

APR 19 2012



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

MCPB No. 12-21  
Site Plan No. 820110120  
Project Name: BB&T Bank Kensington/Wheaton  
Date of Hearing: February 16, 2012

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION**

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is vested with the authority to review site plan applications; and

WHEREAS, on June 16, 2011, BB&T Bank ("Applicant"), filed an application for approval of a Site Plan for a 4,080-square foot bank with a 1,663 square foot drive-through canopy ("Site Plan") on 0.89 gross acres of C-T-zoned land, located on the Northeast corner of the intersection of University Boulevard West and Valley View Avenue ("Property" or "Subject Property"); and

WHEREAS, Applicant's Site Plan application was designated Site Plan No. 82010120, BB&T Bank Kensington/Wheaton (the "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated February 3, 2012, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Staff and the staff of other governmental agencies, on February 16, 2012, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on February 16, 2012, the Planning Board approved the Application subject to conditions on the motion of Commissioner Anderson and seconded by Commissioner Presley; with a vote of 5-0, Commissioners Anderson, Carrier, Dreyfuss, Presley, and Wells-Harley voting in favor.

Approved as to  
Legal Sufficiency:

*Christina Sorenson* 4/5/12

8787 Georgia Avenue, N.W., Suite 200, Washington, D.C. 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

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Maintenance of all on-site amenities is the responsibility of the Applicant and subsequent owner(s). This includes maintenance of paving, plantings, lighting, fencing, and bike racks.

6. Architecture

The final exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheet 9 of 10 of the Site Plan, as determined by Staff.

7. Surety

Prior to issuance of first building permit within each relevant phase of development, Applicant must provide a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a. Applicant must provide a cost estimate of the materials and facilities, which, upon Staff approval, will establish the initial surety amount.
- b. The amount of the bond or surety shall include plant material, on-site lighting, recreational facilities, site furniture, and entrance piers within the relevant phase of development.
- c. Prior to issuance of the first building permit, Applicant must enter into a Site Plan Surety & Maintenance Agreement with the Planning Board in a form approved by the Office of General Counsel that outlines the responsibilities of the Applicant and incorporates the cost estimate.
- d. The bond or surety shall be tied to the development program and completion of plantings and installation of particular materials and facilities covered by the surety for each phase of development will be followed by inspection and reduction of the surety.

8. Development Program

The Applicant must construct the development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. Street lamps and sidewalks must be installed prior to release of any use-and-occupancy permit. Street tree planting may wait until the next growing season.
- b. On-site amenities including, but not limited to bike racks, sidewalks, and fencing must be installed prior to release of any use-and-occupancy permit.
- c. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Sediment Control Plan, and M-NCPPC inspections consistent with Section 110 of the Forest Conservation Regulations (COMCOR 22A.00.01.10).

*an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

The Site Plan is subject to the binding elements of Development Plan Amendment DPA 05-2:

1. Uses Permitted – Bank/Financial Institution (Drive-Through Canopy)
2. Any building or structure must have pitched roofs and be residential in character/style.
3. Running the entire length of the northern boundary of the Subject Property, there will be no other land use than a green space, at least 15' wide, as a buffer to screen the parking/paved area on the Subject Property. Within this green space, which is marked on the SDP, there will be no improvements installed except landscaping, a 6-foot high screen fence, light poles/fixtures, surface drainage facilities and any other features approved/required at the time of Site Plan review.

The Site Plan conforms to each of these binding elements. The use and building styles conform to the approved illustrative schematic development plan and the 15-foot wide buffer has been provided and is well planted and contains the required fence.

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

The Site Plan will provide a low-intensity commercial use that meets the purpose of the C-T zone. The development meets or exceeds all development standards as shown on the data table below. In each case, regarding density, height, coverage, green area, and parking the development exceeds minimum requirements and is less than any allowed maximum restrictions. Regarding setbacks, the structures and parking areas meet or exceed the minimum setbacks of the C-T Zone.

<b>Data Table for the C-T Zone for Lots of 12,000sf or More</b>					
<b>Development Standard</b>	<b>Required/ Allowed</b>	<b>DPA 05-2 Binding Elements</b>		<b>Approved by the Planning Board and Binding on the Applicant</b>	
		<b>Lot 23R</b>	<b>Lot 22R</b>	<b>Lot 23R</b>	<b>Lot 22R</b>
<b>Gross Lot Area (sf)</b>	n/a	n/a	n/a	21,799	17,303
<b>Max Density (FAR)</b>	0.50	0.20	0.13	0.19	0.10

			accessible)
Bicycle	n/a	n/a	8
<b>Parking Landscape Area (%)</b>	5	n/a	10.6

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

a. Locations of buildings and structures

Because of the specific requirements of the DPA, the buildings and structures have been reviewed to ensure conformance to the previous approval. The building is adequately situated on the corner lot with direct pedestrian access to the building from both Valley View Avenue and University Boulevard West, similar in layout to a detached house with driveways to the side and parking behind, ensuring safe and efficient use by employees and patrons.

b. Open Spaces

Open spaces are appropriately located on the Subject Property. Green area generally serves as a "front yard," creating a layout similar to a detached house, and as buffer areas along the side yards to screen parking. This arrangement of yard area and planting buffers is an adequate, safe, and efficient use of the space around the building and parking footprints.

c. Landscaping and Lighting

Landscaping and lighting are used in several ways. Landscaping is provided along the street to provide comfort for pedestrians; within stormwater facilities to create naturalistic water recharge areas; as a buffer between properties; and to provide shade over parking areas. Lighting is used to illuminate parking and pedestrian areas, but uses shorter fixtures to minimize light spill and glare. The landscape and lighting plan is an adequate, safe, and efficient use of plant material and lighting fixtures to respond to the context.

d. Recreation Facilities

No recreation facilities are required for the development.

e. Pedestrian and Vehicular Circulation Systems

Vehicular circulation is limited to two access points to minimize conflicts with pedestrians along the fronting sidewalks. Each of the access points are set as far from the intersection of Valley View Avenue and University Boulevard West as practical, the latter only allowing right-in/right-out movements. Parking is provided to the side and behind the buildings and the drive-through

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

BE IT FURTHER RESOLVED, that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

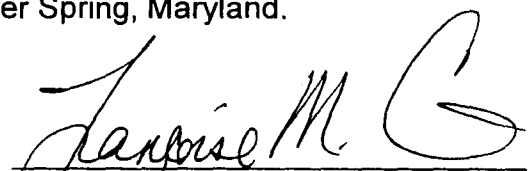
BE IT FURTHER RESOLVED, that the date of this Resolution is APR 19 2012 (which is the date that this Resolution is mailed to all parties of record); and

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

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#### 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 Anderson, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor of the motion, at its regular meeting held on Thursday, April 12, 2012, in Silver Spring, Maryland.

  
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Françoise M. Carrier, Chair  
Montgomery County Planning Board