
MEMORANDUM TO: Mayor and City Council
Planning Commission

FROM: Jasmine Forbes, Planner II

DATE: January 18, 2022

SUBJECT: Preliminary Background Report: Application SDP-9073-2021;
Kentlands Square Infill Pad Sites.

APPLICANT/OWNER:

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ATTORNEY:

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ENGINEER

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TAX MAP REFERENCE:

Tax Map Sheet: FS13, Block Q
ID#: 160903203483

REQUEST:

Application SDP-9073-2021 has been filed requesting Schematic Development Plan (SDP) approval for three infill pad sites within the existing Kentlands Square Shopping Center. The three new infill buildings will total 21,700 square feet and will not exceed two stories in height.

LOCATION:

The Subject Property is approximately 22.3 acres and contains 237,414 square feet of commercial buildings. The Kentlands Square Shopping Center is generally bounded by Great Seneca Highway to the east, Kentlands Boulevard to the south, and Booth Street to the west. The extents of the subject application are internal to the existing shopping center.



Location Map

REQUIRED ACTIONS

Approval of SDP-9073-2021, by the City Council is dependent upon the findings required under § 24-160D.10 of the City Code as follows:

- (b) *The city council shall approve a schematic development plan only upon the finding that:*
- (1) *The plan is substantially in accord with the approved sketch plan; and*
 - (2) *The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone, and other requirements of the City Code; and*
 - (3) *The plan is in accord with the area master plan and any accompanying special condition or requirements contained in said master plan for the area under consideration; and*
 - (4) *The plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned area and adjacent areas; and*
 - (5) *That existing or planned public facilities are adequate to service the proposed development contained in the plan; and*
 - (6) *That the development staging or phasing program is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and*
 - (7) *That the plan, if approved, would be in the public interest.*

Therefore, the Applicant has the burden of showing that the application complies with the purpose and intent of the MXD Zone and the master plan. Additionally, evidence must be shown that the application will be compatible and harmonious with the surrounding planned and existing land uses and will accomplish the objectives, minimum standards, and requirements of the zone.

As part of the application package, the applicant has submitted a project compliance statement letter (Exhibit #39). The Applicant's letter outlines the project narrative and required findings in compliance with the MXD zone.

ANNEXATION, ZONING, AND SITE PLAN HISTORY:

Annexation and Site Plan History

On January 19, 1967, the Mayor and Town Council, by Resolution R-22-66¹, annexed the Property into the City as part of Annexation Application X-088. At the time of annexation, the Property was zoned R-A (Low Density Residential) by Resolution R-23-66². On March 2, 1989, the Property was rezoned to the MXD (Mixed Use Development) Zone as part of the Zoning Map Amendment Application and associated Sketch Plan Z-262, by Ordinance O-3-89³. The Z-262 associated Sketch Plan approved 2,200,000 square feet of non-residential uses. The Sketch Plan was later amended on April 1, 1991 as Application Z-262(A) by Ordinance O-8-91, which allowed up to 1,400,000 square feet of non-residential use in the overall Kentlands subdivision⁴. Based on information contained in the City's records, the Kentlands subdivision currently has an estimated 1,068,572 square feet of non-residential uses. This application increases the non-residential square footage total to approximately 1,090,272 square foot, which is well below the cap established by Z-262(A).

On March 2, 1992, the Mayor and City Council adopted Resolution R-21-92 approving Schematic Development Plan, SDP-3, which included the Kentlands Square Shopping Center area and allowed 344,977 square feet of retail and 27,574 square feet of garden center⁵. On May 6, 1992 Final Site Plan application K-977 was approved by the Planning Commission for 344,977 square foot retail center⁶.

On July 17, 2017, the Mayor and City Council approved Sketch Plan SK-7503-2017 by Resolution R-44-17⁷. The approval was for 784,080 square feet of commercial uses and up to 1,450 residential multi-family units. The Sketch Plan identified the Property as Block 4 and 5. The approval for Block 4 and 5 was for the following:

- Block 4: Mixed Use up to 12 stories, 450 units maximum and 300,000 square feet of Commercial/Office
- Block 5: Mixed Use up to 1-story and up to 15,000 square feet of commercial

On July 16, 2018, the Mayor and City Council approved Schematic Development Plan application SDP-7712-2017 by Resolution R-32-18 for three infill pad sites totaling 16,000 square feet within Lowes parking lot⁸. During the December 6, 2017 Planning Commission Recommendation meeting for SDP-7712-2017, there was a question about the role of Master Plan recommendations; the authority of existing site plans; and how SDP-7712-2017 was

¹ Exhibit #14

² Exhibit #15

³ Exhibit #17

⁴ Exhibit #18

⁵ Exhibit #20

⁶ Exhibit #22

⁷ Exhibit #26

⁸ Exhibit #25

processed from a regulatory perspective. In the Staff's Master Plan memo it noted, that a site plan is not vested until it receives SDP and final site plan approval⁹. Master Plans do not obligate property owners to implement the plan's recommendations. As noted in the Applicant's justification letter, since this SDP application is intended to leverage near-term redevelopment opportunities at the Property that has vested rights under previous Final Site Plan approvals, this SDP must similarly be reviewed under the 1997 Master Plan and Sketch Plan Z-262(A). The interim development proposed for this application will not preclude Sketch Plan SK-7503-2017 for long-term redevelopment of this section of the Kentlands Square in accordance with the Commercial District Master Plan.

MASTER PLAN

1988 Master Plan¹⁰

As part of the adopted 1988 Master Plan, this Property, within Neighborhood Four, Study Area 4 was recommended for a variety of land uses, including commercial, industrial/research/office, mixed residential, open space and institutional.

1997 Master Plan¹¹

The Subject Property was included in the 1997 Master Plan, under Neighborhood Four, as part of Study Area Four, Map Designation 26. The master plan stated:

“Retain the designation of approximately 47 acres of land, currently zoned MXD, and consisting of the Kentlands Square Shopping Center and surrounding commercial development, as commercial-industrial-research-office (Map Designation 26). It is intended that this property retain the MXD zoning to allow for future redevelopment of the blocks of parking within the shopping center and surrounding commercial development. Development of the vacant land within this map designation should conform to the “urbanism” principles established on the plan developed at the March 1996 Charrette for Kentlands/Lakelands. This includes providing buildings that front on the street with parking in the rear which will create a higher quality public space between opposing buildings that face the street.”

Land Use and Zoning Actions:

- *Adopted commercial-institutional-research-office land use designation*
- *Property remains MXD.*

⁹ Exhibit #28

¹⁰ Exhibit #16

¹¹ Exhibit #35

Kentlands Boulevard Commercial District Special Study (2008)¹²

The Subject Property was part of the Kentlands Boulevard Commercial District Special Study Area. The Kentlands Boulevard Commercial District Special Study Area, adopted in 2008, established the long-term vision for this area of Kentlands, while recognizing the need for incremental change in the near-term to support that vision, such as the infill development proposed by this application. The study identified the Subject Property as Block D and E. The plan stated the following recommendations:

Block D

Long Term Recommendations:

- Opportunity to build the principle open space in the northern half of KBCD.
- Potential for development on the western side of the block for public or private use. At a minimum, 50% of the block should be dedicated to open space. Special attention should be made to link the residential (to the north of Blocks A1 & A2) to the new open space.
- Capitalize on the close proximity to the CCT station with redevelopment occurring in conjunction with transit station development.
- Reinforce the connection from Main Street to Great Seneca Highway with the short side of the block providing access and secondary frontage.

Block E

Long Term Recommendations:

- Prime location for the CCT station and station parking.
- Redevelopment should occur in conjunction with transit station development.
- Potential development block as multi-story, mixed use building. As the probable location for the CCT station, Block E has the best potential for high intensity development (mid-to high-rise).
- Reinforce the connection from Main Street to Great Seneca Highway with the north side of the block providing access and secondary frontage.

2009 Master Plan

The Property was not included as a specific map designation in the 2009 Master Plan. The 2009 Master Plan designated the Property as Commercial/Industrial-Research-Office.

¹² Exhibit #23

SURROUNDING LAND USE/ PHYSICAL CHARACTERISTICS:

The Subject Property is approximately 2.42 acres. The following table demonstrates the land use and zoning for the surrounding properties:

Direction	Zoning	Land Use
North	MXD (Mixed Use Development)	Residential/Commercial
South	MXD (Mixed Use Development)	Commercial
East	MXD (Mixed Use Development)	Residential
West	MXD (Mixed Use Development)	Office



Zoning Map

ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO):

Traffic Impacts

The Applicant submitted a Traffic Impact Study (TIS), designated as application number TRF-9074-2021, performed by Wells and Associates, Inc. According to the TIS, the proposed development will generate an additional 39 AM and 44 PM peak hour trips. The analysis concludes that there is sufficient transportation capacity to accommodate the proposed development and all studied intersections will continue to operate at acceptable levels. The Department of Public Works has reviewed and approved the traffic impact study¹³. Therefore, the application complies with the requirements of the City's APFO for traffic impacts (§ 24-245).

Adequacy of School Capacity

The proposed development is for commercial use, and will have no impact on the school system. Therefore, the proposed development is exempt from the school test of the Adequate Public Facilities Ordinance (§ 24-256).

Water and Sewer Services and Public Utilities

Category W-1 and S-1 of Washington Suburban Sanitary Commission (WSSC) services currently serve the Subject Property. As referenced in the Applicant's statement, the application complies with the requirements of the City's APFO for water and sewer (§ 24-247).

Fire and Emergency Services

The City's APFO requires that at least two (2) fire stations serve any development project within a ten-minute response time. The Subject Property is located within a ten-minute response time of Station 8 (Gaithersburg), Station 22 (Germantown/Kingsview), Station 31 (Rockville) and Station 32 (Travilah). Therefore, as referenced in the Applicant's statement, the site complies with the requirements for the Adequate Public Facilities requirements for Emergency Services (§ 24-248).

NATURAL RESOURCES INVENTORY AND FOREST DELINEATION

As part of this application, the Applicant submitted an approved Natural Resources Inventory (NRI) & Forest Stand Delineation (FSD) Plan, designated as application ENV-7463-2016, which was approved on December 13, 2016¹⁴. According to the approved NRI/FSD, the Property is within the Upper Muddy Branch Sub watershed of the Potomac Direct Watershed, Class I-P. The site is not within a special protection area and there are no FEMA floodplains within 100 feet of the site. There are also no specimen trees located on or within 100 feet of the site. No rare, threatened or endangered species were observed on the site.

¹³ Exhibit #38

¹⁴ Exhibit #5

SCHEMATIC DEVELOPMENT PLAN PROPOSAL

Site Plan

The Applicant is requesting approval for three infill pad sites (Sites F,G, H) within the existing shopping center parking lot located adjacent to the At Home store and other commercial tenants along Main Street. The new infill buildings will total a maximum of 21,700 square feet and not exceed two stories in height. The project also includes space for outdoor seating/dining. The proposed uses include office, restaurant, retail, personal service businesses, child care, bank and integrated light manufacturing.



Rendered Site Plan

Infill pad sites F and G are proposed to be up to 9,100 square feet of building area. Site H is proposed to be up to 3,500 square feet of building area and also includes a double stack drive-through. Tenants for this site have not been determined. The plan currently does not have final building footprints, but instead the maximum build-to-lines. This provides the Applicant flexibility for each building depending on market conditions. Staff does note that the final building footprints will be provided at Final Site Plan. According to the Applicant, construction is not anticipate to include all of the infill sites concurrently, but envisions each site coming to fruition as market conditions allow.

According to the City's Best Practices Memo for drive-through lanes, food/beverage based establishments (restaurants, coffee shops, etc.) should have drive-through lanes that ranges between 200-260 feet to allow for ten car lengths of queue/stacking¹⁵. There should also be seven spaces between the lane entrance and menu boards. As shown in the Applicant's vehicle stacking exhibit, the drive-through will have a stacking capacity of up to twelve cars and approximately 211 feet of drive-through length. The drive-through will be located in the rear of the building.

¹⁵ Exhibit #29

The application includes additional trash enclosures for the proposed buildings. As shown on the plans, each building will have its own separate collection area. The final location of the trash enclosures will be determine at final site plan.



Rendered Site Plans

The plan proposes to improve the pedestrian experience along Main Street by providing a 16-foot width sidewalk. The sidewalk will include tree plantings and street lights similar to the existing streetscape improvements completed along Kentlands Square Place.



Photo of Streetscape Improvement for the Starbucks on Kentlands Square Place

Parking

Parking is provided in surface spaces and calculated based on the square footage of the entire shopping center. The addition of the proposed buildings will require the shopping center to provide a total of 1,631 parking spaces and currently contains 1,796 spaces. The construction of the three infill sites will result in a loss of 386 parking spaces, which will bring the provided parking total to 1,410. This reduction creates a 221 parking space deficit. As such, the Applicant is requesting a parking waiver. Pursuant to § 24-160D.8(a) of the City Code, the Council, at the time of schematic development plan review, shall determine the appropriate approximate number of spaces. At the time of final site plan approval, the Commission shall determine the final number of spaces, based upon considerations of safety, convenience, pedestrian and vehicular circulation and added landscaping within parking lot areas. In addition, the Planning Commission may reduce the number of spaces required for any use in Article XI, Section 24-219(b) of this Code where such reduction will meet the purposes of the MXD zone. The Applicant submitted a parking demand analysis to justify the need for the parking waiver¹⁶. As stated in the analysis, the Applicant's traffic

¹⁶ Exhibit #33

Table 4

Proposed Conditions Parking Summary (Adjusted to reflect peak season conditions)

Condition	Size	Units
Proposed Densities		
Proposed Pad Sites 'F', 'G', & 'H'	21,700	SF
Sites 'C', 'D' & 'E'	16,000	SF
Existing Building 'A'	3,000	SF
Existing Building 'B'	4,600	SF
Existing Anchor 'A' Building	107,804	SF
Existing Anchor 'B' Building	62,000	SF
Existing Anchor 'C' Building	107,827	SF
Existing Non Anchor Building	80,611	SF
Outdoor Garden 'A'	-	SF (eliminated)
<u>Outdoor Garden 'C'</u>	<u>17,733</u>	<u>SF</u>
Sub-Total - Building Area	421,275	SF
	<u>Lots 3 & 4 Only</u>	
Total Lots 3 & 4 Only:	143,763	SF

Proposed Parking Summary
(Adjusted to reflect peak season conditions)

<u>Overall Site</u>	<u>Weekday</u>	<u>Saturday</u>
Parking Demand at peak hour of peak shopping season	2.54 spaces/1,000 SF 1070 spaces	2.79 spaces/1,000 SF 1175 spaces
Proposed Parking Supply	1410 spaces	1410 spaces
Surplus/Deficit at peak hour of peak shopping season	340 spaces	235 spaces
Percent Occupancy at peak hour of peak shopping season	76% percent	83% percent
 <u>Lots 3 & 4 Only</u>		
Parking Demand at peak hour of peak shopping season	1.35 spaces/1,000 SF 194 spaces	1.77 spaces/1,000 SF 254 spaces
Proposed Parking Supply	476 spaces	476 spaces
Surplus/Deficit at peak hour of peak shopping season	282 spaces	222 spaces
Percent Occupancy at peak hour of peak shopping season	41% percent	53% percent

Parking Analysis Table

Architecture

The Applicant is proposing to adopt and utilize the same design guidelines that was approved for Sites C, D and E as part of SDP-7712-2017¹⁷. The design guidelines include diagrams and pictures of representative buildings, which provide a sense of the type of context-sensitive and creative design that will ultimately be used for the final buildings. The guidelines will allow the Applicant flexibility at final site plan to respond to market conditions and tenant needs.

¹⁷ Exhibit #32

Design Guidelines¹⁸

The intent of the guidelines is to enhance the retail experience in the Kentlands Square Shopping Center. The guidelines encourage a consistent level of quality in design, materials, construction, and customer wayfinding and identify creation while placing minimal restraints on creativity.

The guidelines discuss the following:

- Walkable Street Vision
- Streetscape and Context
- Storefront Design Guidelines
- Tenant Signage

To provide further clarity, the guidelines include sample diagrams and representative pictures of existing buildings that envisions that type of design can occur for these infill sites.

Landscape

As part of the Schematic Development Plan, a preliminary landscape plans for the three infill sites was included. The plan contains shade trees throughout the sites. The final location and type of landscape will be determine at final site plan. The greenspace area of the SDP area will be increased to approximately 0.187 acres, which is the result of a reduction in paved parking areas. A Forest Conservation Plan was approved for the overall Kentlands subdivision, therefore this application is not required to submit forest conservation plan.

STORMWATER MANAGEMENT AND SEDIMENT EROSION CONTROL

In accordance with the requirement for the submission of a Schematic Development Plan, Section 24-160D.9(b)(1), the Applicant has submitted a preliminary stormwater management plan and sediment erosion control plan applications SWM-9072-2021 and SEC-9071-2021¹⁹. The Department of Public Works staff is currently reviewing both applications. The Applicant is anticipated to have the preliminary plans approved prior to the closing of the record for the Planning Commission.

¹⁸ Exhibit #32

¹⁹ Exhibits #12 and #13

SUMMARY

The Applicant has submitted for consideration Schematic Development Plan SDP-9073-2021. This is a complete application as set forth in § 24-160G.6(c) of the City Code. A joint public hearing with the Mayor & City Council and Planning Commission has been scheduled for January 18, 2022.

Because this is the initial public hearing and Staff continues to complete their analysis of the proposed project, no formal recommendation is provided at this time. A recommendation will be provided by Staff prior to the Planning Commission's recommendation discussion. Staff will continue to work with the Applicant on refining the plan, in response to comments offered at the public hearing or entered into the record.

For the purpose of concluding the public hearing, Staff recommends:

1. The Planning Commission make a motion hold the record open until 5:00 PM on February 24, 2022 (37 days) with a Recommendation to the Mayor & City Council tentatively scheduled for March 2, 2022.
2. The Mayor & City Council make a motion to hold the record open until 5:00 PM on March 16, 2022 (58 days) with Policy Discussion tentatively scheduled for April 4, 2022.