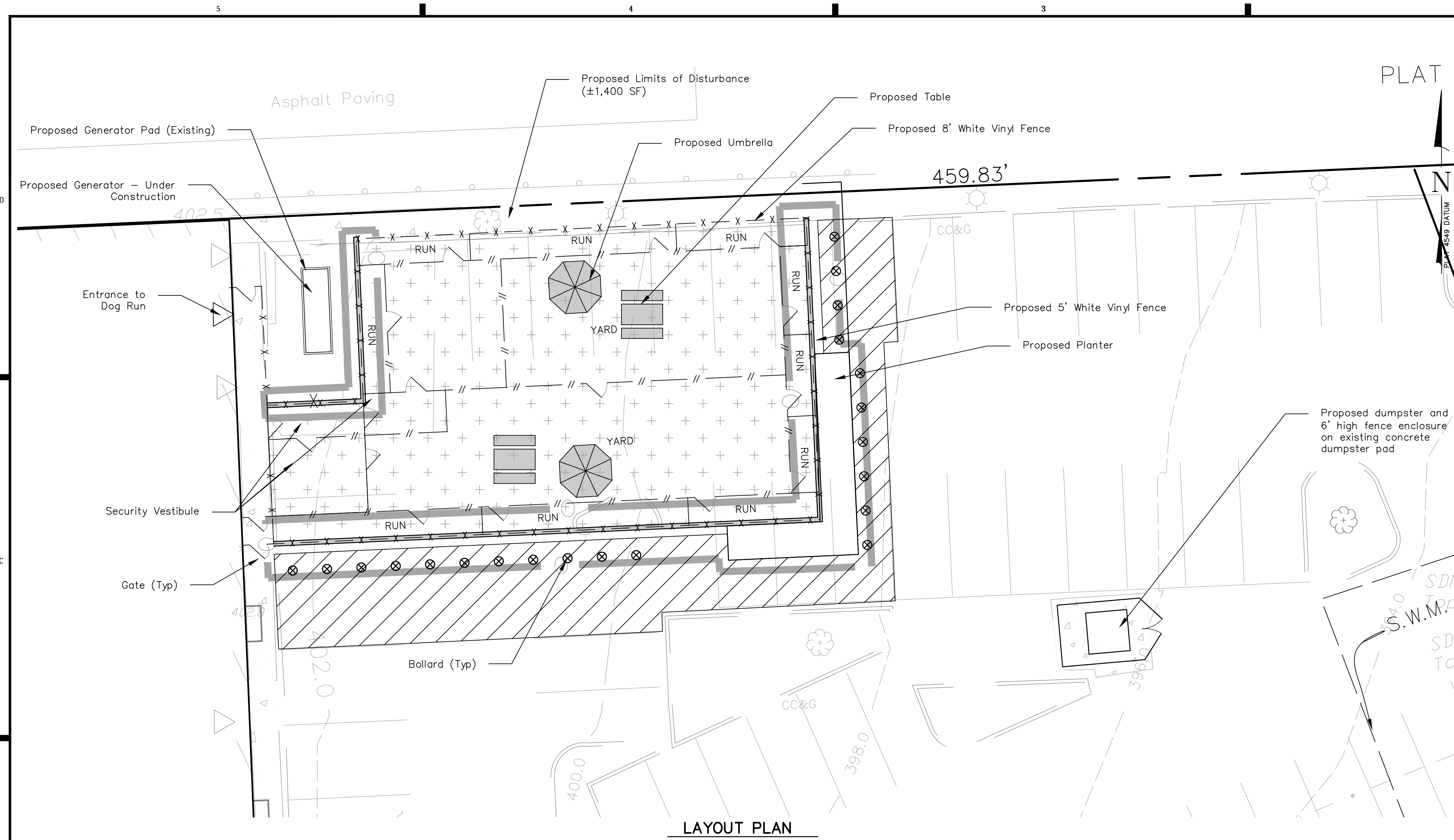
811
Know what's below.
Call before you dig.

FOR UTILITY LOCATIONS
CONTACT "ONE CALL" AT 811
AT LEAST 48 HOURS
PRIOR TO CONSTRUCTION

PARCEL A, AUGUST HELLER PROPERTY
P.B. 56 P. 4549
FOURTH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

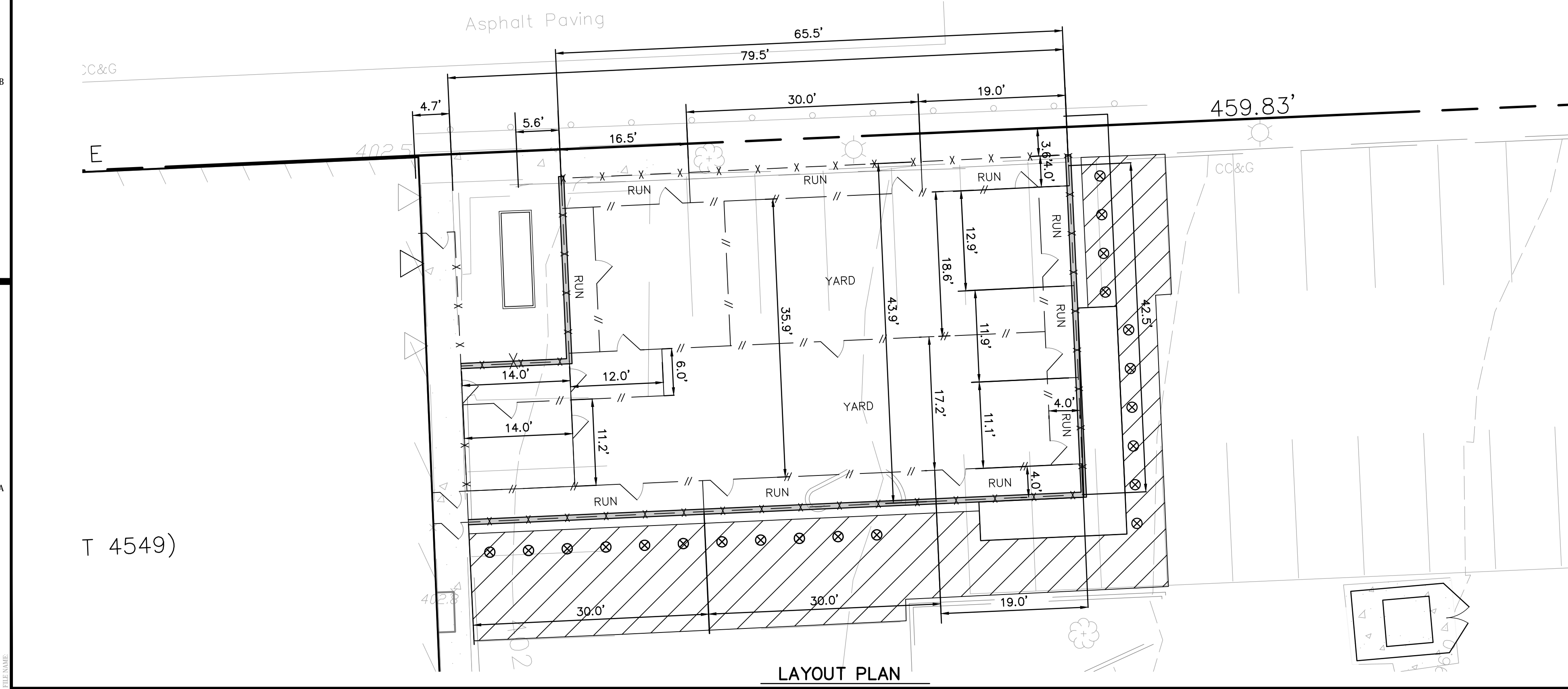
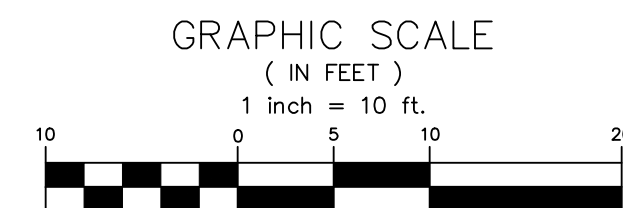
MHG
Macris, Hendricks & Glascock, P.A.
Engineers ■ Planners
Landscape Architects ■ Surveyors

9220 Wightman Road, Suite 120
Montgomery Village, Maryland
20886-1279
Phone 301.670.0840
Fax 301.948.0933
www.mhga.com



LAYOUT PLAN

| EXISTING | PROPOSED |
|-------------|---------------------------------------|
| --- 370 --- | CONTOUR (10') |
| --- 374 --- | CONTOUR (2') |
| x 374.0 | SPOT ELEVATION |
| ==== | CURB & GUTTER |
| ---- | CONCRETE |
| | ASPHALT |
| ===== | BUILDING WALL |
| ===== | RETAINING WALL |
| ○ | LIMITS OF DISTURBANCE |
| ⊕ | WATER LINE (DOMESTIC) |
| ⊕ FH | FIRE HYDRANT |
| ⊕ S | SEWER LINE |
| ⊕ | STORM DRAIN LINE |
| --- | OVERHEAD UTILITY WIRES |
| --- | GAS LINE |
| --- | UNDERGROUND ELECTRIC |
| --- | UNDERGROUND COMMUNICATIONS |
| ⊕ | LIGHT POLE |
| ⊕ | TREE |
| +++++ | WHITETOPPING (BROOM FINISH) |
| | NO PARKING |
| --- | 5' W.V. FENCE |
| --- | 8' W.V. FENCE |
| --- | LIMITS OF CONDITIONAL USE APPLICATION |
| --- | HEADER CURB |



LAYOUT PLAN

PARCEL A, AUGUST HELLER PROPERTY
P.B. 56 P. 4549

FOURTH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

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7735 OLD GEORGETOWN ROAD
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(240)333-2000
(240)333-2001 FAX
WWW.GTMARCHITECTS.COM



Seal
Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of Maryland License No. 16906, Expiration Date: 04/21/2018

Consultants
CALIBER DESIGN, INC.
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STERLING, VA.
COMPREHENSIVE STRUCTURAL SOLUTIONS, LLC
8509 CHURCHILL DOWNS RD.
GAITHERBURG, MD.

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Project
DR. BOYD'S VET CLINIC

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Developer

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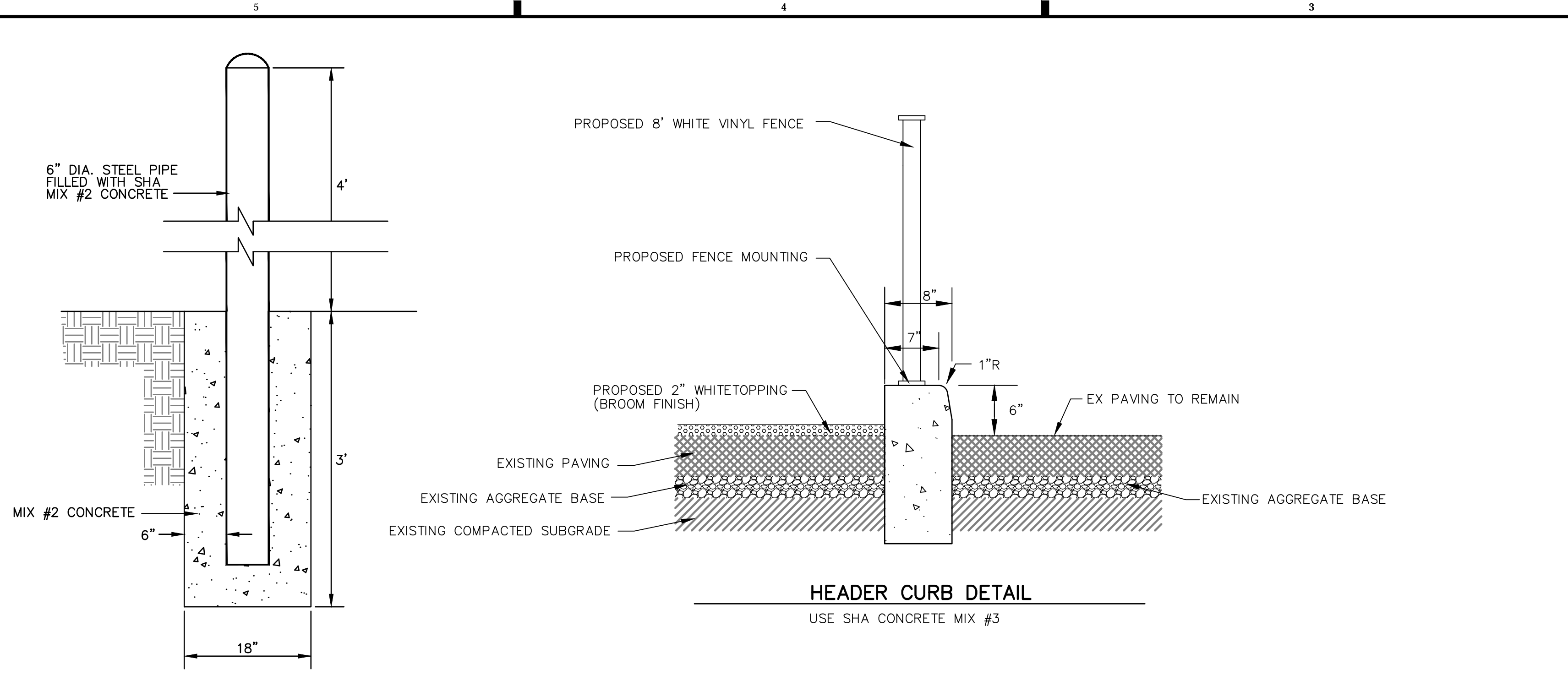
GTM Project No. 16.0267
Checked By RM
Drawn By MM
Scale 1" = 10'

Sheet Title

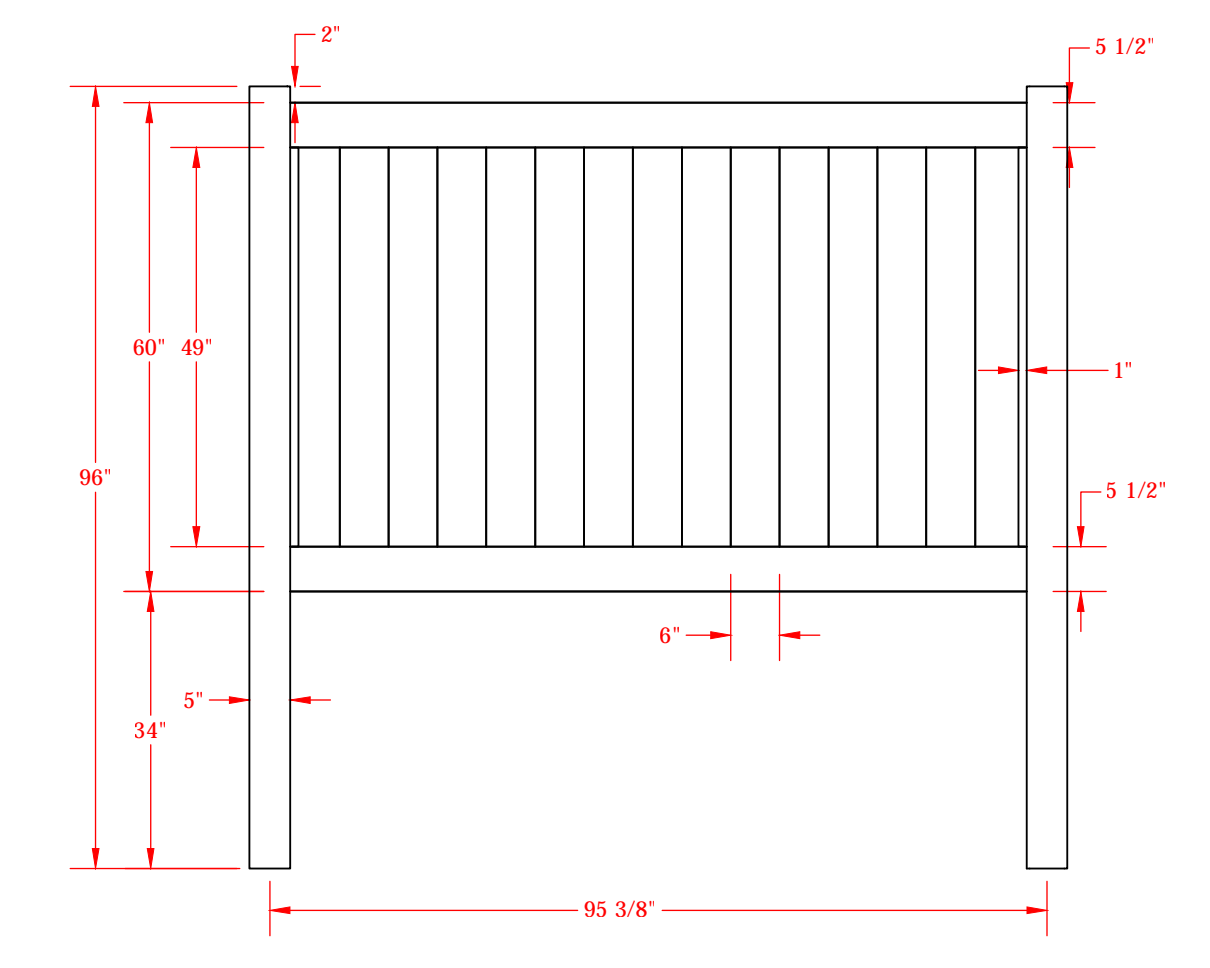
CONDITIONAL USE PLAN

Sheet No.

C202



- Post Cap Options**
- New England VSSNE
 - Flat Top VSSFO
 - French Gothic VSSFG
 - Ball VSSBC
 - Cosman VSSCM
 - Tear Drop VSSTD
 - Solar VSSSO
 - Palace Solar VSSP

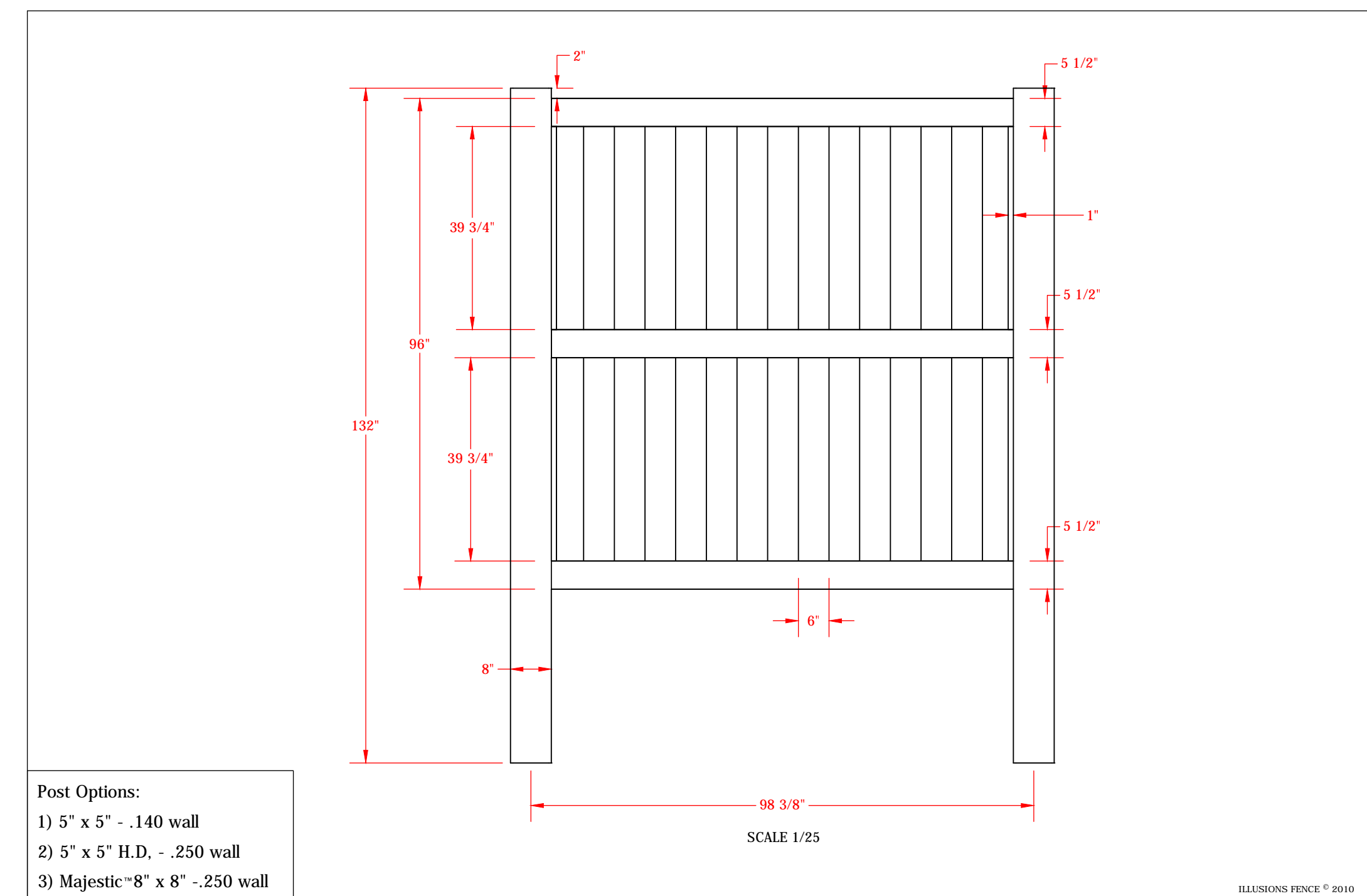
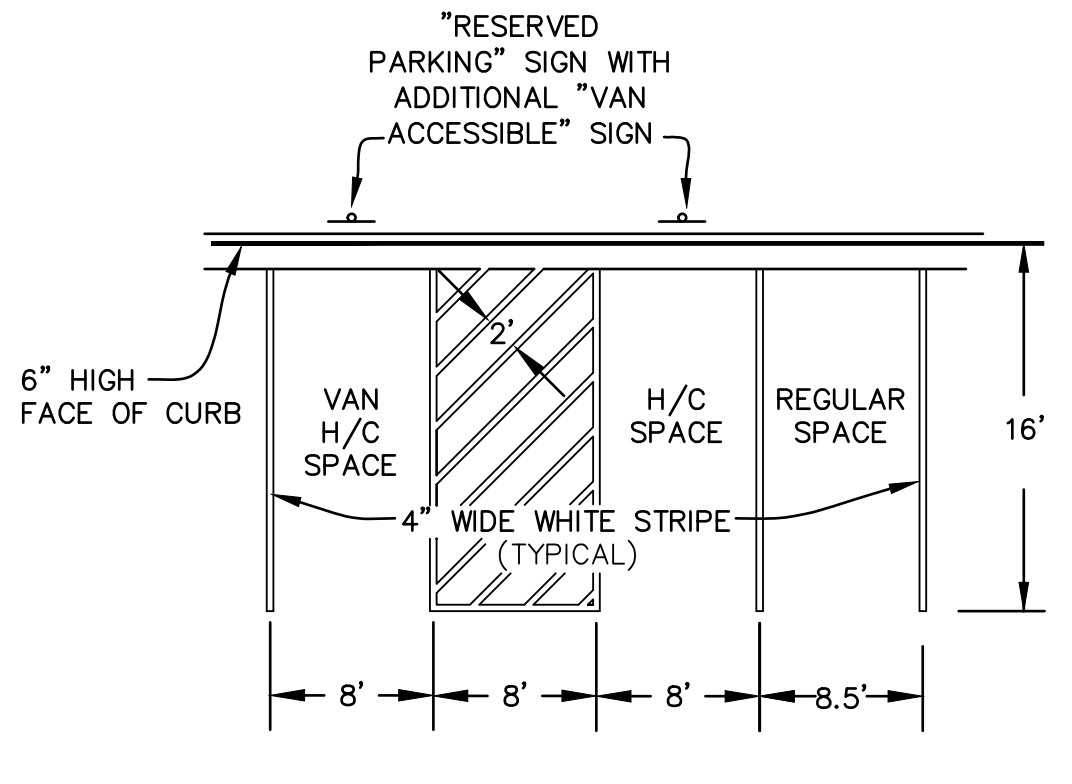


Post Options:

- 5" x 5" - .140 wall
- 5" x 5" H.D. - .250 wall
- Majestic 8" x 8" - .250 wall

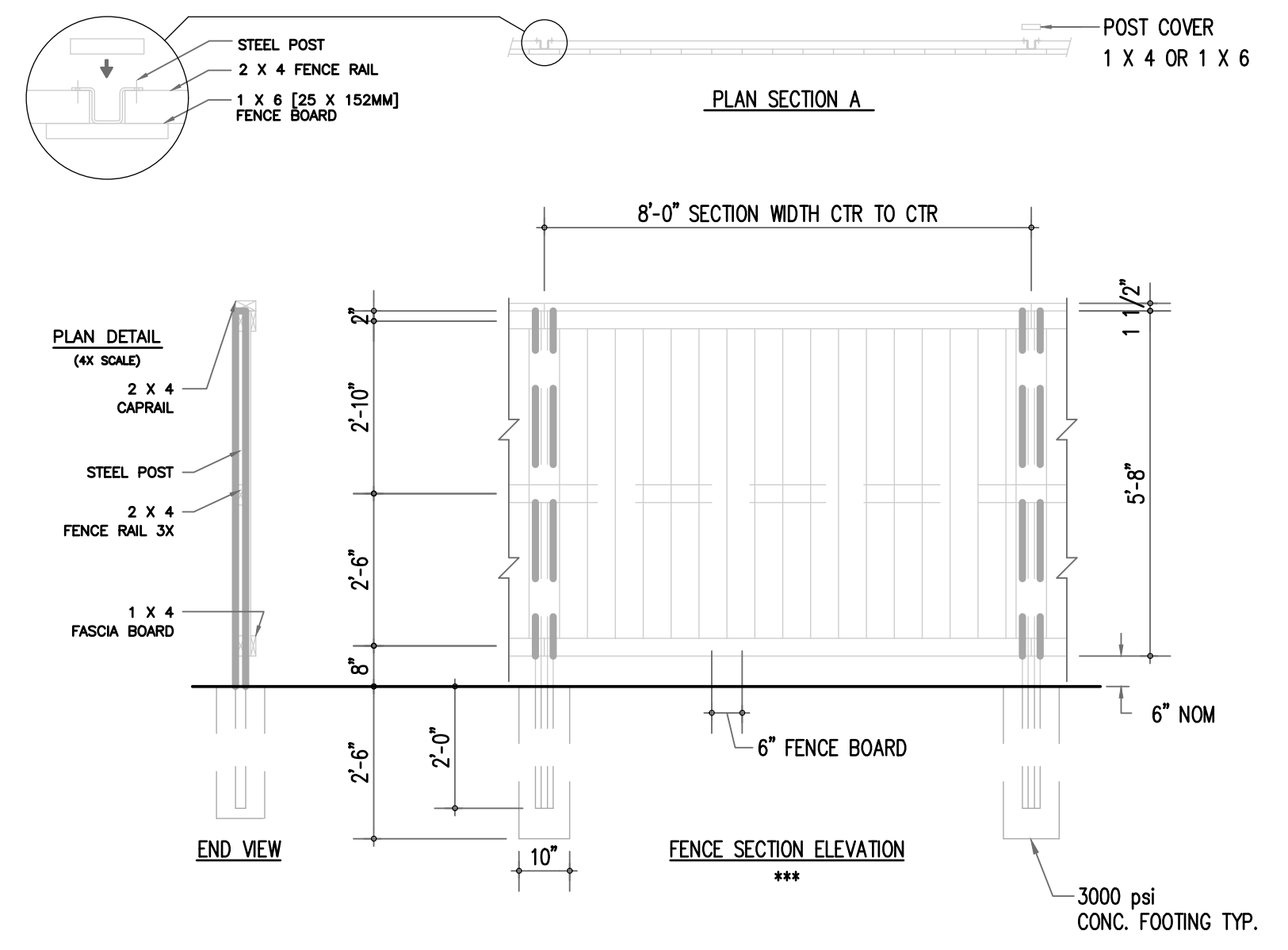
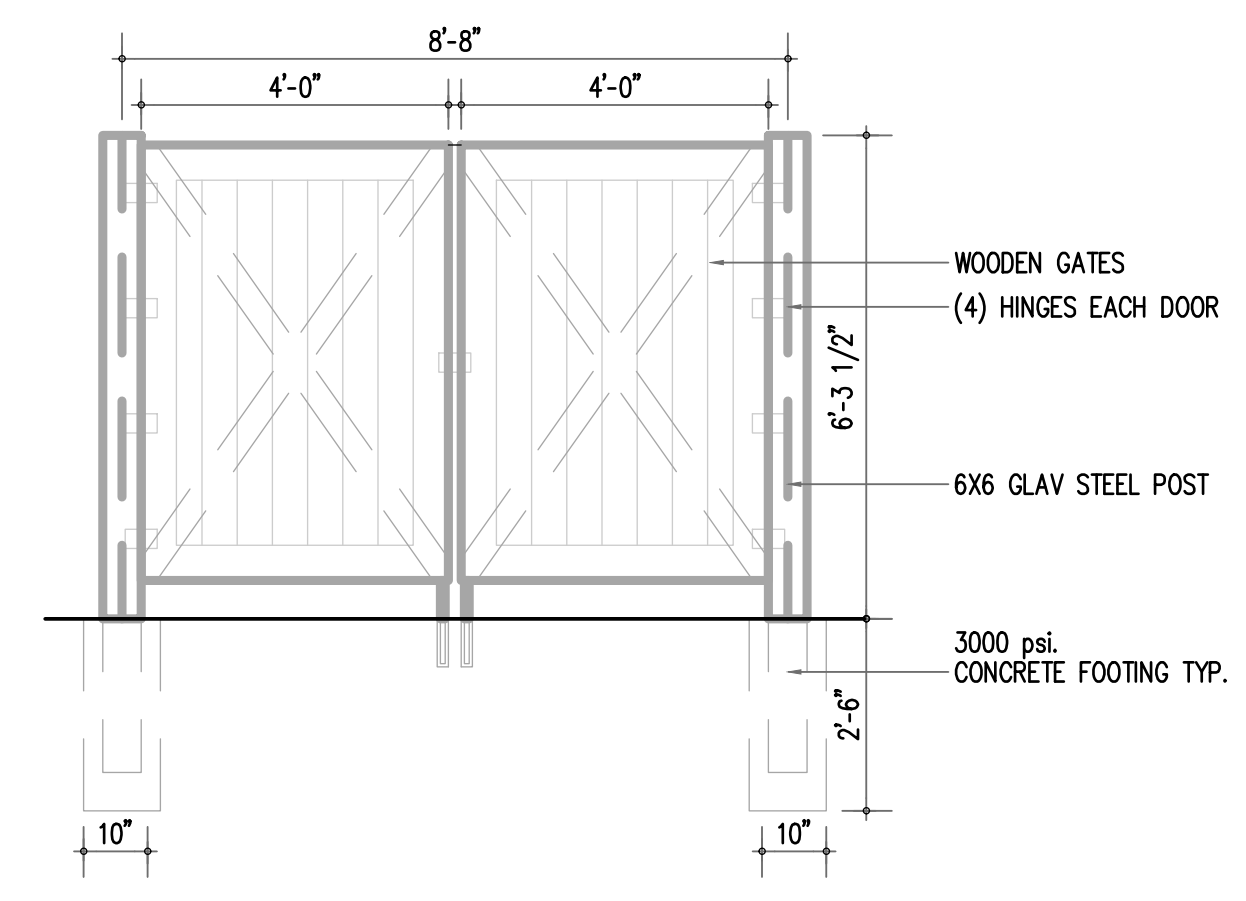
| Date: | STYLE # | DESCRIPTION |
|----------------|---------|---|
| Customer: | V300-5 | Solid Tongue & Groove 5' x 8' |
| Customer Code: | | |
| Contact: | | NOTES: 1. ALL ILLUSIONS VINYL FENCES ARE ASTM F964-09 COMPLIANT |
| Fax: | | 2. Available in Mix 'N' Match color variations |
| E-mail: | | 3. Includes metal reinforcement in bottom rail |

WWW.ILLUSIONSFENCE.COM



| Date: | STYLE # | DESCRIPTION |
|----------------|---------|---|
| Customer: | V300-8 | Solid Tongue & Groove 8' x 8' |
| Customer Code: | | |
| Contact: | | NOTES: 1. ALL ILLUSIONS VINYL FENCES ARE ASTM F964-09 COMPLIANT |
| Fax: | | 2. Available in Mix 'N' Match color variations |
| E-mail: | | 3. Includes metal reinforcement in bottom rail |

WWW.ILLUSIONSFENCE.COM



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Developer

N
 PLAN

| Date | Issue Description |
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| 06-07-17 | ISSUE FOR CONDITIONAL USE APPROVAL |

GTM Project No. 16.0267
Checked By RM
Drawn By MM
Scale NTS

Sheet Title
 CONDITIONAL USE - DETAILS

Sheet No.
 C203

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midtown on the pike

White Flint Sector Plan

April 2010

approved and adopted



montgomery county planning department
the maryland-national capital park and planning commission
MontgomeryPlanning.org

Existing Land Uses and Zoning

There are more than 150 properties in the Sector Plan area, ranging in size from 3,000 square feet to 40 acres. Much of the land is non-residential (Map 4). There are 5.3 million square feet of commercial and office buildings and many acres of surface parking. More than 4,500 residential units exist or have been approved. There is a local park, Wall Local Park, within the Sector Plan area and a second local park, White Flint Neighborhood Park, at the southern edge of the Sector Plan area's boundary. The neighborhood park is a buffer for two adjoining residential communities: White Flint Park and Garrett Park Estates. Two cultural and educational institutions, Georgetown Preparatory School and Strathmore Performing Arts Center, are south of the Sector Plan area.

Map 4: Existing Land Use

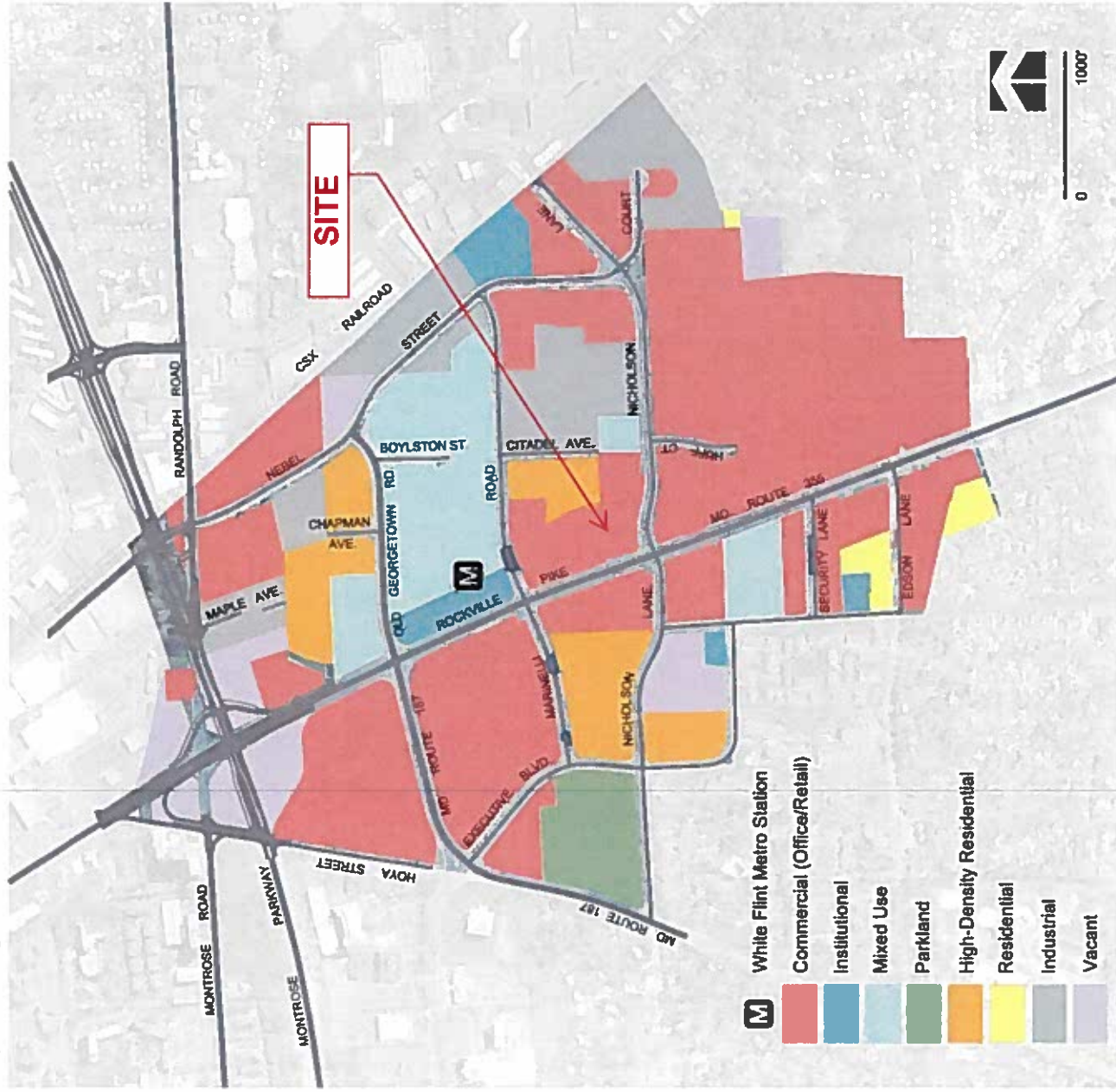
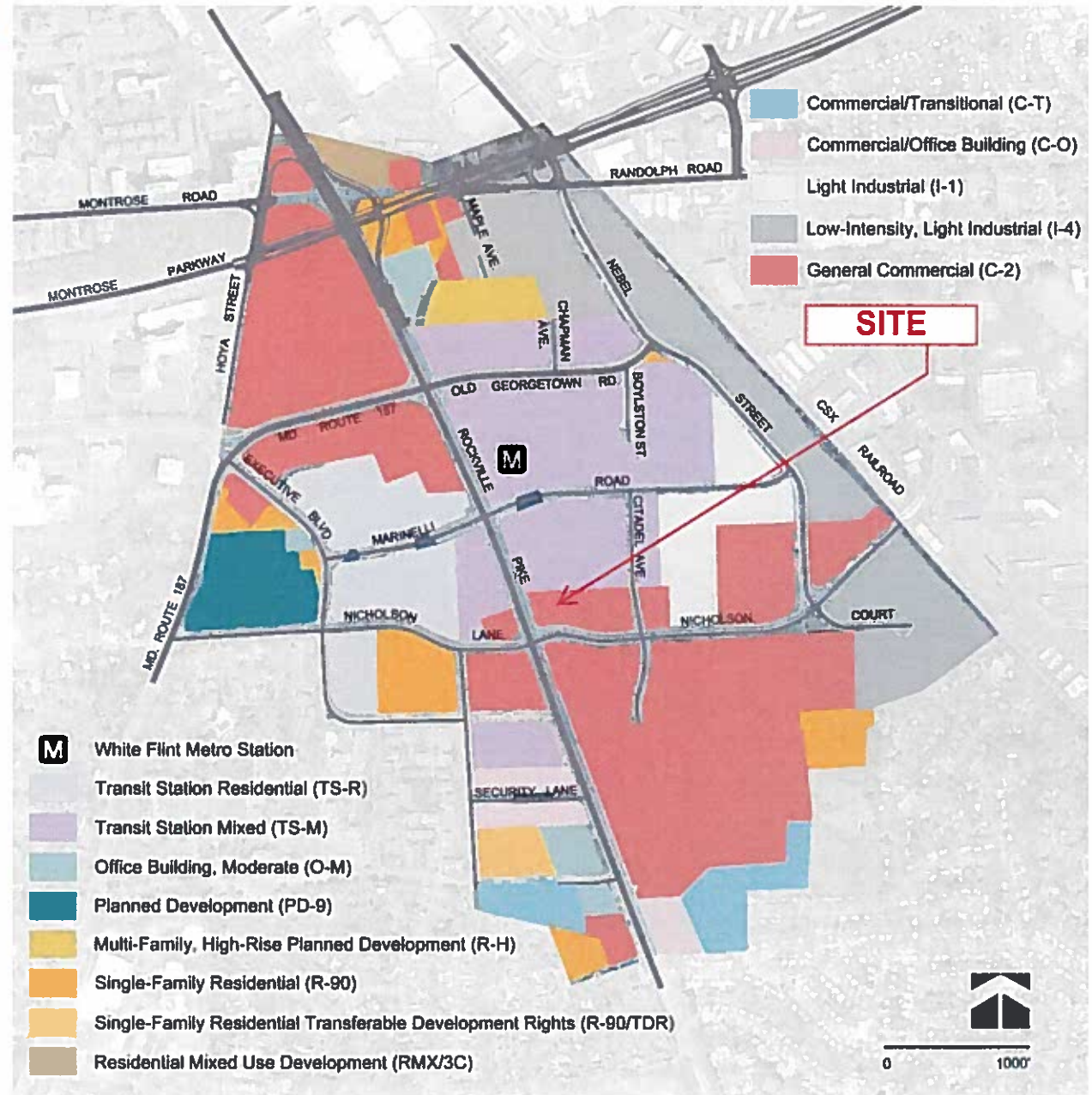


Table 3: Existing Zoning

| Zone | Description | Acreage |
|------------------|---|---------|
| C-2 | General commercial | 138 |
| C-0 | Commercial, office bldg. | 8 |
| CT | Commercial, transitional | 7 |
| RMX/3C | Residential mixed use, regional center, commercial base | 3 |
| RH | Multiple-family, high rise, planned residential | 5 |
| I-1 | Light Industrial | 21 |
| I-4 | Low-intensity, light industrial | 49 |
| TS-R | Transit station, residential | 42 |
| TS-M | Transit station, mixed | 57 |
| O-M | Office building, moderate intensity | 9 |
| PD-9 | Planned development | 11 |
| R-90 | Residential, one-family | 7 |
| R-90/TDR | Residential, one-family/TDR | 5 |
| R-200 | Residential, one family | 5 |
| Zoning not shown | Public right-of-way | 63 |

Table 3 indicates the amount and type of zoning in the Sector Plan area and Figure 5 shows the distribution of zoning categories. The public right-of-way measures approximately 63 acres; zoning is not shown in public rights-of-way.

Map 5: Existing Zoning

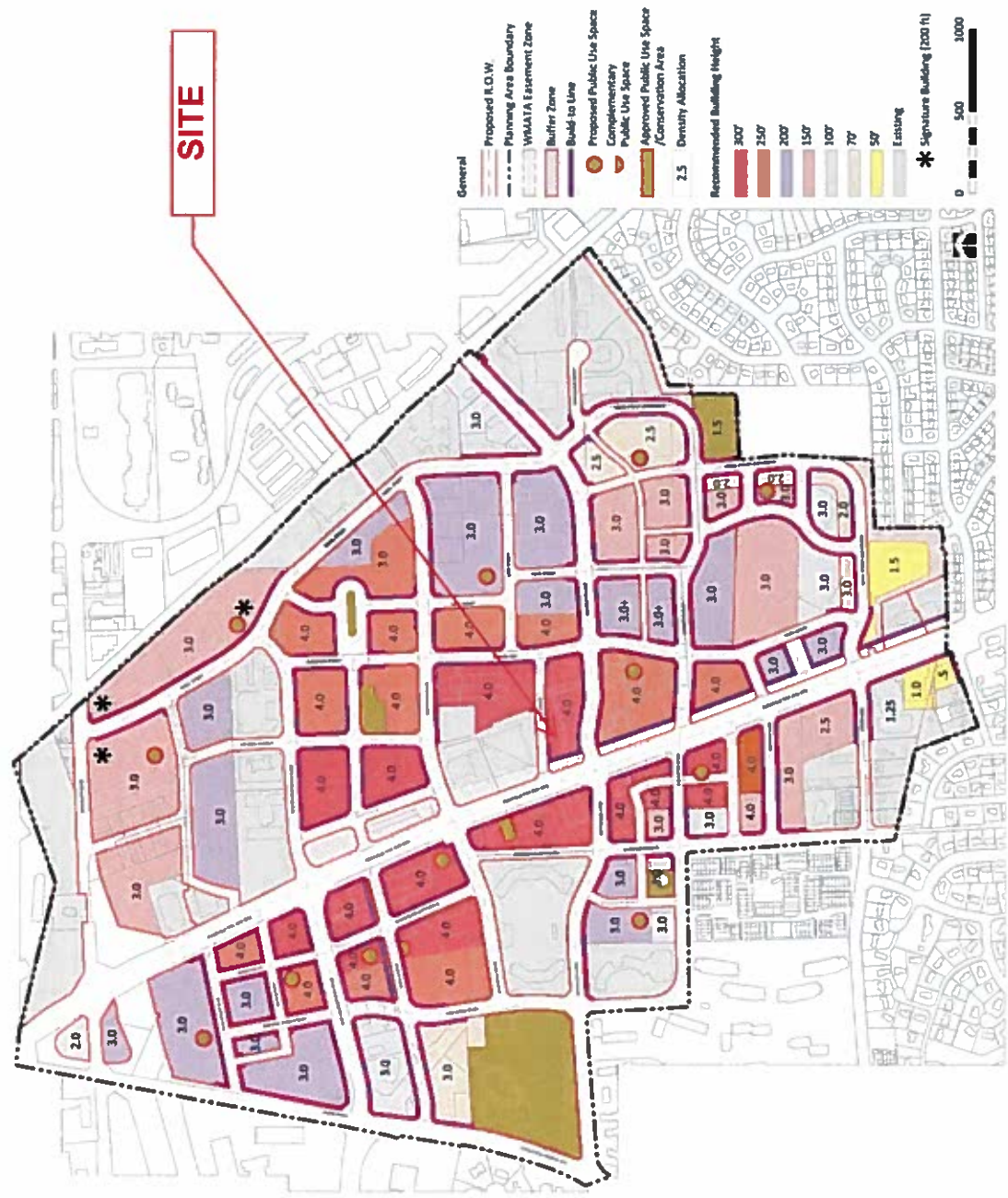


Compatibility

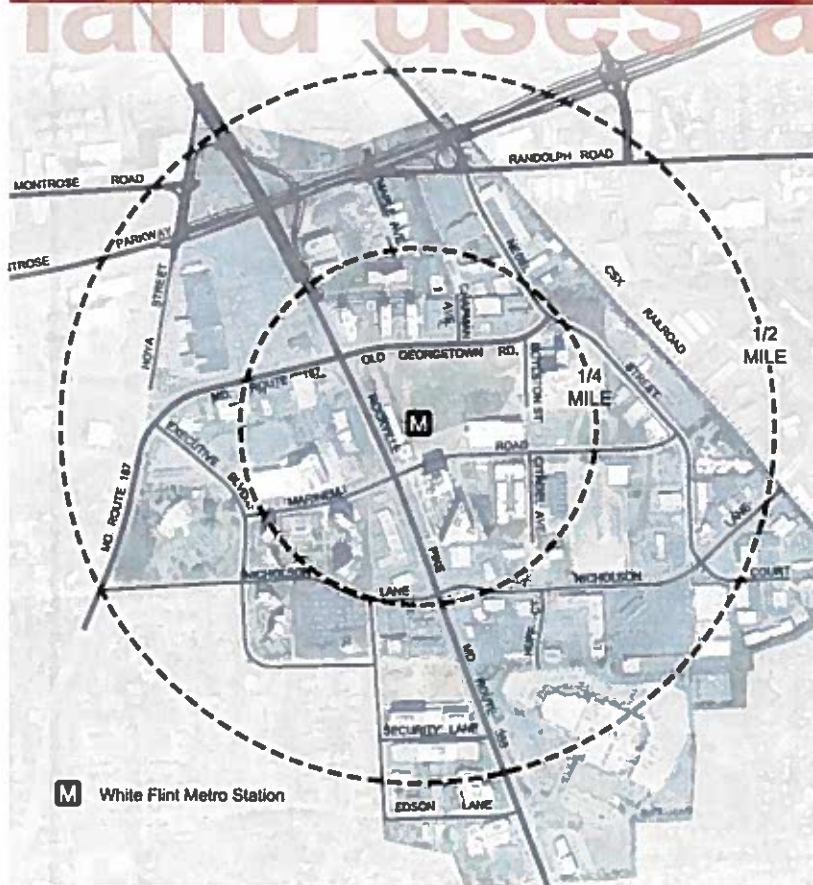
White Flint Park, Garrett Park Estates, Crest of Wickford, Old Georgetown Village and Fallstone are single-family and townhouse communities that immediately surround the Sector Plan area. These neighborhoods have differing densities and scales. New development at the edges must be compatible with these neighborhoods in building height and scale and should accommodate pedestrian and bicycle access from existing neighborhoods. Landscaped buffers, compatible uses, and buildings of appropriate bulk and height should be located adjacent to existing communities.

Development in accordance with this Plan should add value and enhance the quality of life that surrounds the area by providing increased services, better facilities, employment opportunities and greater housing opportunities. The proposed density and height map (Map 10) indicates the areas where heights and density transition to the surrounding neighborhoods.

Map 10: Density and Height



land uses and zoning



Map 11: Metro Proximity

Area Wide

Density

The measure of density used in the White Flint Plan is Floor Area Ratio (FAR). The greater the FAR, the more development would be permitted on a property. Density however, does not automatically translate into taller buildings. A shorter, wider building may have more FAR than a taller, narrower building.

Ten to twenty years ago, a 2.0 FAR was enough to spur redevelopment in White Flint. Now, given the amount of infrastructure required on each property, redevelopment to a higher FAR is often necessary to encourage owners to abandon profitable, income-producing properties and redevelop.

The recommended FAR in White Flint will range from 1.5 FAR to 4.0 FAR. Maximum heights in the Sector Plan area range from 300 feet in the core to 50 feet near the residential area. The proposed density pattern in White Flint places the highest density and tallest buildings within 1/4-mile of the Metro station (Map 11). Densities and heights transition away from Rockville Pike and the Metro station. The lowest FAR density and lowest building heights are located at the edges of the Sector Plan area where they provide a compatible transition to the modest scale of adjacent residential communities.

The Plan recommends applying the Commercial Residential (CR) Zones, a mixed-use zoning category that permits the widest range of uses and will best achieve the urban center concept. The CR Zone has four components: a total CR FAR, a maximum commercial (C) FAR, a maximum residential (R) FAR and a height (H) maximum. CR zoning has a standard method allowing up to 0.5 FAR. Development greater than 0.5 FAR must use the optional method that allows the use of incentive based FAR bonuses to reach the maximum FAR designation. New development must provide public benefits that enhance or contribute to the objectives of the CR zone, such as master-planned major public facilities, transit proximity, connectivity, diversity of uses and activities, quality of building and site design, protection and enhancement of the natural environment, and advanced dedication of rights-of-way. The proposed public street grid and reconstruction of Rockville Pike require substantial dedication of rights-of-way. The advanced dedication of right-of-way provision reduces the public costs of purchasing rights-of-way.

The Plan's goal is to achieve overall, a mix of 60 percent residential and 40 percent non-residential uses. This emphasis on residential development reduces overall trip generation and provides enough new residents to create neighborhoods and support an urban center. It also achieves the County's goal of improving the jobs-housing balance in the I-270/MD 355 corridor.

Mixed Uses

In compact development, vertical and horizontal mixed uses provide variety in the urban environment. Vertically-integrated uses will provide fewer single-use buildings. This does not suggest, however, that there are no suitable places for single-use buildings.

Housing

Affordable housing in an urban environment takes many forms, but because space is at a premium, the units are typically multifamily apartments. To accommodate a variety of households, all new residential development should include different unit types and sizes, including options for the number of bedrooms per unit, and provide choices for all budgets. New residential development should yield 9,800 new units, of which at least 12.5 percent will be MPDUs, according to current law (Chapter 25A). In addition to the MPDUs, new residential development in a Metro Station Policy Area must include Workforce Housing units (Chapter 25B).

Affordable housing is a suitable use for publicly owned land or land recommended for public use. Where new private development is proposed adjacent to publicly owned land, consideration should be given to public/private ventures to provide more than the required affordable housing through land swaps or other creative solutions. This Plan recommends that units for seniors and special populations be included in residential development, particularly in locations nearest local services and transit.

Child Daycare

One difficulty working families face is finding child daycare near work or home. Child daycare is an optional incentive in the CR Zone. Child daycare should be incorporated in new office and residential development, especially near transit facilities.

Hotels

Hotels generally should be located close to transit, especially within the first one quarter mile of the Metro station. Hotels at this location will support the Conference Center facilities and could be integrated with residential uses and ground floor retail. They can also accommodate visitors to the Walter Reed National Military Medical Center and NIH, just two stops south on Metro's Red Line.

Industrial

There are properties with existing low-intensity industrial uses at the edges of the Sector Plan area where redevelopment is unlikely in the immediate future. This Plan does not discourage the continuation of these uses.

Local Services

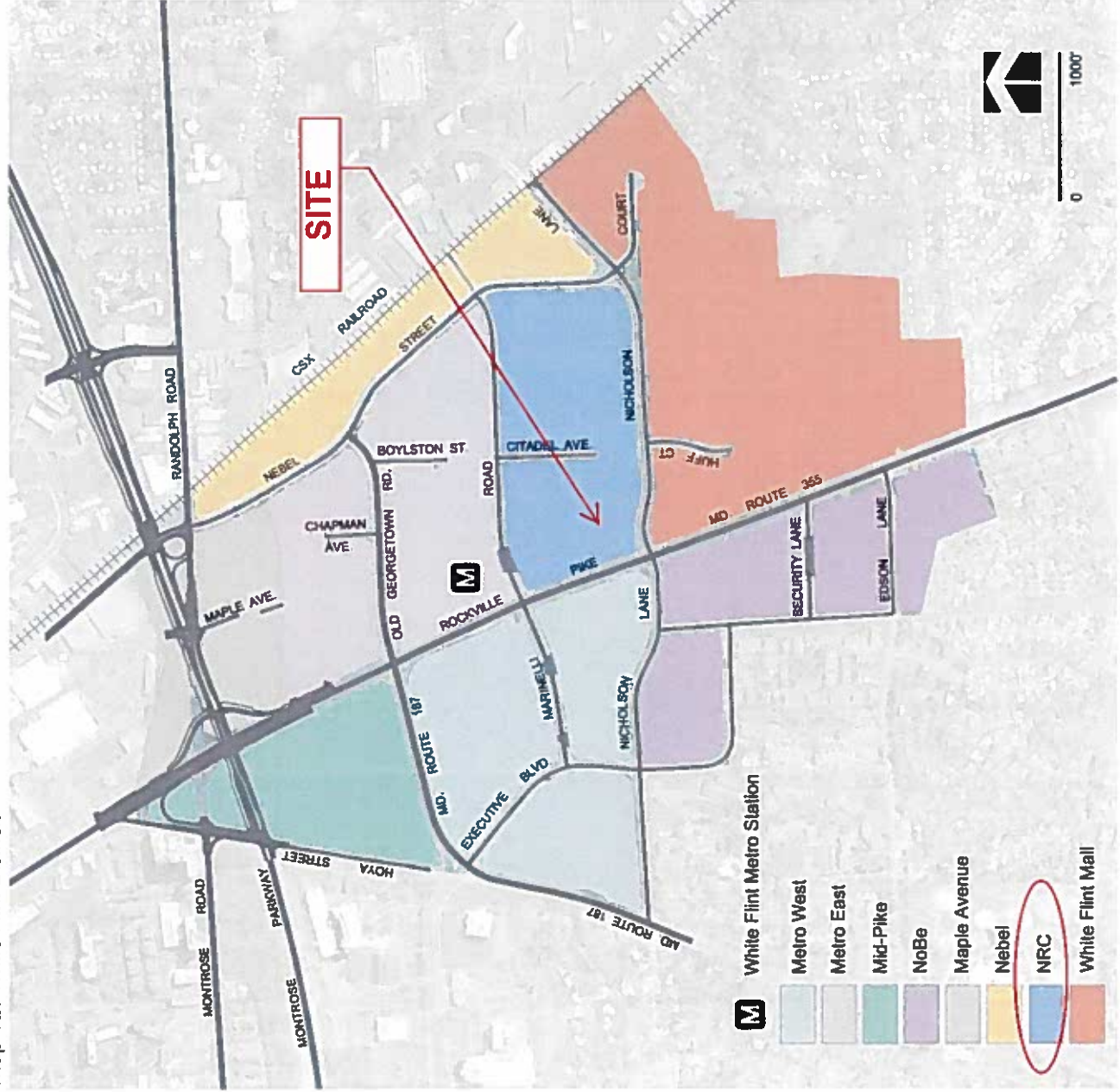
Grocery stores, restaurants, local retail and commercial services, such as hair salons, pharmacies and dry cleaners, make a neighborhood desirable. Local retail should be incorporated where appropriate in the ground floor of buildings where streets cross Rockville Pike (Old Georgetown Road, Executive Boulevard, Marinelli Road and Nicholson Lane) or interior north/south roads (Woodglen Drive Extended and Nebel Street). Regional retail is best located along Rockville Pike where there is high visibility.

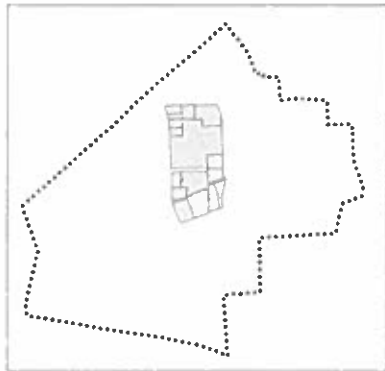
compatibility with surrounding neighborhoods, and where transitions in both density and height within a district are important to achieve both the Plan's vision and compatibility with surrounding development. A set of urban design guidelines (a separate document) will describe in greater detail the form that new development should take to create a distinctive character for each district.

The zoning maps identify recommended zoning changes. Each CR zone indicates the maximum FAR densities for overall development, the proportion of residential and non-residential uses, and height. In order to create a distinctive urban fabric, proposed designs should provide variation and transition within each CR zone. The height and density maps suggest where variation and transitions should occur given existing conditions, compatibility, and the goals of the sector plan to create great places.

The Metro West District is envisioned as functioning as the main civic core for the Sector Plan and contains publicly owned properties and is, therefore, the preferred location for co-locating recommended public facilities with existing ones. Wall Local Park is recommended for the co-location of a recreation center in conjunction with the expanded Aquatic Center. The proposed Civic Green is to be located within the Conference Center Block and it may be appropriate to co-locate the recommended library and regional services center within the same block.

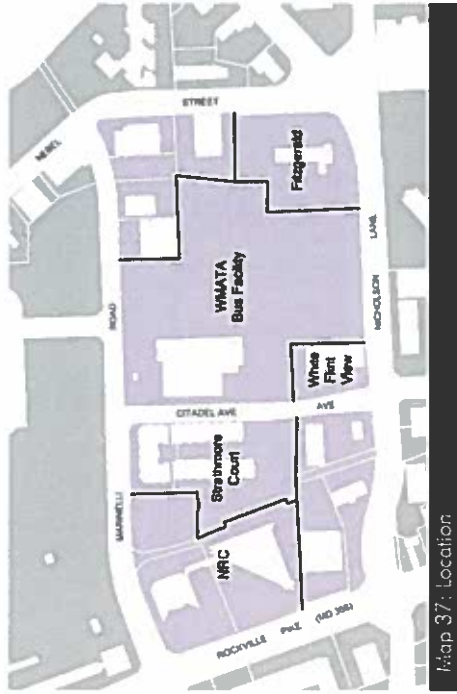
Map 12: White Flint Districts





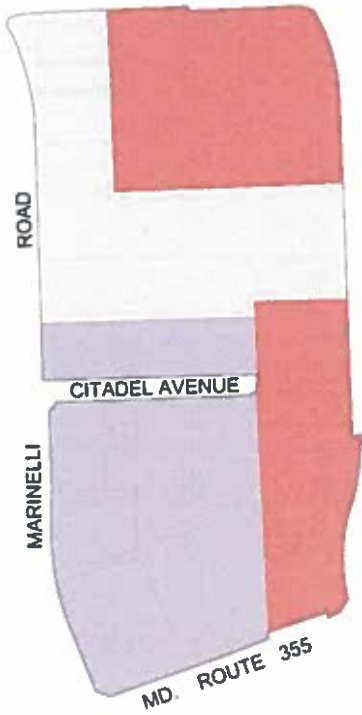
NRC District

The NRC District, approximately 38.5 acres, is bounded by Rockville Pike, Nicholson Lane, Nebel Street, and Marinelli Road. The headquarters of the Nuclear Regulatory Commission (NRC); Strathmore Court, a Housing Opportunities Commission (HOC) multifamily residential development; and a WMATA bus facility are located within the district. The WMATA bus depot provides maintenance service for all WMATA buses serving the County. Properties are zoned TS-M, I-1, and C-2. The WMATA site has the greatest potential for future redevelopment and could add a substantial amount of residential uses should the bus facility no longer be needed (Map 37).

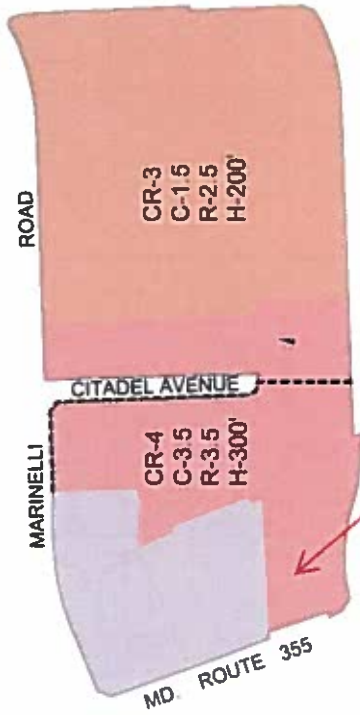


Map 38: Height and Density

| | | | |
|----------------|------------------------|------------------------------------|----------|
| General | Proposed R.O.W. | Recommended Building Height | 300' |
| | Planning Area | | 250' |
| | Outside District | | 200' |
| | Planning Area Boundary | | Existing |
| | Build-to Line | | |
| | WMATA Easement Zone | | |
| | Public Use Space | | |
| | Density Allocation | | |



Map 39: Existing Zoning



Map 40: Proposed Zoning



- Confirm TS-M Zone on the three NRC properties.
- Rezone the TS-M properties (Strathmore Court) on the west side of Citadel Avenue to CR 4: C 3.5, R 3.5, and H 300 to encourage residential development.
- Rezone C-2 properties along Rockville Pike south of the NRC and west of Citadel Avenue to CR 4: C 3.5, R 3.5, and H 300. These properties may be more appropriate for primarily non-residential uses.
- White Flint View, east of Citadel Avenue Extended, is zoned C-2 and has an approved preliminary plan. To the north is a portion of the WMATA facility zoned TS-M. Both properties should be rezoned CR 4: C 2.0, R 3.5 and H 250 to accommodate approved residential development and to encourage more residential development. The remaining WMATA property (zoned I-1 and C-2) and the properties at the corner of Nicholson Lane and Nebel Street should be rezoned CR 3: C 1.5, R 2.5 and H 200.

Zoning

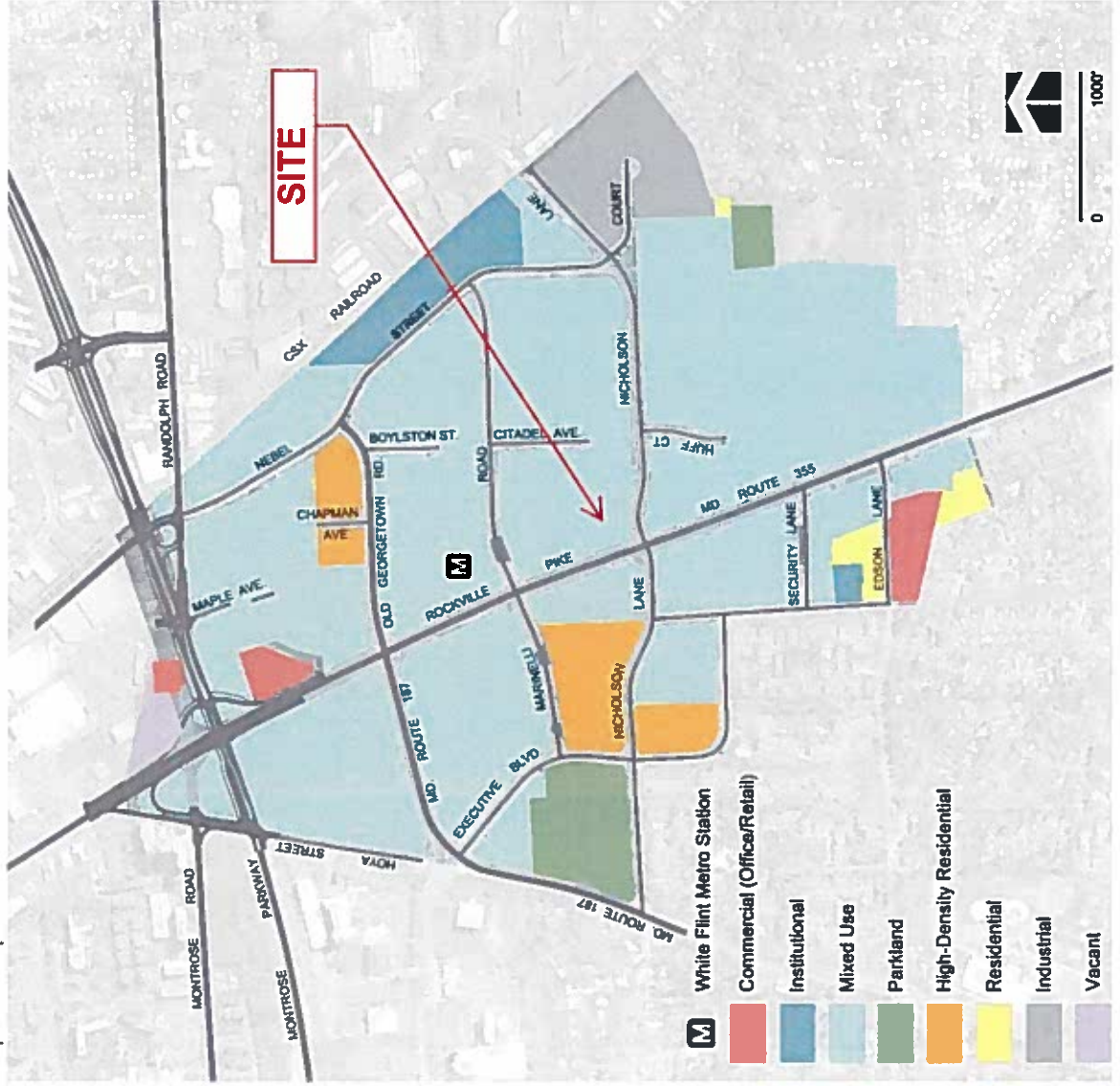
Commercial Residential Zone (CR Zone)

Implementing the Plan's vision is best accomplished with a mixed-use zone. The 1992 Sector Plan recommended the floating transit station mixed-use zones (TS-M and TS-R) for redevelopment projects. These zones require District Council approval of a local map amendment. This Plan recommends using the Commercial/Residential (CR) Zone, which promotes mixed commercial and residential uses at varying densities to provide sustainable development where people can live, work, and find services and amenities while minimizing automobile use.

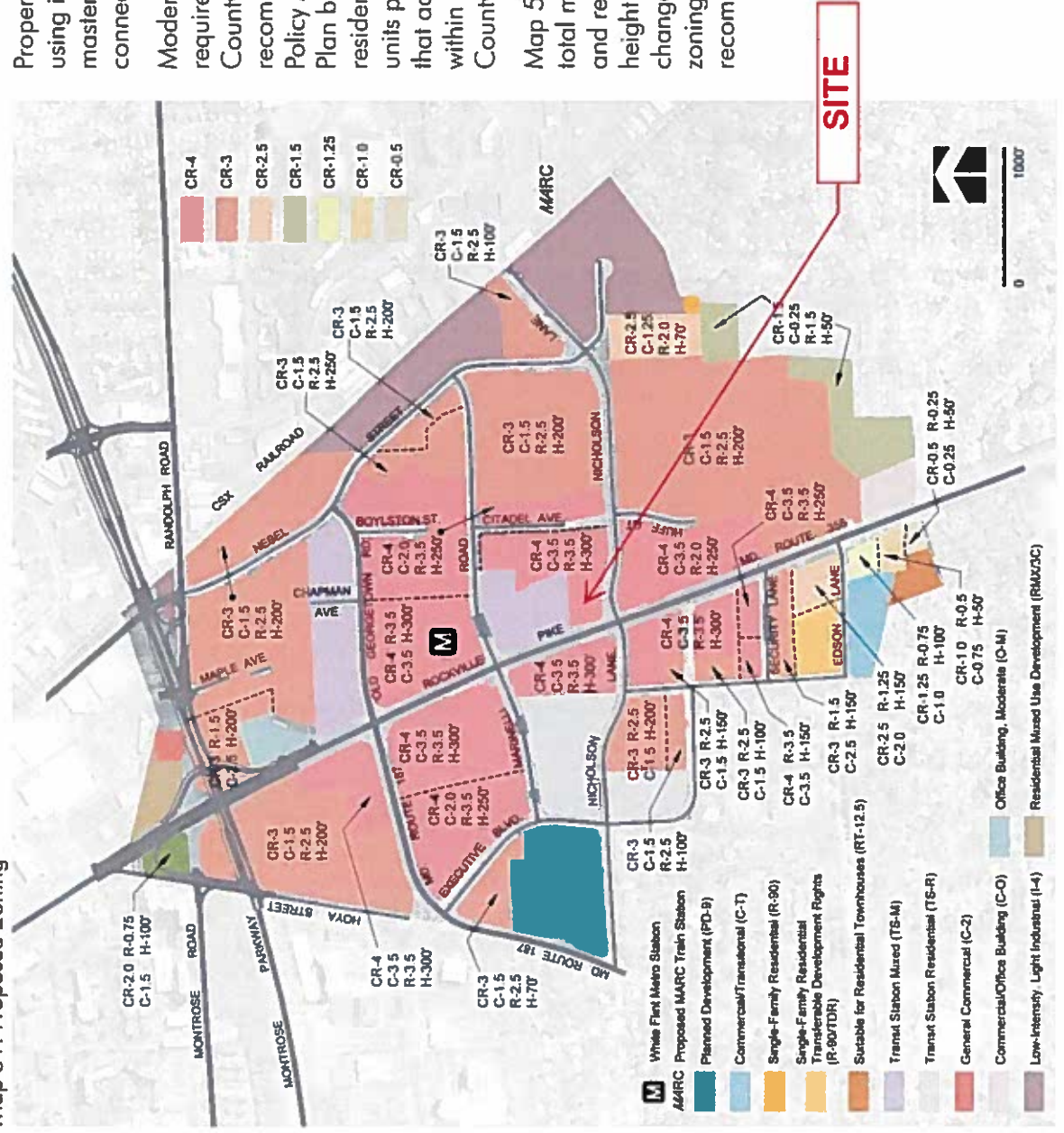
The CR Zone allows a broad range of uses similar to the CBD Zones and requires the designation of four elements: a total allowed floor area ratio (FAR), a maximum non-residential (C) FAR, a maximum residential (R) FAR, and a maximum building height (H). The CR Zone is applied through a sectional map amendment consistent with the recommendations of a sector or master plan.

There are two methods for development: standard and optional. The standard method requires compliance with a specific set of development standards and the optional method allows for greater density and height when supported by additional public benefits, facilities and amenities. The additional density may be achieved through a series of incentive bonuses that can be bundled to earn the maximum allowable density.

Map 50: Proposed Land Use



Map 51: Proposed Zoning



Properties within the Sector Plan area can be redeveloped using incentives allowed under the CR zone, such as master-planned major public facilities, transit proximity, connectivity and mobility, and diversity of uses.

Moderately Priced Dwelling Units (MPDUs) are required in all residential development in Montgomery County with more than 20 units. The Plan includes a recommendation to expand the current Metro Station Policy Area to include all properties within the Sector Plan boundary. Workforce Housing is required for residential development with more than 40 dwelling units per acre within a Metro Station Policy Area. When that action has been taken, residential development within the Sector Plan area must comply with the County's Workforce Housing requirements.

Map 51 shows all four elements of the CR Zone: the total maximum density (CR), the total commercial (C) and residential (R) components, and the maximum height (H). Also mapped are other recommended changes to zoning or confirmation of the existing zoning as described in the text accompanying the recommendations for each District, pages 26-47.

ATTACHMENT 7



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

October 11, 2016

Mr. John O. Wesson, DYM
10808 Fox Hunt Lane
Potomac, MD. 20854

Re: Forest Conservation Exemption 42017038E; Dr. Boyd's Vet Clinic

Based on the review by Development Applications & Regulatory Coordination staff of the Montgomery County Planning Department, the request for a Forest Conservation Exemption submitted on October 5, 2016 for the plan identified above, is confirmed.

The project site is exempt from Article II of the Montgomery County Code, Chapter 22A (Forest Conservation Law), Section 22A-5(q)(3) a special exception application if: the total disturbance area for the proposed special exception use will not exceed 10,000 square feet, and clearing will not exceed a total of 5000 square feet of forest or include any specimen or champion tree.

A pre-construction meeting is required with this inspector and the Montgomery County Department of Permitting Services sediment control inspector to verify the limits of disturbance. You may contact me at david.wigglesworth@montgomeryplanning.org or at 301-495-4581 if you have further questions.

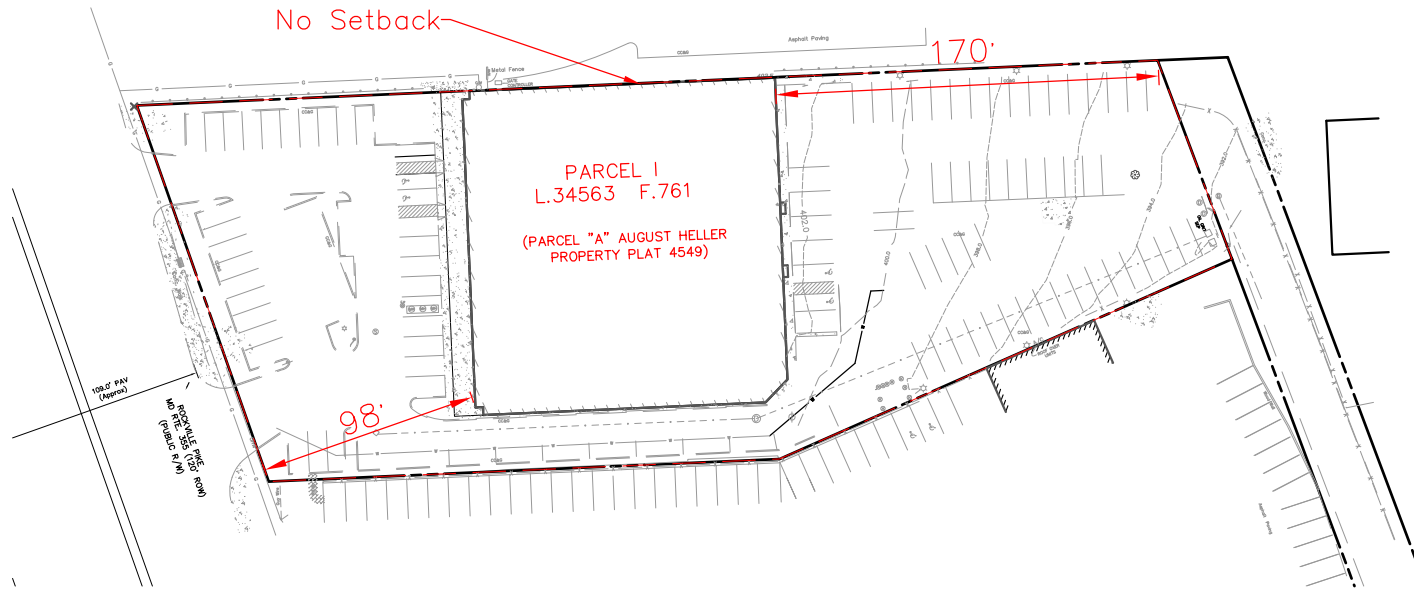
Sincerely,

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

David Wigglesworth
Sr. Planner
Development Applications & Regulatory Coordination Division

CC: Frank Johnson (MHG)
42017038E

ATTACHMENT 8



C-2 Development Standards: Recodified Montgomery County Zoning Ordinance July 1984*

59-C-4.353 Setbacks

All buildings shall be setback from the lot lines at least as follows:

- (a) Front Setback: 10 feet
- (b) Side and Rear
 - (1) If the lot adjoins a residential zone, the setback shall be not less than required in the adjoining zone.
 - (2) In all other cases no setback is required.
 - (3) No yard shall be less than 3 feet wide.

*Provided by the Montgomery County Planning Department, Area 2 division staff on 6/27/17

SETBACK EXHIBIT

PARCEL A, AUGUST HELLER PROPERTY
P.B. 56 P. 4549

FOURTH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

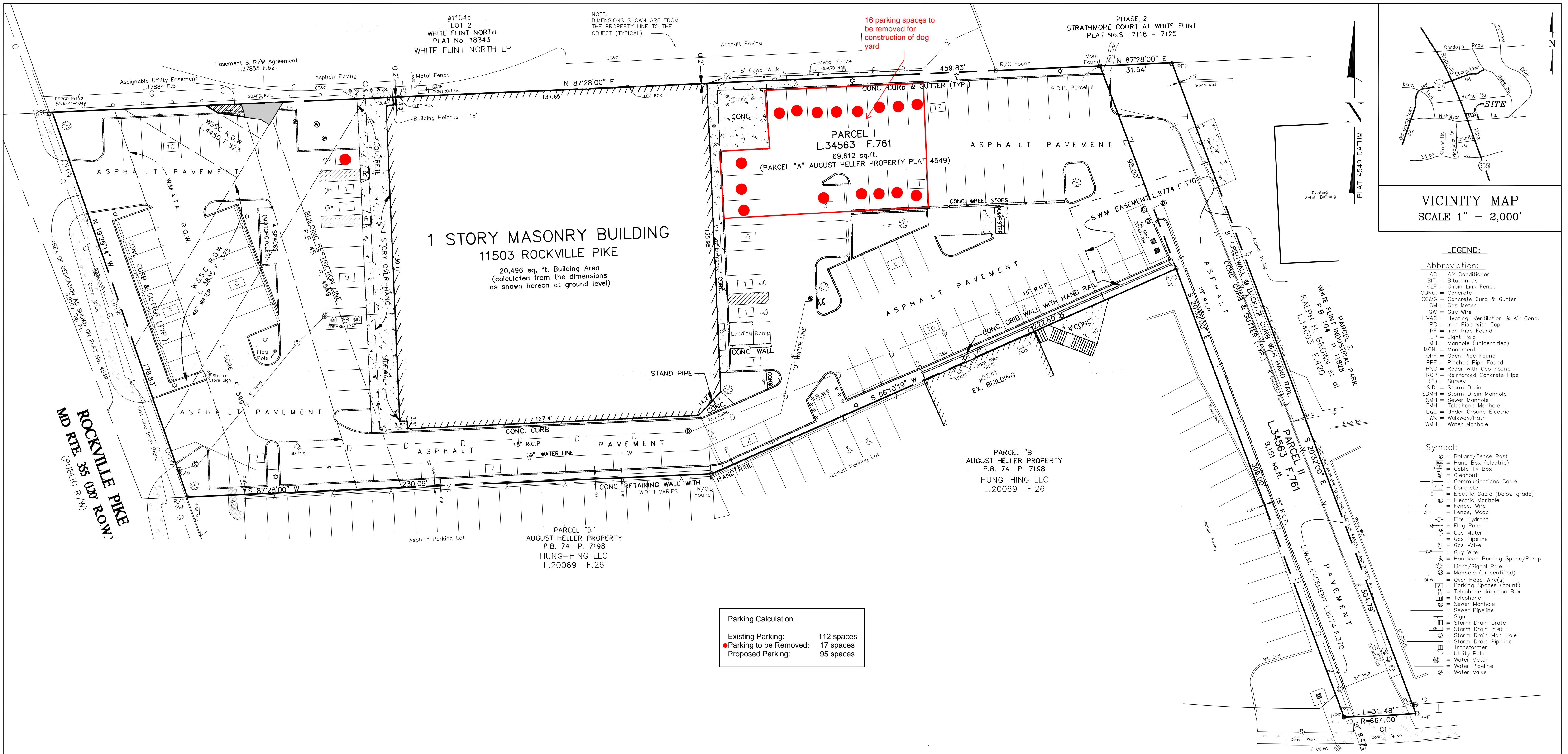
MHG Macris, Hendricks & Glascock, P.A.
Engineers • Planners
Landscape Architects • Surveyors

9220 Wapleman Road, Suite 120
Montgomery, MD 20886-1279

Phone 301.670.0840
Fax 301.648.0993
www.mhgap.com

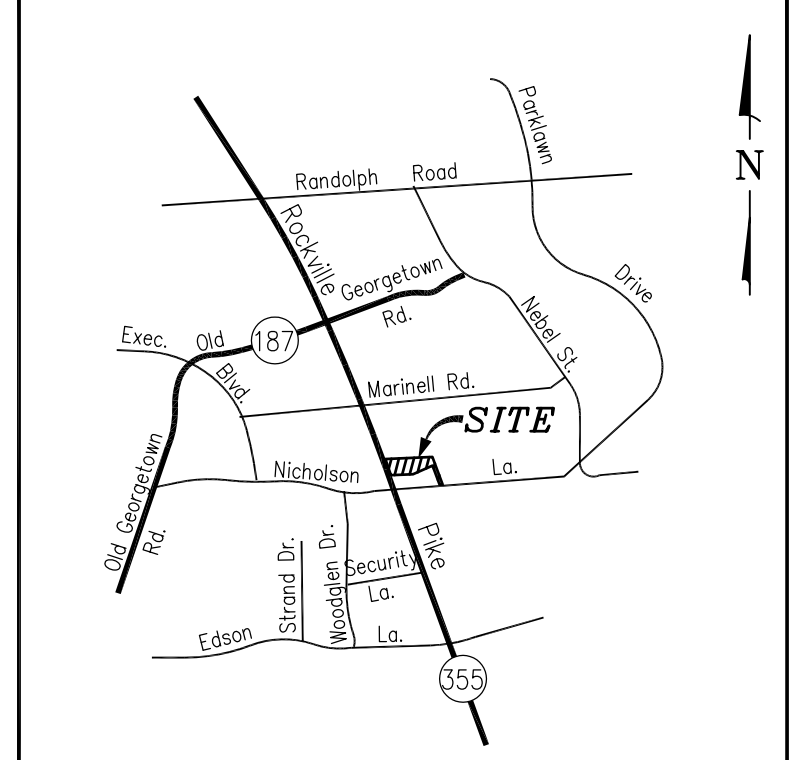
SETBACK EXHIBIT

ATTACHMENT 9



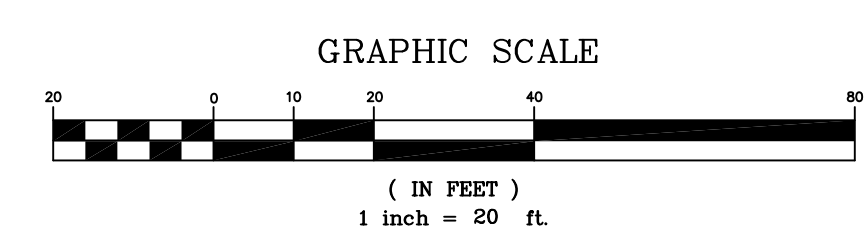
1 STORY MASONRY BUILDING
 11503 ROCKVILLE PIKE
 20,496 sq. ft. Building Area
 (calculated from the dimensions
 as shown hereon at ground level)

| Parking Calculation | |
|--------------------------|------------|
| Existing Parking: | 112 spaces |
| ● Parking to be Removed: | 17 spaces |
| Proposed Parking: | 95 spaces |



VICINITY MAP
 SCALE 1" = 2,000'

- LEGEND:**
- Abbreviation:**
- AC = Air Conditioner
 - BIT = Bituminous
 - CLF = Chain Link Fence
 - CONC. = Concrete
 - CC&G = Concrete Curb & Gutter
 - GM = Gas Meter
 - GW = Guy Wire
 - HVAC = Heating, Ventilation & Air Cond.
 - IPC = Iron Pipe with Cap
 - IPF = Iron Pipe Found
 - LP = Light Pole
 - MON. = Manhole (unidentified)
 - OPF = Open Pipe Found
 - PPF = Pinched Pipe Found
 - R/C = Rebar with Cap Found
 - RCP = Reinforced Concrete Pipe
 - (S) = Survey
 - S.D. = Storm Drain
 - SDMH = Storm Drain Manhole
 - SMH = Sewer Manhole
 - TMH = Telephone Manhole
 - UGE = Under Ground Electric
 - WK = Walkway/Path
 - WMH = Water Manhole
- Symbol:**
- ⊙ = Bollard/Fence Post
 - ⊕ = Hand Box (electric)
 - ⊖ = Cable TV Box
 - ⊘ = Cleanout
 - ⊙ = Communications Cable
 - ⊙ = Electric Cable (below grade)
 - ⊙ = Electric Manhole
 - ⊙ = Fence, Wire
 - ⊙ = Fence, Wood
 - ⊙ = Fire Hydrant
 - ⊙ = Flag Pole
 - ⊙ = Gas Meter
 - ⊙ = Gas Pipeline
 - ⊙ = Gas Valve
 - ⊙ = Guy Wire
 - ⊙ = Handicap Parking Space/Ramp
 - ⊙ = Light/Signal Pole
 - ⊙ = Manhole (unidentified)
 - ⊙ = Over Head Wire(s)
 - ⊙ = Parking Spaces (count)
 - ⊙ = Telephone Junction Box
 - ⊙ = Telephone
 - ⊙ = Sewer Manhole
 - ⊙ = Sewer Pipeline
 - ⊙ = Sign
 - ⊙ = Storm Drain Grate
 - ⊙ = Storm Drain Inlet
 - ⊙ = Storm Drain Man Hole
 - ⊙ = Storm Drain Pipeline
 - ⊙ = Transformer
 - ⊙ = Utility Pole
 - ⊙ = Water Meter
 - ⊙ = Water Pipeline
 - ⊙ = Water Valve



(PUBLIC R/W)
NICHOLSON LANE
 (PB.73 P.7021)

TAX MAP HQ 122 WSSC 215 NW 05

PARKING EXHIBIT
PARCEL A
AUGUST HELLER PROPERTY
 P.B. 56 P. 4549 & Liber 34563 Folio 761
 FOURTH ELECTION DISTRICT – MONTGOMERY COUNTY – MARYLAND

| | | | |
|---|---|------------|----------|
| | Macris, Hendricks & Glascock, P.A. Engineers • Planners Landscape Architects • Surveyors | Proj. Mgr. | Designer |
| | | LEW | LEW |
| 9220 Wightman Road, Suite 120 Montgomery Village, Maryland 20886-1279 | | Date | Scale |
| Phone 301.670.0840 Fax 301.948.0693 www.mhga.com | | 6/9/17 | 1" = 20' |
| Project No. | Sheet | | |
| 88.173 | 1 of 1 | | |