



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

MCPB No. 08-51  
Site Plan No. 820080130  
Project Name: Chevy Chase Bank at Ashton  
Date of Hearing: April 10, 2008

**AUG 01 2008**

**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 November 1, 2007, Chevy Chase Bank, FSB ("Applicant"), filed an application for approval of a site plan for a 3,172 square foot bank and drive-through ("Site Plan" or "Plan") on 1.10 acres in the C-1 and Sandy Spring/Ashton Rural Village Overlay Zones, located in the southeast quadrant of the intersection of Olney Sandy Spring Road (MD 108) and Porter Road ("Property" or "Subject Property"); and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820080130, Chevy Chase Bank at Ashton (the "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated March 24, 2008, 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 staffs of other governmental agencies, on April 10, 2008, 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 April 10, 2008 the Planning Board approved the Application subject to conditions on the motion of Commissioner Robinson; seconded by Commissioner Bryant; with a vote of 4-0, Commissioners Bryant, Cryor, Hanson, and Robinson voting in favor.

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Approved as to  
Legal Sufficiency:

  
M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 820080130 for a 3,172 square foot bank and drive-through on 1.10 acres in the C-1 and Sandy Spring/Ashton Rural Village Overlay Zones, located at in the southeast quadrant of the intersection of Olney Sandy Spring Road (MD 108) and Porter Road, subject to the following conditions:

1. Preliminary Plan Conformance

The proposed development must comply with the conditions of approval for Preliminary Plan No. 120070580 as listed in the Planning Board Resolution unless amended. This includes but is not limited to all references to density, rights-of-way, dedications, easements, transportation conditions, Department of Public Works and Transportation ("DPWT") conditions, and Department of Permitting Services ("DPS") stormwater conditions.

2. Forest Conservation

The proposed development must comply with the conditions of the Preliminary Forest Conservation Plan. The Applicant must satisfy all conditions prior to the recording of a plat(s) or to the issuance of sediment and erosions control permits by DPS.

- a. A certified arborist must be present at the pre-construction meeting, during construction, and after construction to implement specific tree protection measures as identified in the "Tree Preservation Report" prepared by Christopher Erb of Bartlett Tree Experts.
- b. The specific location of tree protection fencing may be adjusted in the field by a M-NCPPC inspector, in coordination with the certified arborist, at the pre-construction meeting.
- c. The forest conservation worksheet on the Preliminary and Final Forest Conservation Plans must be revised to show the afforestation and conservation thresholds and the afforestation requirement to be 0.17 acres.
- d. The Applicant must revise the Landscape Plan and Preliminary and Final Forest Conservation Plan to include native shade trees as landscape trees that will create a total of 7,405 square feet (0.17 acres) of tree canopy coverage at 20 years. These trees must be located outside the stormwater management easement.

3. Development Program

The Applicant must construct the proposed 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 within six months after street construction is completed. Tree planting may wait until the next growing season.

- b. On-site sidewalks, benches, and installation of the bicycle rack must be installed prior to release of any building 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 Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- d. The development program must provide phasing for installation of on-site landscaping and lighting.
- e. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, afforestation, trip mitigation, and other features.

4. Certified Site Plan

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

- a. Include the Final Forest Conservation approval, stormwater management concept approval, development program, inspection schedule, and Site Plan Resolution on the approval or cover sheet.
- b. Eliminate sheets 5 and 6 from set.
- c. Add a note to the Site Plan stating that Staff must inspect all tree-save areas and protection devices prior to clearing and grading”.
- d. Modify data table to reflect development standards enumerated in the Staff Report.
- e. Correct plant lists on landscape plan and modify plantings to fulfill forest conservation requirements.
- f. Ensure consistency off all details and layout between Site Plan and Landscape Plan.
- g. Provide limits of disturbance and bike rack detail.
- h. Clarify lighting detail symbols and notation and provide bollard height.

BE IT FURTHER RESOLVED that all site development elements as shown on the Chevy Chase at Ashton drawings stamped by the M-NCPPC on February 28, 2008, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that, having given full consideration to the recommendations and findings of its Staff, which the Planning Board hereby adopts and incorporates by reference, and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an*

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

Neither a development plan, diagrammatic plan, schematic development plan, nor a project plan were required for the subject site.

- 2. The site plan substantially conforms to the design guidelines for new development contained in the approved and adopted Sandy Spring/Ashton Master Plan.*

The proposed Site Plan substantially conforms to the design guidelines of the Master Plan in a number of respects. The building is placed with an accessible entrance on MD 108 and provides a "main street" character through the use of street trees and lamp posts, the entry portico with a large sidewalk, and benches, low walls, and plantings. The building, although monumental in design, is small in mass and height is traditional in form, and is softened by plantings. Although allowed to build out to 0.75 FAR and up to 30 feet in height, the proposed building is only at a 0.06 FAR and 24 feet in height.

The pedestrian connections, bicycle rack, and entry points maintain an easily navigated pedestrian atmosphere and the signage is low and incorporated into the site details. Finally, parking is sited in the rear of the lot and screened from view on each side with heavily planted landscaped areas.

- 3. The site plan is consistent with the recommendations in the approved and adopted Sandy Spring/Ashton Master Plan.*

The proposed development is consistent with the recommendations of the Master Plan. It provides local residents with necessary services which are near residential areas and other shopping facilities. Further, the proposed development meets the land use and zoning recommendations of expanded commercial use balanced with the existing scale of the village center.

- 4. The site plan meets all the requirements of the Overlay Zone as well as the applicable requirements of the underlying zone.*

The proposed use is allowed in both the Sandy Spring/Ashton Rural Village Overlay Zone and the C-1 Zone, and the Site Plan fulfills the purposes of each zone by providing small-scale neighborhood services in a village setting.

As the following Project Data Table indicates, the Site Plan meets all of the development standards of the Sandy Spring/Ashton Rural Village Overlay Zone and the underlying C-1 Zone. With respect to building height, setbacks, and density the proposed development is under all the maximum standards allowed. With respect to

green space the proposed development provides five times more than the amount required, thus allowing for a greater amount of permeable surface and landscaped open space.

*Project Data Table for the C-1 and Sandy Spring/Ashton Rural Village Overlay Zones*

Development Standards	Permitted/Required	Approved by the Board and Binding on the Applicant
<b>Building Height (feet)</b>	24 <sup>1</sup>	24
<b>Building Setbacks (feet)</b>		
Right-of-Way (MD 108)	0 <sup>2</sup>	25
Right-of-Way (Porter Road)	10	60
Rear (east property line)	0	60
Side (south property line)	17	110
<b>Parking Setbacks (feet)</b>		
Right-of-Way (MD 108)	10	10
Right-of-Way (Porter Road)	30	30
Rear (east property line)	4	4
Side (south property line)	17	40
<b>Green Area (% of lot)</b>	10	50
<b>Floor Area Ratio (FAR)<sup>3</sup></b>	0.75	0.06
<b>Building Area (square feet)</b>	41,955	3,172
<b>Parking Facility Internal Landscaping (%)</b>	5	5
<b>Parking Spaces</b>	10	30 <sup>4</sup>

<sup>1</sup> The Overlay Zone allows commercial building heights up to 30 feet (which is allowed in the C-1 zone) if the Board finds that the additional height is compatible with the adjoining uses and is consistent with the intent of the master plan.

<sup>2</sup> A 10-foot setback is typically required from the right-of-way unless a "mainstreet" type of development is recommended in a master or sector plan, which applies in this case.

<sup>3</sup> FAR is not typically required for a C-1 zoned project, but is limited within the Overlay Zone to 0.75.

<sup>4</sup> Including 2 van accessible handicapped spaces; a bicycle rack for two bikes is also provided.

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

The buildings and structures of the proposed development are located near the MD 108 right-of-way, which is appropriate for the "main street" character envisioned by the Master Plan. These locations provide easy access to the building from adjoining sidewalks and the low walls provide a sense of scale and allow for signage to be incorporated into the design rather than obtrusively free-standing. These building and wall locations are adequate and efficient, while meeting the aesthetic recommendations of the Master Plan, and do not pose any safety concerns on the site.

The open space that is provided is heavily landscaped and serves many purposes. In various areas it provides a screen for the parking, a space for stormwater management, a traditional foundation planting area for the building, and as a colorful space for ornamental plantings. Street trees and lighting are provided along the street in concert with other proposed development in the area to create a unified streetscape in the village center. Interior lighting will create enough visibility to provide safety but not so much as to cause glare on the adjacent roads or properties. There are no recreation facilities required for this Site Plan, but benches and a bicycle rack are provided. The open spaces, landscaping, and site details adequately and efficiently address the needs of the proposed use and the recommendations of the Master Plan, while providing a safe and comfortable environment.

Pedestrian access from adjacent sidewalks adequately and efficiently integrates this site into the growing commercial center of Ashton Village. Safety is enhanced by flush sidewalks, crosswalks, and special paving delineations at intersections. Given the constraints of vehicular access to and from MD 108, the design efficiently directs traffic through the site with minimal impacts to pedestrian circulation. As designed, the paved area for both pedestrians and vehicles reduces imperviousness on-site from the existing conditions and is set as far from protected trees as possible. This balance of design with the site, the recommendations of the Master Plan, and the needs of the use is an efficient and adequate means to provide a safe atmosphere for pedestrians, cyclists, and vehicles.

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

The proposed bank is compatible with the adjacent and confronting retail uses as well as proposed site plans that will help transform Ashton into an inviting, walkable, village center. The subject Site Plan and the pending Ashton Meeting Place, (a

larger commercial and residential project) and Derrick's Addition to Ashton (a gas station, office, and retail project) will greatly enhance the availability and accessibility of commercial conveniences in Ashton. As proposed, this area will provide the services and amenities to meet most local residents' day-to-day needs.

The structure itself is in scale with the nearby office and service station as well as the confronting retail mall. The proposed structure is set forward enough from the R-90 properties on Porter Road to have little effect and these structures are allowed to build to 35 feet, whereas the proposed bank will have a maximum height of 24 feet.

7. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The proposed development is not subject to water resources protection but is subject to the Forest Conservation Law and, as conditioned, meets all applicable requirements.

The stormwater management concept consists of on-site water quality control via construction of a bio filter. On-site recharge is not required because this is a redevelopment project. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cubic feet per second.

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 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 AUG 01 2008 (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).

\* \* \* \* \*

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

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Park and Planning Commission on motion of Commissioner Robinson, seconded by Commissioner Hanson, with Commissioners Hanson, Robinson, and Cryor voting in favor of the motion, and Commissioners Alfandre and Presley abstaining, at its regular meeting held on Thursday, July 24, 2008, in Silver Spring, Maryland.

A handwritten signature in black ink, appearing to read "Royce Hanson", written over a horizontal line.

Royce Hanson, Chairman  
Montgomery County Planning Board

JCS