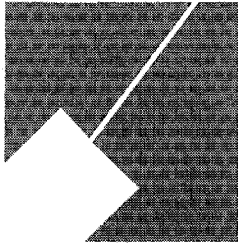


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

Item # 8
MCPB 06/15/06



MEMORANDUM

DATE: 05/25/06
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief
Michael Ma, Supervisor
Development Review Division
FROM: Piera Weiss
Development Review Division
(301) 495-4728

REVIEW TYPE: **Site Plan Review**
CASE #: **820060310**
PROJECT NAME: Montgomery Industrial Park
APPLYING FOR: Approval of a 104-room hotel on 1.69 acres
REVIEW BASIS: Div. 59-D-3 of Montgomery County Zoning Ordinance

ZONE: I-1 Zone and the US 29/Cherry Hill Road Employment Area
Overlay Zone
LOCATION: **Located 450 feet east of the intersection of Broadbirch Drive and
Tech Road**
MASTER PLAN: Fairland Master Plan
APPLICANT: Springwood Holdings
FILING DATE: 03/04/06
HEARING DATE: 06/15/06

STAFF RECOMMENDATION: Approval of Site Plan 820060310 for a 104- room hotel on 1.69 acres in the I-1 and US 29/Cherry Hill Employment Area Overlay Zone and

approval of a waiver from the zoning ordinance location requirements for shade trees along a parking facility (Sec. E-2.7.2.).

All site development elements as shown on Site Plan 820060310, Montgomery Industrial Park, stamped by the M-NCPPC Development Review Division on 5/24/06 and presented as Staff Exhibit on June 15, 2006, shall be required except as modified by the following conditions:

1. Special Exception S-2656 Conformance
Prior to release of building permits, Applicant shall submit a copy of the certified site plan to the Board of Appeals as per Condition 11, "If the Site Plan approved by the Planning Board at Site Plan Review differs materially from the Special Exception Site Plan (Exhibit 49 (a)... Applicant must file the Site Plan with the Board of Appeals and request an administrative modification... to coincide with the Site Plan Approved by the Planning Board." (Appendix A)
2. Preliminary Plan Conformance
The proposed development shall comply with the conditions of approval for Preliminary Plan 119910380, formerly 1-91038. (Appendix B)
3. Site Design
As per Montgomery County Department of Permitting Services Comments, site plan shall identify turning entrance radius with turning template and, if inadequate, turns to be signed "Right Turn Only." (Appendix F)
4. Stormwater Management
The proposed development is subject to Montgomery County Department of Permitting Services (MCDPS) letter of approval dated May 27, 2005, unless amended and approved by MCDPS. (Appendix C)
5. Development Program
Applicant shall construct the proposed development in accordance with the Development Program. The Development Program shall be reviewed and approved by the M-NCPPC staff prior to approval of certified site plan. The Development Program shall include a phasing schedule as follows:
 - a. Landscaping and outdoors lighting associated with the parking lot and building shall be completed as construction of the parking and driveway areas and building is completed.
 - b. Clearing and grading to correspond to the construction phase to minimize soil erosion.
 - c. Bus shelter.
6. Clearing and Grading
No clearing or grading prior to M-NCPPC approval of certified plans.

7. Certified Site Plan

Prior to certification of site plan drawings, the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule and Site Plan Opinion.
- b. Limits of disturbance.

PROJECT DESCRIPTION: Site Vicinity

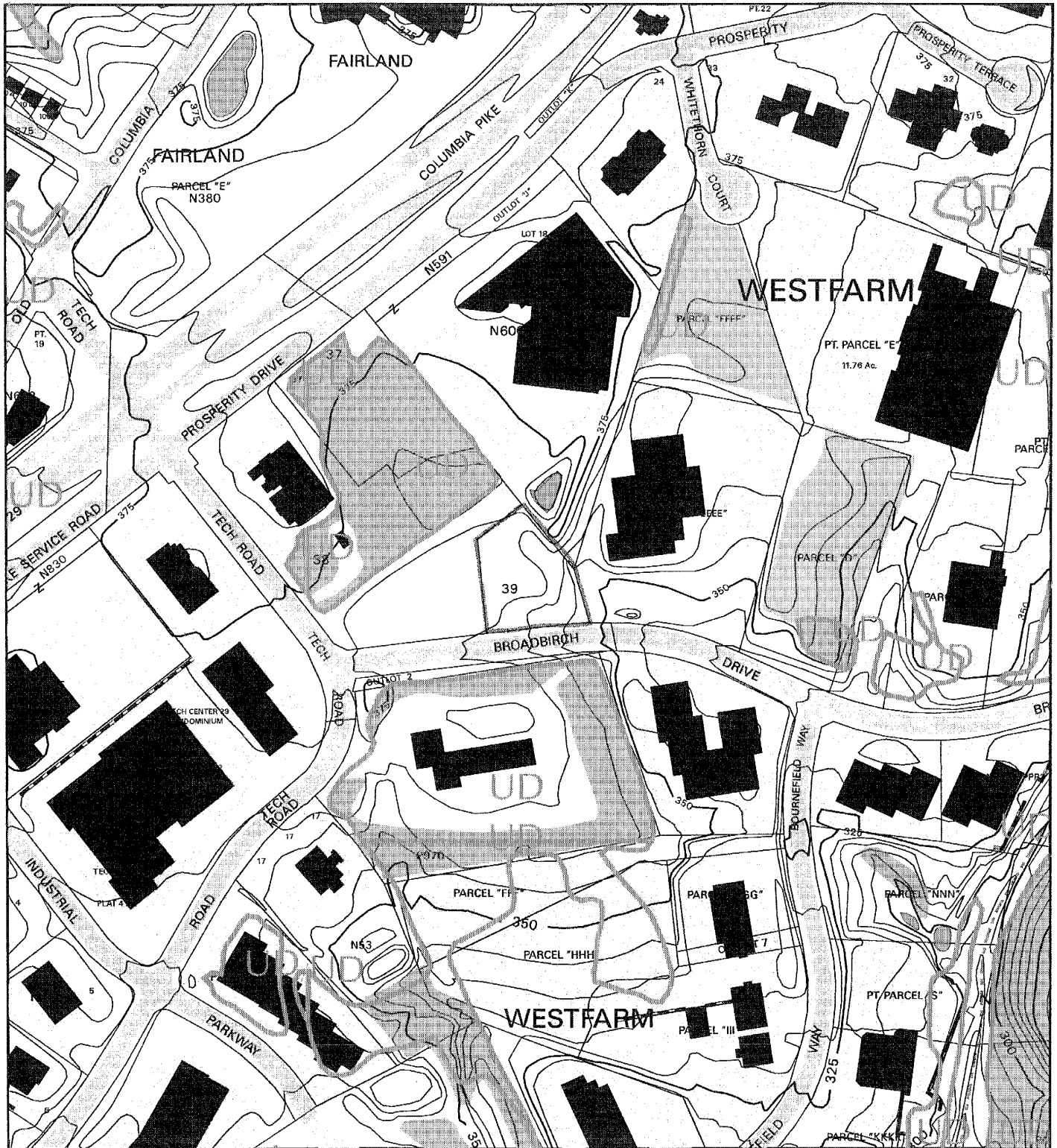
The subject property is located at 2200 Broadbirch Drive, Silver Spring. The property is within the larger Montgomery Industrial Park, which is part of the US 29/Cherry Hill Road Employment Area as designated in the *1997 Approved and adopted Fairland Master Plan*. This employment area encompasses more than 500 acres of industrial and commercial land.

The lot was formerly part of Parcel CCC in a subdivision known as Westfarm Technology Park, originally approved in 1980. The subject property and all the land surrounding the subject property are in the I-1 Zone and also within the US 29/Cherry Hill Employment Area Overlay Zone, hereinafter referred to as the "Overlay Zone."

The site is situated on the north side of Broadbirch Drive, approximately 450 feet east of the intersection of Broadbirch Drive and Tech Road, and about 800 feet southeast of the intersection of Tech Road and US 29. Broadbirch Drive is a two-way street with four lanes of traffic. There are 4-foot wide sidewalks and 8-foot wide tree panels with street trees on both sides of the street.

The Planning Board recently approved a site plan (82005022) on the property adjoining the subject property to the west and north for a restaurant and retail development; this project (Lot 38) is under construction. The property to the east is owned by Gannett Company (Parcel EEEE) and contains an office building and satellite facilities. Across the street are the WSSC Laboratory Facility (N970) and an office building (Parcel EEE). Lot 18 (N600) is located between the subject site and the Gannett property and is developed with an office building and storm water management facility. There is a wetland area with associated buffer straddling the property boundaries where Lots 18 and 39 and the Gannett property converge.

MONTGOMERY INDUSTRIAL PARK (820060310)



Map compiled on March 30, 2006 at 9:31 AM | Site located on base sheet no - 216NE03

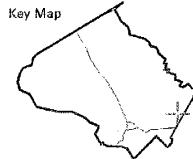
NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

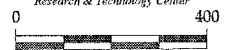
Key Map



N



Research & Technology Center



1 inch = 400 feet
1 : 4800

PROJECT DESCRIPTION: Site Description

The 1.69-acre lot has a frontage of approximately 2,900 feet along Broadbirch Drive. The property is irregularly shaped and slopes downward from rear to front; the lowest point located in the southwestern corner where the wetland is situated. The wetland measures approximately 140 feet in length along the eastern boundary and the buffer is a maximum of 35 feet wide on the subject property. There is an existing 30-foot storm drain easement that crosses the property from the northwest corner to the storm water management facility located on Lot 18.

BAYWOOD HOTEL SITE PLAN 820060310



Map compiled on May 05, 2005 at 11:30 AM | Site located on base sheet no - 2187E03 | Date of Orthophotos - April 2004 | Orthophoto Images Licensed from VAROIS LLC.

PROJECT DESCRIPTION: Proposal

The proposed site plan consists of a four-story, 104-room hotel, the Hilton Garden Inn. The building contains approximately 67,850 square feet. Approximately 27,400 square feet, or 37%, of the acreage will be in green area. Two driveways on Broadbirch Drive provide access to the property. The western driveway on Broadbirch Drive is shared with the adjoining restaurant development. The eastern driveway on Broadbirch Drive provides direct access to the hotel, and at the northern end of the parking area there is a common drive that connects to the restaurant development.

Comprehensive stormwater management was approved for the entire West*Farm development as part of the original preliminary plans and is in place. Stormwater from each lot of the original subdivision, including the subject property, connects to the stormwater management facility through on-site underground storm drainage.

The site slopes to the southeastern corner, and retaining walls are necessary in order not to affect the topography of the wetland buffers and to provide for accessibility around the building. A retaining wall measuring between two and three feet high is located at the northernmost parking space on the east along the edge of the parking lot and drive aisle so that the topography of the wetland buffer is untouched. A second retaining wall, measuring between two and three feet high, is parallel to the handicap ramp and handicap parking spaces. A third retaining wall, no greater than one foot in height, is located at the northern edge to meet grade for the adjoining property's parking facility.

Building Height:

The building is T-shaped and situated parallel to the eastern property boundary. The height of the proposed building measured from the average grade around the front of the building to the mid point of the proposed gable roof will be approximately 52 feet, three feet less than the 55 feet maximum height approved by the Board of Appeals. The architectural drawings and final grading plans are not complete, however, and the roofline is subject to change, as are the final grades. The architectural elevations indicate a proposed average grade and that the final height will be between 51 and 55 feet. This is to anticipate any construction drawings and to minimize future site plan amendments. Staff believes that there are no compatibility issues with the height of the building if it is set at a maximum of 55 feet and four stories in accordance with the approved special exception.

Parking Spaces:

The parking requirement is .7 spaces per room (104 rooms), or 73 spaces, all of which are provided. Four of the spaces are handicap accessible. A bicycle rack for 5 bicycles is provided, as are 2 motorcycle spaces. The handicap parking spaces are located closest to the main entrance and there is a ramp along the handicapped spaces to the entrance. The entrance walkway and drop-off includes a paved area that is wide enough to accommodate the activity at the main entrance as well as the handicap ramps. Grades on the handicap ramps are no greater than 3%.

Pedestrian Circulation:

On-site pedestrian circulation consists of sidewalks around the entire periphery of the hotel building with connections to the sidewalks on Broadbirch Drive and crosswalks to sidewalks for adjacent development.

The bus shelter required by the Board of Appeals is to be located on Broadbirch Drive as approved by Montgomery County Department of Public Works approval. Appendix D.

A dumpster pad is located at the southeastern most edge close to the secondary entrance off Broadbirch Drive so as not to interfere with parking spaces and site circulation.

Lighting:

Pole lights are located around the building, and there are mounted lights on the building. The pole lights measure 26 feet in height including the base. All pole lights conform to height requirement and are cut-off fixtures as specified in the special exception approval.

Landscaping:

The proposed landscaping includes, in addition to decorative landscaping around the building, screening and shade trees for the parking areas. The applicant has requested a waiver from the locational requirements for shade trees pursuant to Sec. 59 E-2.7.2. Perimeter landscape area adjoining property other than a street-right-of-way. "... Such area shall contain a minimum of one shade tree for every 40 feet of lot perimeter..."



PHILLIPS PARTNERSHIP

Architecture • Interior Design • Planning

7700 WILSON ROAD, SUITE 100
BETHESDA, MD 20814

CORPORATE

SCALE

REVISION

DATE

DESCRIPTION

PRELIMINARY ELEVATION / EXTERIOR ELEVATION

Hilton Garden Inn

SILVER SPRINGS, MD
MONTGOMERY COUNTY

CUSTOMER: BAYWOOD HOTELS, INC.
HOTEL

DESIGNER: PHILLIPS PARTNERSHIP
100 WILSON ROAD, SUITE 100
BETHESDA, MD 20814
PHONE: (301) 344-1100

PROJECT NUMBER: 000001

DATE: 08/10/00

DRAWN BY: J. W. HARRIS

CHECKED BY: J. W. HARRIS

DATE: 08/10/00

SCALE: AS SHOWN

PROJECT TITLE: HILTON GARDEN INN

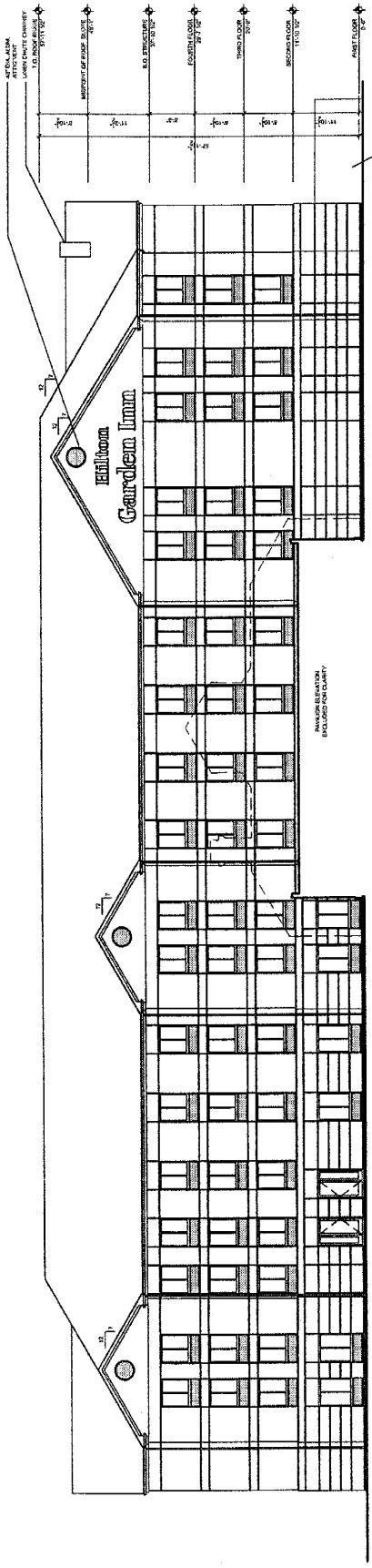
SHEET NUMBER: A-4.1

EXTERIOR ELEVATIONS

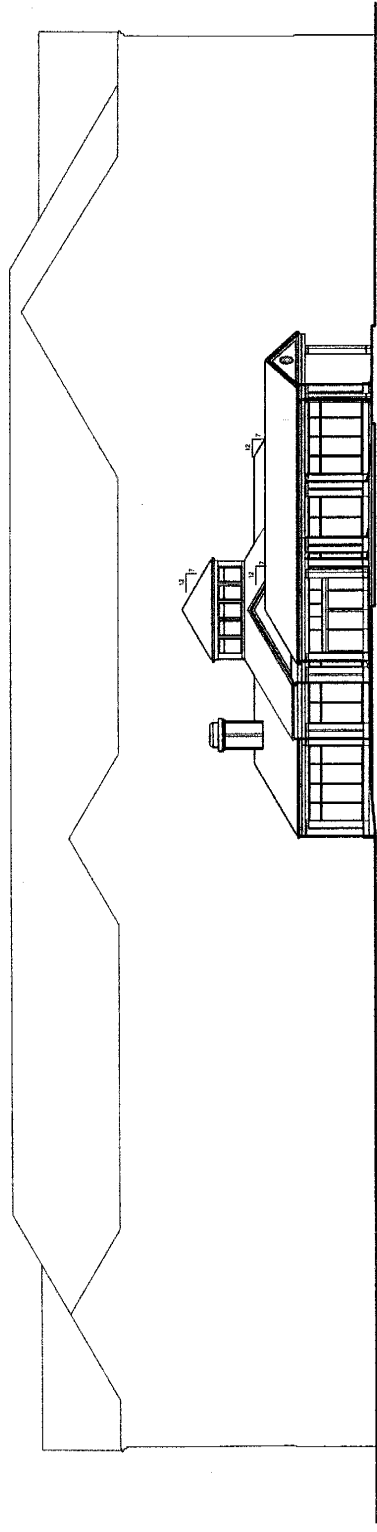
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SCALE: AS SHOWN

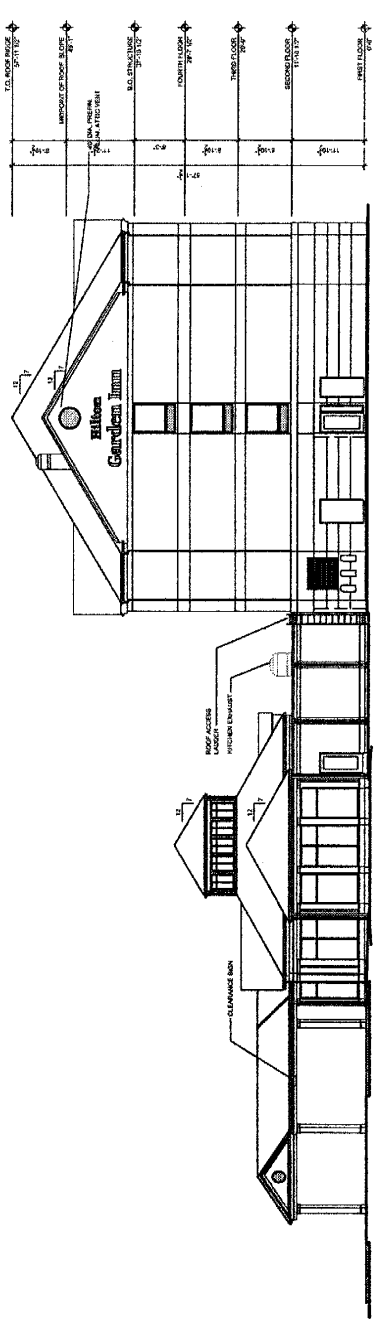
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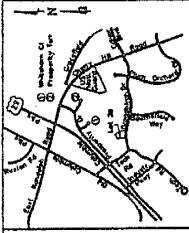
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



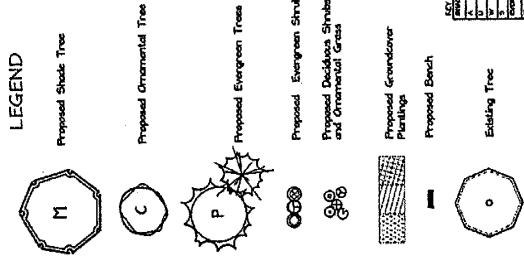
FRONT ELEVATION - PAVILION
SCALE: 1/4" = 1'-0"



SIDE ELEVATION
SCALE: 1/4" = 1'-0"

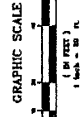


VICINITY MAP
SCALE 1" = 100'
CONTRACT NO. 2012-001
PROJECT NO. 2012-001



LANDSCAPE PLANT LIST

PLANT	SYMBOL	COMMON NAME	CAL.	HT.	SPD.	DBHT.	NOTES
1	M	Large Tree	10-12'	10-12'	10-12'	10-12'	10-12'
2	C	Small Tree	6-8'	6-8'	6-8'	6-8'	6-8'
3	P	Evergreen Tree	6-8'	6-8'	6-8'	6-8'	6-8'
4	O	Evergreen Shrub	4-6'	4-6'	4-6'	4-6'	4-6'
5	S	Deciduous Shrub	4-6'	4-6'	4-6'	4-6'	4-6'
6	G	Groundcover	1-2'	1-2'	1-2'	1-2'	1-2'
7	B	Bench	18" x 36"	18" x 36"	18" x 36"	18" x 36"	18" x 36"
8	T	Existing Tree	10-12'	10-12'	10-12'	10-12'	10-12'



TAX MAP NO. 342 & 343
SECTION 219 & 216 NE Q3

LANDSCAPE PLAN
LOT 39, BAYWOOD HOTEL

MONTGOMERY INDUSTRIAL PARK
Plat No. 23171
FIFTH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

MHG
Messis, Hardsicks & Glascock, P.A.
Engineers, Planners & Surveyors
Landscape Architects & Surveyors
Phone: 301-283-8800
Fax: 301-283-8801
www.mhgpa.com

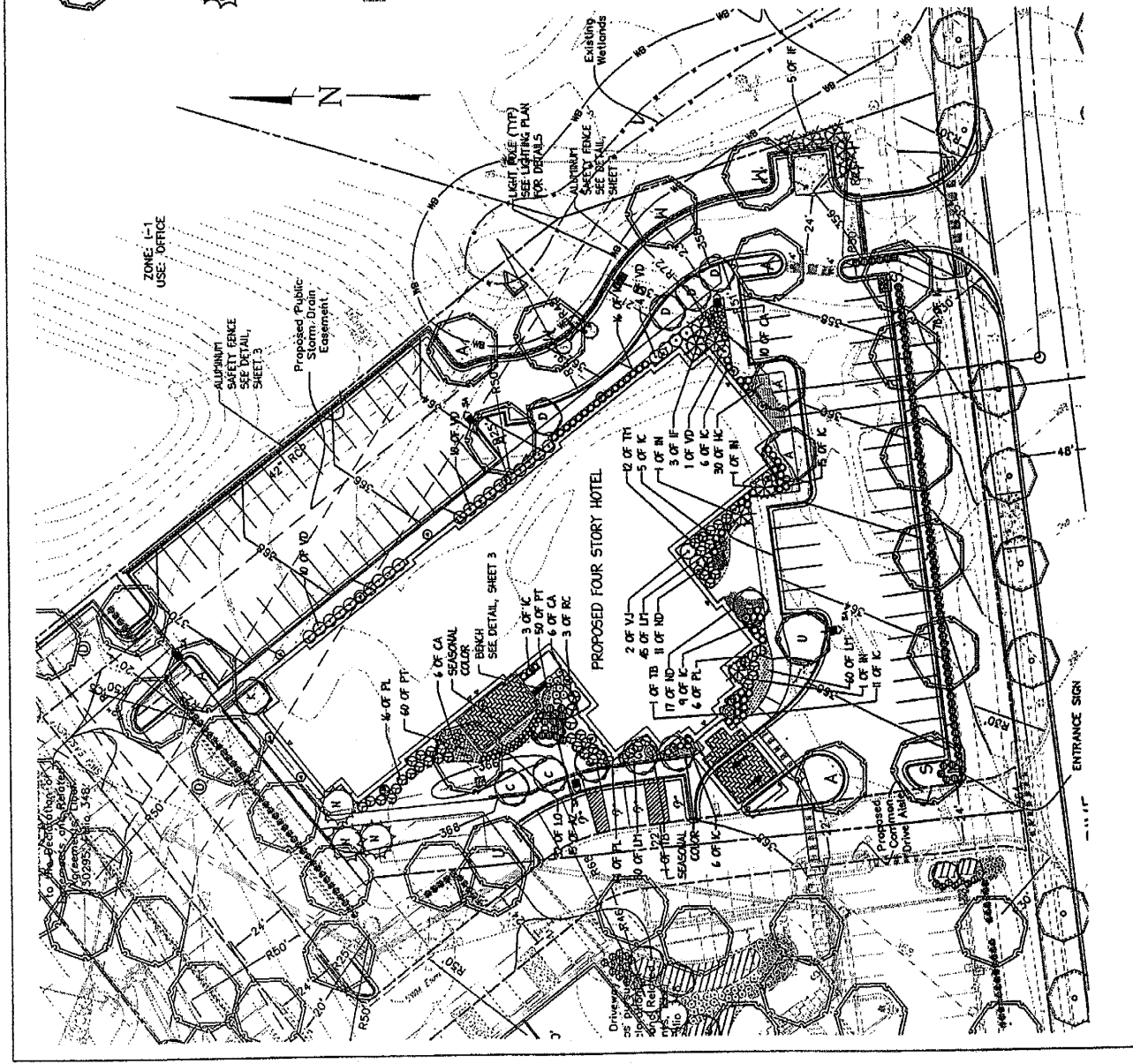
DEVELOPER'S CERTIFICATE

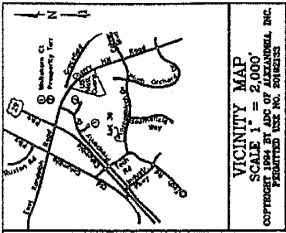
I, the undersigned, do hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that I am the owner of the property described herein.

DATE: _____ BY: _____

OWNER/DEVELOPER
Springwood Holdings, LLC
c/o Baywood Hotel, Inc.
7071 Belle Point Drive
Greenbelt, Maryland 20770
Contact: Al Patel

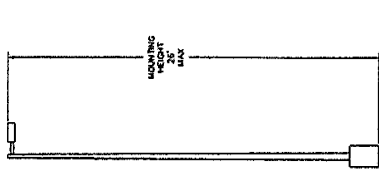
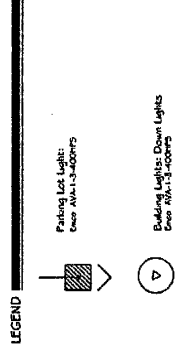
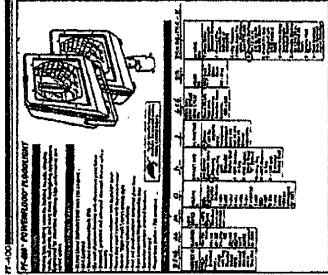
NO.	DATE	REVISION	DESCRIPTION





AVAILUME

Symbol	Label	Description	Arrangement	Lumens	LF	Footcandle
(Symbol)	SA	Shop, AVA-1-3-2000's (1' 20" mounting height)	SINGLE	5000	0.806	AV424/145

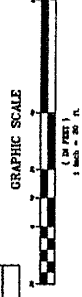


Statistical Area Summary

Symbol	Qty	Label	Description	Arrangement	Lumens	LF	Footcandle
(Symbol)	5	SA	Shop, AVA-1-3-2000's (1' 20" mounting height)	SINGLE	5000	0.806	AV424/145

STATISTICAL AREA SUMMARY

Label	Area	Per Sq. Ft.	Per Sq. Ft.	Per Sq. Ft.
Parking Area	250	1.00	1.00	1.00



OWNER/DEVELOPER
Springwood Holdings, LLC
c/o Baywood Hotels, Inc.
7671 Belle Point Drive
Greenbelt, Maryland 20770
Phone: 301-345-8700
Contact: Al Patel

TAX MAP RD 242 & 345
VSSG 215 & 216 RE 03
LIGHTING PLAN
LOT 39, BAYWOOD HOTEL
MONTGOMERY INDUSTRIAL PARK
Plot No. 23171
FIFTH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

NO.	DATE	REVISIONS	DESCRIPTION

MHG
Macchia, Hendricks & Glascock, P.A.
Engineers & Planners
Landscape Architects • Surveyors
4529 Rockledge Road, Suite 100
Montgomery, Maryland 20814
Phone: 301.221.0200
Fax: 301.221.0200
www.mhga.com

Project No. 17-209
Sheet No. 1 of 1

PROJECT DESCRIPTION: Prior Approvals

Zoning

The subject property is zoned I-1, light industrial, and lies within the US 29/Cherry Hill Employment Area Overlay Zone. The zoning was confirmed by Sectional Map Amendment G-747, which implemented the recommendations of the *1997 Approved and Adopted Fairland Master Plan*.

Preliminary Plan

The subject site was first approved as part of Preliminary Plan 1-80200 and reapproved as part of Preliminary Plan 1-91038 on July 18, 1991 and was part of a recorded lot, Parcel CCC. Under the provisions of minor subdivision, the Planning Board approved the subject property in its entirety as a lot, (Plat Application 2-05030) on September 9, 2004, and the property was recorded in its entirety as Lot 39, June 3, 2005, Plat 23171, MNCPPC No. 624-46. The proposed site plan conforms to the conditions of the approved Preliminary Plan.

Special Exception

The Board of Appeals approved a request for special exception, Case No. S-2656, Baywood Hotels, on April 5, 2006. The Board of Appeals' Opinion contains language specifically related the site plan process (Sec.59-D.3) and lists the following conditions:

1. Petitioner shall be bound by all of its testimony and exhibits of record, and by the testimony of its witnesses and representations of counsel identified in the Hearing Examiner's Report, and in this opinion.
2. Petitioner must comply with any conditions set by the Department of Permitting Services in approving the site's Stormwater Management.
3. There must be no encroachment into the wetland buffer areas except for necessary stormwater management outfalls, as approved by DPS.
4. Petitioner must not disturb or in any way interrupt the groundwater monitoring wells at the site and must allow access for monitoring.
5. Petitioner's hotel shall not exceed 104 rooms, which is equivalent to 34,118 square feet of general office use, and a staff of 25.
6. Petitioner shall install a bus shelter on Broadbirch Drive in the vicinity of the hotel. The precise location and details of the bus shelter should be determined at the time of site plan review, and any necessary amendment to the special exception site plan shall be forwarded to the Board of Appeals as an administrative modification request.
7. If, at the time of site plan review, the Petitioner is required to provide for additional sidewalks, handicapped ramps and crosswalks, any necessary

amendment to the special exception site plan shall be forwarded to the Board of Appeals as an administrative modification request.

8. No more than five scheduled deliveries of goods may be made to the hotel per week.
9. Petitioner must obtain sign permits from the Department of Permitting Services and file them with the Board before erecting any signs. A modified special exception site plan should be submitted at that time showing the locations and dimensions of any signs.
10. Petitioner must obtain and satisfy the requirements of all licenses and permits, including but not limited to building permits and use and occupancy permits, necessary to occupy the special exception premises and operate the special exception as granted herein. Petitioner shall at all times ensure that the special exception use and premises comply with all applicable codes (including but not limited to building, life safety and handicapped accessibility requirements) regulations, directives and other governmental requirements.
11. If the Site Plan approved by the Planning Board at Site Plan Review differs materially from the Special Exception Site Plan (Exhibit 49(a)) approved by the Board of Appeals, Petitioner must file the Site Plan with the Board of Appeals and request an administrative modification of the Special Exception Site Plan to coincide with the Site Plan approved by the Planning Board.

Of these 11 conditions, Conditions 3 (no encroachment), 6 (bus shelter), 7 (sidewalks) and 11 (need for administrative modification for changes) are directly relevant to site plan review.

The review by the hearing examiner was extremely thorough and very specific as to the elements that appeared on the site plan, landscape and lighting plans submitted as part of the special exception. Staff compared the special exception drawings with the drawings submitted for site plan review. Staff has requested that the applicant make certain revisions so that the site plan drawings accurately reflect the information shown in the special exception plans. The drawings dated 5/24/06 reflect those revisions.

In summary, with respect to relevant conditions of the special exception, the applicant has not encroached in the buffer area (Condition 3) and has provided a bus shelter and the location has been accepted by DPWT (Condition 6) – see Appendix D. No further sidewalks have been required by this site plan review (Condition 7). Staff, therefore, believes that the applicant has complied with the conditions of the special exception that pertain to additional review as afforded through site plan review.

ANALYSIS:

The site is located in the I-1 zone and within the Overlay Zone. A hotel is a special exception use in the I-1 zone. The applicant has received approval for a special exception. The special exception provision states that a hotel may be allowed provided that all the requirements imposed in the zone are met. The proposed use must meet the standards of the base zone, I-1 Zone, and the overlay zone. Any proposed building height over 42 feet requires site plan review under Sec. 59-D. 3.

Conformance to Development Standards

Standard	Required I-1 Zone	Required Overlay Zone	Special Exception Case S-2656	Site Plan
Minimum Lot Size SF	NA	NA	73,779 SF	73,779 SF
Density /FAR	NA	NA	.92	.92
Number of Rooms	NA	NA	104	104
Building SF	NA	NA	67,850 SF	67,850 SF
Building Setbacks	60 feet from center line of street if street not in Master Plan	0	115 feet	115 feet
From non-residentially zoned property	If a yard is provided, setback must be 10'			
Front	10 feet	0	10 feet	10 feet
Side	10 feet	0	36 feet	36 feet
Side	10 feet	0	64 feet	64 feet
Rear	10 feet	0	10 feet	10 feet
Height	3 stories /42 feet but may be increased to 120' or 10 stories through site plan review 59. D. 3	NA	55 feet and 4 stories	55 feet and 4 stories
Building Coverage	None Specified	0	25%	25%
Green Space	10 % plus 5 % for each story over 3 = 15%	0	32.7% (27,400 SF)	32.7 % (27,400 SF)
Internal landscaping	5% (908 SF)	NA	5.5% (1,000 SF)	5.5% (1,000 SF)
Parking Spaces	.7per room x 104 = 73	NA	73 (Includes HC)	73 (Includes HC)
Handicap	3	NA	4	4
Bicycle	4	NA	5	5
Motorcycle	2% required spaces or 2	NA	2	2

Conformance to Master Plan

The *1997 Approved and Adopted Fairland Master Plan* recommended an overlay zone to encourage commercial and retail uses that would provide services to the employment area that were compatible and useful to the broader community. The relocation of FDA to the adjacent White Oak master plan area, and the eventual physical connection between the employment area and FDA envisioned in both the White Oak and Fairland Master Plans will result in an employment area of more than 1000 acres. This hotel will serve this employment and community needs.

A finding at the time of the special exception is conformity with the master plan. The Board of Appeals found the proposed hotel use and layout in conformance with the Fairland Master Plan in their approval of Special Exception Case S-2656.

Conformance to Special Exception

The site plan conforms to the approved special exception. There are some minor changes, however, that should be documented. The porte cochere, or entrance area, has been realigned. The special exception case considered a three-car wide drop-off area at an angle to the building. The width of the drop-off area and adjoining parking lot drive aisles was inefficient and did not adequately separate drop-off and through movements. The revised design aligns the drive aisle and separates the drop-off area from through movements and parking. The handicap spaces have been relocated accordingly and are close to the front entrance.

The Montgomery County Department of Permitting Services (MCDPS) Staff, who reviews internal circulation, and M-NCCPC Staff agree that the revised layout improves circulation. However, the internal radius has not been reviewed against a turning template. MCDPS staff has suggested that the turning movements be noted as right turn only, if the radius is determined to be too small (Appendix F). Staff concurs with this conclusion, and a condition pertaining to this is included in the recommendations.

Environmental

The Montgomery County Department of Permitting Services, Water Resources Section, has approved a Stormwater Management Concept Plan for the site. An existing stormwater management facility, approved as part of the storm water management for the West*Farm Technology Park, will accommodate runoff from the subject property. On-site water quality controls employ a sand filter system that will process runoff from the paved portion of the site. Storm drains from the roof will convey roof runoff directly to dry wells. MCDPS approved the stormwater management plan by letter dated May 27, 2005. Appendix C.

There is a second on-site environmental issue that came to the Board of Appeals attention during the special exception review. The International Fabricare Institute, previous owner and occupant of the restaurant property, had used a hazardous chemical,

tetrachloroethylene (PCE), in its dry-cleaning activities. The chemical had leached underground. The Maryland Department of the Environment (MDE) has required monitoring and remediation work on that property since 1990. MDE has also required groundwater monitoring on the subject site. Continued monitoring is required on the subject site and the owner has agreed to allow access and not disturb or interrupt monitoring of the wells. Nothing in the proposed site plan and landscaping layout would be contrary to that condition of the approved special exception.

Landscaping: Waiver for location of shade trees along perimeter

Section 59 E-2.7.2 of the Zoning Ordinance requires a perimeter-landscaping strip at least four feet wide. Such area shall contain a minimum of one shade tree for every 40 feet of perimeter. The portion of the parking facility that abuts the adjoining property measures 155 feet and would require four shade trees. This is also the area where a retaining wall measuring between two and three feet in height is necessary to match the existing grade of the stormwater management facility and wetland buffer.

There will be an aluminum safety fence along this retaining wall to keep individuals and cars off the retaining wall and will also serve to screen the cars from the adjoining site. The regulations require shade trees to be planted along this edge. Staff recommends that the Planning Board grant a waiver for the location of the trees, not the number of trees, on the basis that the safety fence will provide screening and that the required shade trees can be located to the edges of the parking facility and still provide shade.

Local Area Transportation Review:

Local Area Transportation Review was completed during the preliminary plan.
(Appendix G)

FINDINGS: For Site Plan Review

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development, if required.*

The site plan, landscape plan and lighting plan are consistent and contain all the elements as described in the approved special exception.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The site plan meets all the requirements of the I-1 and the US 29 Cherry Hill Employment Area Overlay Zones as demonstrated in the Conformance with Development Standards chart contained on page 17 of this Memorandum.

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

- a. Buildings: The location of buildings and structures is adequate, safe, and with the changes to the entrance area, efficient. The proposed building height will be 55' or less in conformance with the maximum height established in the special exception.
- b. Open Spaces: The site plan shows 37.2% green space, which is greater than the minimum 15% green space required in the I-1 zone.
- c. Landscaping and Lighting: The proposed landscaping plan, if the Board grants a wavier for the location of shade trees, conforms to the requirements of Sec.59-E.2.7.2. Staff has requested that the required shade trees be relocated to provide shade and to ensure that there is no disturbance near wetland buffer.

The proposed lighting plan conforms to the height limits set in the special exception, namely that the pole lights can be no greater than 26 feet including the base and must be fitted with cut-off fixtures.

- d. Vehicular and Pedestrian Circulation: Staff finds that the vehicular and pedestrian circulation, as shown of the May 24, 2006 drawings, is safe, adequate and efficient.
4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.*

The proposed hotel building and use is compatible with proposed and existing adjacent development, including the proposed restaurant currently under construction and the existing office buildings.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The subject site is exempt from forest conservation under Chapter 22 A (5) (k) because it is part of a preliminary plans approved prior to 7/1/1999. (Appendix H). The subdivision for this lot was approved prior in 1991.

Attachments:

Site Plan Check List

- Appendix A: Board of Appeals Opinion, Adopted April 5, 2006
- Appendix B: Planning Board Opinion Preliminary Plan 1-91038, August 1, 1991
- Appendix C: MCDPS letter regarding Stormwater dated 5/27/2005
- Appendix D: MCDPWT E-mail and drawing regarding location of Bus Shelter dated 5/17/2006
- Appendix E: MCDPWT Sight Distance Evaluation approval dated 5/17/2006
- Appendix F: MCDPS E-mail regarding site plan dated 5/17/2006

Appendix G: Transportation Planning Comments, 4/10/06
Appendix H: Environmental Planning – Forest Conservation Law Exemption 4/10/06
Appendix I: WSSC Comments 4/10/06
Appendix J: Fire Marshall Comments 4/10/06
Appendix K Applicant's request for waiver of Sec. E-2.7.2