



LAND USE REPORT

Conditional Use Application

Dash In Food Stores, Inc.

Filling Station, Car Wash, and Convenience Store

15700 Shady Grove Road

This Land Use Report (the "Report") is submitted by Dash In Food Stores, Inc. (the "Applicant") in connection with its request pursuant to Section 7.3.1 of the Montgomery County Zoning Ordinance (the "Zoning Ordinance") to establish a Filling Station on the property located at 15700 Shady Grove Road in Gaithersburg, Maryland (the "Property"). The Applicant proposes to redevelop the Property with a Filling Station, an accessory car wash, and an approximately 4,800 square foot convenience store (collectively, the "Project" or "Commercial Services"). As detailed herein, the proposed car wash and convenience store are permitted uses that do not require Conditional Use approval, and are included in this Report for background purposes only.

The Project has been designed to ensure compatibility with the surrounding area and adjacent autocentric development. The Project seeks to establish a modern, high-quality Dash In hybrid fueling station on a site that has remained inactive for over a year. The proposed site design has been strategically designed to meet site constraints while ensuring safe and efficient vehicular and pedestrian circulation. The new Dash In facility will provide a vital service to nearby residents, workers, and travelers, while introducing EV charging capacity and significant landscape and environmental improvements. The proposal reflects a shift toward hybrid fueling models that accommodate both traditional and alternative vehicles and includes contemporary design elements, such as masonry and glass finishes.

Additionally, the proposed Filling Station satisfies all applicable standards of the Zoning Ordinance and substantially conforms to the applicable planning documents, including the *2024 Great Seneca Plan* (the "Master Plan") and other functional plans as discussed herein. The Project presents a unique opportunity to activate a dormant site with a high-quality, aesthetically pleasing neighborhood serving use.

I. DESCRIPTION OF PROPERTY AND SURROUNDING AREA

A. Property Location, Characteristics, and Existing Conditions

The Property is located along a commercial corridor on the west side of Shady Grove Road, adjacent to the I-270 interchange onto Shady Grove Road. The Property is presently improved with a vacant Red Lobster restaurant building constructed in the early 1990s, which comprises approximately 7,473 square feet of floor area, according to the Maryland State Department of Assessments and Taxation ("SDAT") records. The remainder of the site consists of surface parking, driveway access aisles, and landscaped areas.

Shady Grove Road is a major arterial that carries significant regional traffic between Gaithersburg, Rockville, and the I-270 Technology Corridor. As a result, the corridor experiences

heavy daily vehicle volumes and serves as a critical node for commuter and commercial traffic. The strategic location of the Property, as the last site before the I-270 interchange, makes it an ideal candidate for redevelopment into a hybrid fueling station with EV charging and a high-quality convenience store with car wash.

B. Zoning and Permitted Uses

The Property is classified in the GR-1.5, H-45 zone. Per Sec. 6.4.1.B of the Zoning Ordinance, the GR zone provides development opportunities adjacent to the County's most auto-dominated corridors and those areas with few alternative mobility options, with limited mixed-use and residential uses. The GR zone allows flexibility in building, circulation, and parking lot layout.”

Within the GR Zone, convenience stores are permitted by right, car washes are allowed as limited uses, and fuel filling stations are subject to Conditional Use approval pursuant to Section 3.5.9 of the Montgomery County Zoning Ordinance. The proposed redevelopment complies with all applicable GR Zone development standards and is the type of use conceived for the GR zone, and the surrounding auto-dominated corridor of Shady Grove Road.

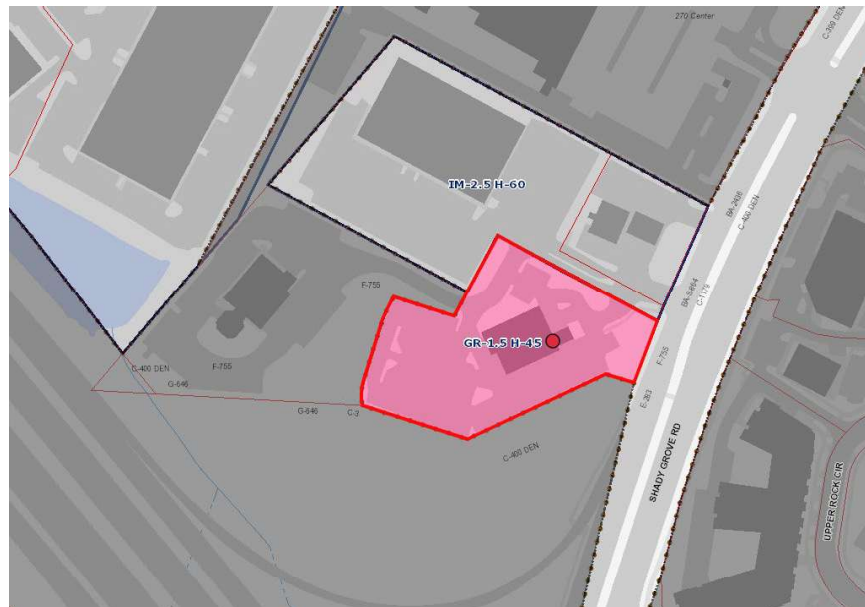


Figure 1 – Zoning Map of the Property showing the current GR Zoning.

C. Prior Approvals

The Property was originally developed with a Red Lobster restaurant in the early 1990s under the C-2 (General Commercial) Zone. The restaurant use, including associated parking and landscaping, was approved via a site plan (Site Plan Number 819760190) under the standard method of development. Park & Planning will vacate the site plan, as it is no longer relevant, in conjunction with the conditional use process. Following the Countywide District Map Amendment in 2014, the Property was rezoned to the GR Zone as part of the implementation of

the comprehensive Zoning Ordinance rewrite (ZTA 13-04), which established new commercial zoning categories and mapped existing commercial properties into more appropriate use classifications.

II. PROPOSED DEVELOPMENT

A. Project Description

The Applicant proposes to redevelop the Property with a modern Dash In hybrid fueling facility consisting of a 4,800 square foot convenience store, a fueling station featuring a fueling canopy with six multiple-product dispensers (MPDs) (12 fueling positions), five (5) EV charging stations and an accessory single-bay automatic car wash. The existing vacant restaurant building, associated pavement, and aging site infrastructure will be removed in their entirety and replaced with a contemporary commercial service use that aligns with the corridor's planned redevelopment toward higher-quality, auto-oriented commercial reinvestment.

The proposed convenience store is centrally located on the site to serve as the organizing element for circulation and customer activity. The convenience store will feature large storefront glazing, enhanced architectural façade with painted masonry, dark metal accents, and coordinated canopy elements. The fueling canopy is positioned along the eastern portion of the site, closest to Shady Grove Road, allowing vehicles to enter and exit efficiently without conflicting with parking or car wash circulation. The car wash is strategically placed at the western edge of the Property to internalize stacking and queueing and to ensure that vehicles do not back up into drive aisles or onto shared access points.



Figure 2 – Rendering of the proposed filling station and convenience store.

As part of the redevelopment, the Applicant will introduce EV charging stations, landscaped bioretention areas, upgraded pedestrian pathways, and modern stormwater management facilities that significantly improve environmental performance compared to the existing condition. The Project also improves internal circulation, organizes parking fields into efficient blocks, and provides clearly marked pedestrian crossings connecting the parking areas, fueling dispensers, and store entrance. The Project will improve the main driveway operations by moving the site access connection closest to Shady Grove Road further away from the intersection, as requested by M-NCPPC transportation staff.



Figure 3 – Aerial rendering of the proposed filling station and convenience store, with perspective from Shady Grove Road to the east of the Property.

Overall, the proposed redevelopment transforms an underutilized, vacant commercial parcel into an active, well-designed commercial service node that introduces new amenities, enhances environmental conditions on-site, and delivers a contemporary fueling and convenience destination along a major transportation corridor.

B. Applicant Background & Proposed Operations

By way of background, Dash In Food Stores is a subsidiary of The Wills Group, Inc. that originated in southern Maryland over 90 years ago. Dash In Food Stores is recognized as one of the Largest Private Companies in the Washington DC Metro area. The Wills Group now operates a variety of fueling and convenience-oriented businesses across the mid-Atlantic region.

In addition to its top-of-the-line neighborhood store concept, Dash In also offers customers a next generation store design. The new convenience store concept includes unique, upscale exterior and interior architecture and has expanded the food and drink offerings to include specialty

coffees and wholesome made to order food with indoor seating. The concept includes clean and open sight lines through the store, bringing a modern look and amenities to convenience stores.

Splash In customers can get a quick and quality car wash featuring the Belanger FreeStyler® soft-touch system, an open and inviting design with five foam brushes for a thorough clean, and Rain X® Complete Surface Protectant for increased shine, better surface protection, and water repellency. Dash In typically operate 24 hours/365 days of the year.

As noted, Dash In is also very active in the community. Three primary community initiatives include: (1) Nourishing Children and Families, (2) Reimagining Outdoor Spaces, and (3) Advancing Waterways and Watersheds. Dash In takes pride in being active in the communities it serves.

C. Site Design / Project Layout

The proposed site design organizes the Project components to ensure safe, intuitive vehicular circulation, clear pedestrian connections, and an intuitive layout of uses across the Property. The fueling canopy is located along the central and eastern portion of the site, closest to Shady Grove Road, to provide convenient access for vehicles entering from the private drive aisle connection. This location allows vehicles to flow from the drive aisles toward the fueling canopy without conflicting with parking or convenience store or car wash circulation. The convenience store building is positioned centrally on the Property, serving as the visual and functional anchor of the site. The store location provides for customer parking fields to be arranged in front of and beside the building, with direct, ADA-accessible walkways and marked crossings leading to the primary store entrance.

The accessory car wash is intentionally located at the westernmost portion of the Property, where its internal stacking lane can accommodate up to six queuing vehicles entirely on-site.. This siting ensures that car wash operations do not interfere with the drive aisles serving the fueling canopy or store parking, and that no vehicle queueing occurs onto shared drive aisles or off-site areas. The overall internal circulation network is structured around a single looped circulation pattern, allowing vehicles to access each use without reversing or crossing conflicting traffic movements.

The site design incorporates landscape buffers, bioretention areas, and shade trees along the site perimeter and within parking islands to buffer the visual profile of the Project, improve environmental performance, and define circulation paths. Pedestrian circulation is supported by a system of internal sidewalks, curb ramps, and high-visibility crosswalks that establish direct and safe walking connections between the parking, convenience store, fueling canopy, and the car wash exit. The organization of buildings, canopies, and landscape areas provides an efficient and cohesive site design that reflects the operational needs of the hybrid fueling facility while enhancing the visual and functional character of this commercial corridor.

D. Parking, Access, and Circulation

The parking provided with the Project satisfies and/or exceeds the requirements of the Zoning Ordinance. Section 6.2.4.B of the Zoning Ordinance provides the following parking requirements:

- Convenience Store: 4,800 SF
 - Baseline minimum (3.5 per 1,000 sf of GFA) = 17 parking spaces
 - Baseline maximum (6.0 per 1,000 sf of GFA) = 29 parking spaces
- Filling Station:
 - No baseline minimum or maximum parking is required¹
- Car Wash: 1,368 SF
 - Baseline minimum (1.0 per 1,000 sf of GFA) = 2 parking spaces
 - Baseline maximum (2.5 per 1,000 sf of GFA) = 4 parking spaces

The Project will provide a total of 35 parking spaces on site, 2 of which will be ADA compliant. The Property is located in a Reduced Parking Area. Thus, the two spaces that are provided in excess of the maximum are allowed as parking that is publicly available and will not require a parking waiver, pursuant to Section 6.2.3.H.2.b. To this end, the proposed parking is more than adequate to support all accessory uses, including convenience retail, car wash, and fueling operations.

Furthermore, in accordance with the requirements of Section 3.5.13.C.2.i.i, the Project also provides for six (6) queuing spaces for the Car Wash, which exceeds the minimum requirement of five.²

The Property does not have frontage or access on any street with a residential classification. The proposed development will utilize the existing shared access points, and access is provided solely via Shady Grove Road, which serves a regional transportation function. The primary and secondary entrances are located on this commercial roadway, and no residential streets are used to access the site.

¹ Pursuant to Section 6.2.3, the parking requirements for a Filling Station are based on gross floor area (GFA). GFA is defined as "[t]he sum of the gross horizontal areas of all floors of all buildings on a tract, measured from exterior faces of exterior walls and from the center line of walls separating buildings." See Section 1.4.2. The Filling Station is not an enclosed space, and thus no parking is required for this use. We include the square footage of the canopy area for information purposes.

² Where a Filling Station includes a car wash, the car wash must provide vehicle stacking space equivalent to 5 times the vehicle capacity of the automatic car wash and 3 times the vehicle capacity of the manual car wash bays. In this instance, the car wash provides one (1) mechanical bay. As such, five (5) queuing spaces are required. The Project is therefore compliant because it will provide six (6) stacking spaces.

The Project will improve the site circulations and operations near Shady Grove Road by moving the driveway connection closest to Shady Grove Road further away from the intersection. The Project will also reconstruct the existing ADA ramps and install a striped crosswalk on the commercial driveway at Shady Grove Road. Further, the commercial driveway connection at Shady Grove Road is forecasted to operate within the acceptable thresholds for the Derwood Policy Area with average vehicle delays well below the congestion standard.

E. Architecture

i. Convenience Store



Figure 4 – Rendering of the proposed Dash In convenience store.

The Convenience Store is composed of a clean and simple, yet well-detailed, painted brick structure featuring a strong horizontal metal canopy, which creates an inviting experience for the user. Wood slatted walls warm up the front facade, evoking a clean and contemporary aesthetic, and highlight the symmetrical glass storefront entryway. The structure is further accentuated by dark metal paneling which help to break-up and contrast the bright white brick material.

ii. Filling Station



Figure 5 – Rendering of the proposed filling station.

The proposed Filling Station will be located internal to the site (approximately 32 feet to the northwest of the Convenience Store) and largely screened from view from Shady Grove Road by grade, setbacks, and strategic landscaping. The Filling Station will consist of six (6) multiple product dispensers ("MPDs") that will have a north-south orientation. To provide for adequate vehicular circulation, the distance between each MPD will be approximately 22 feet. The Filling Station will be covered by a metal canopy that will be similar in design to the canopy that covers the Convenience Store patio. Additionally, the Filling Station will incorporate other design features, such as the reclaimed wood siding and printed brick, to complement the Convenience Store and contribute to the overall, cohesive aesthetic of the proposed development.

iii. Accessory Car Wash

The proposed accessory car wash (hereinafter "Car Wash") is approximately 1,358 square feet in size, and will be placed on the most western portion of the site. The accessory Car Wash will have a single mechanical bay and will be constructed with many of the same aesthetic features as the Filling Station and Convenience Store, including standing seam metal paneling and painted brick. Car Wash patrons will enter from an entry point that is located in the most northern portion of the site, and remain in their vehicles throughout the cleaning process. Low-height perimeter landscaping will surround the Car Wash building.

III. CIVIL ENGINEERING

A. Natural Resources Inventory / Forest Conservation Exemption

The Property does not contain protected soils, endangered species, or other natural features that would impact development. Moreover, the Property the Special Exception area was entirely previously disturbed when the original restaurant, parking, and drive aisles were constructed. Based on the size of the property and the required conditional use approval, the site does not qualify for an exemption under Montgomery County Forest Conservation Law. An NRI/FSD (42006360) has been filed and approved on November 6, 2025. A Final Forest Conservation Plan will be filled as part of the Conditional Use plan package submission to M-NCPPC.

B. Stormwater Management Concept Plan

The Modification will comply with the requirements of Chapter 19 of the Montgomery County Code. Because the Modification will result in more than 5,000 square feet of disturbance, the Petitioner has prepared a Stormwater Management Concept Plan, which is submitted as part of this conditional use application. The Concept SWM Plan number assigned by the Montgomery County Department of Permitting Services (DPS) is STORMWATER-302725.

The applicable ESD requirement will be achieved through the installation of two proposed micro-bioretenention facilities strategically located on-site. These practices will provide stormwater treatment in compliance with applicable Maryland stormwater management regulations. Additionally, stormwater management for quantity control and water quality treatment is further addressed by an existing stormwater management pond serving the Shady Grove Development Park This facility was originally designed to address both quality and quantity management requirements for the overall development area, including the subject site. The facility is referenced under Plan Reference Number SWM 7406-2016.

C. Sediment and Erosion Control

A Sediment and Erosion Control Plan will be prepared and submitted to DPS for approval after Stormwater Management Concept approval and prior to commencement of construction on the Property.

Erosion and sediment controls will be integrated into the stormwater strategy proposed for the site. Curb inlet protection will be provided around the proposed inlet. Silt fence, silt fence on pavement, and required measures will be utilized around the site and existing pavement to prevent sediment from leaving the site during construction. Erosion and sediment controls will be utilized in accordance with the most recent Maryland Standards and Specifications for Soil Erosion and Sediment Control by the Maryland Department of the Environment (DEP).

D. Adequate Public Facilities

The public facilities are adequate to support and service the proposed development.

E. Traffic

The Project is expected to result in greater than 30 net new vehicle trips. Therefore, a traffic study was required to be prepared following M-NCPPC's Local Area Transportation Review Guidelines which evaluate the transportation requirements set forth in the Growth and Infrastructure (GIP) Policy for 2024-2028. This evaluation is used to determine if the conditional use will be served by adequate transportation facilities.

This evaluation includes the following components:

- Motor Vehicle Adequacy: Intersection Delay
- Pedestrian Adequacy: Streetlighting, ADA & Pedestrian Level of Comfort (PLOC)
- Bicycle Adequacy: Bicycle Level of Traffic Stress (LTS)
- Transit Adequacy: Bus Shelter and Amenities
- Vision Zero: Speed Study Evaluation

The scope of the LATR study was established in consultation with Maryland-National Capital Park and Planning Commission (M-NCPPC), Maryland State Highway Administration (SHA), and the Montgomery County Department of Transportation (MCDOT). Further, the existing use was in operation for more than 12 years, which makes it eligible for trip credit. After taking credit for the existing use, the Project will add up to approximately 2 AM, 31 PM and 163 daily vehicle trips to the area road network.

The results of the intersections/roads analyses indicate that, for both AM and PM future conditions at buildout, all study intersections are expected to operate within the Derwood Policy Area congestion threshold with average vehicle delays below 59 seconds per vehicle. Therefore, adequate road capacity is available for the Project.

Multi-modal (non-auto) deficiencies identified through the LATR analyses have been evaluated to identify what improvements would be needed to attain adequacy. Each improvement was then evaluated to establish a list of proposed mitigation measures. The cumulative implementation costs for the overall list of improvements would exceed the Project's Proportionality Guide amount of up to \$124,695. Therefore, some improvements can be excluded from being required per the LATR process. Summaries of these findings can be found in the LATR report. A summary of the proposed transportation-related improvements for the Project are listed below:

- Frontage:
 - Provide a 10' side path across the frontage of the property, remove the existing deficient sidewalk and replace with an 8' buffer.
 - Reconstruct the existing ADA ramps and install a striped crosswalk on the site driveway at the intersection with Shady Grove Road.
- Off-Site:
 - Install nine (9) pedestrian lights attached to existing power poles along westbound Shady Grove Road. The estimated cost, including utilities, MOT, engineering and contingencies is approximately 128,250, which slightly exceeds the Proportionality Guide limit of \$124,695.

- Propose to have a fee-in-lieu contribution in the amount of the Proportionality Guide limit of \$124,695 to be used for future pedestrian and bike improvements currently being planned and preliminary designed under CIP P502312 be held as a potential alternative mitigation measure. This payment would be made in lieu of the pedestrian lighting improvements, which would be subject to the discretion of MCDOT.

With the above proposal, the Project will adequately mitigate its impact by expending at least \$124,695 towards off-site improvements via installed pedestrian lighting improvements or via the potential alternative fee-in-lieu payment.

F. Other Services

Public water and public sewer service are available at the site and will serve the proposed redevelopment. The project will require the relocation of an existing 8-inch WSSC water main, along with the adjustment of the associated WSSC water line easement to accommodate the new site layout. The waterline will be relocated within the general vicinity of its current alignment.

IV. MASTER PLAN CONFORMANCE

A. *2024 Great Seneca Plan*

The Property is located within the Washingtonian Light Industrial Park focus area of the *2024 Great Seneca Plan*, which provides targeted recommendations to guide reinvestment, urban design, sustainability, and transportation improvements in this transitional corridor. The Plan envisions the Washingtonian Industrial Park as a vital commercial node that will continue to serve light industrial, service, and automotive uses, but with enhanced environmental performance, greater design quality, and stronger pedestrian and multimodal access. The proposed Dash In hybrid fueling station supports these goals and is fully consistent with the vision for this focus area.

The proposed development replaces a long-vacant Red Lobster restaurant—a functionally obsolete structure—with a site area including very little green space and no existing stormwater management on-site. There is currently no existing Stormwater Management (SWM) facility on-site. The existing site condition provides approximately 16% green cover. As part of the overall redevelopment, the Project significantly improves the green cover from 16% to 36% which is a 125% increase in the overall green cover. Additionally, the Project proposes a decrease in total imperviousness, with existing impervious surface area reducing from approximately 1.59 acres to approximately 1.35 acres.

The Project will improve the Property with a new, modern fueling station that combines traditional fuel, electric vehicle (EV) charging, a convenience store, and an automatic car wash. This type of hybrid infrastructure responds directly to the Master Plan’s emphasis on upgrading legacy commercial sites and accommodating evolving transportation needs. The project introduces a new use that is more efficient, sustainable, and better aligned with the County’s policy goals,

representing a significant reinvestment in a corridor the Plan identifies as a priority for transformation.

The Project also advances the Plan's urban design and streetscape objectives for the Washingtonian Light Industrial Park. The Plan encourages improvements to the public realm and calls for redevelopment that supports a more attractive, cohesive, and pedestrian-friendly environment. The Project responds to this directive by incorporating high-quality architectural finishes, an organized site layout with defined pedestrian connections, and a coordinated streetscape along Shady Grove Road.

The Master Plan sets natural environment goals for green infrastructure, low-impact development, and climate responsiveness. The proposed redevelopment includes a variety of features that support these goals. Specifically, since submitting a Concept Plan for review by Technical Staff, the Applicant has reworked plans to include a smaller car wash footprint. The result is that the development now is able to provide 36% green cover, thereby meeting and far exceeding the Master Plan's 35% green cover goal. In addition, the redevelopment includes on-site bioretention, and 52% parking lot tree canopy—which exceeds the 25% Code parking lot tree canopy requirement and the 50% Master Plan recommended parking lot tree canopy coverage. In addition to satisfying these Master Plan goals, the Applicant has proposed additional meaningful mitigation measures such as native landscaping energy efficient buildings, hydrocarbon reducing storm drainage infrastructure and minimal heat absorbing parking surfaces. The addition of EV charging stations further aligns the Project with the County's broader strategy to transition toward clean transportation infrastructure.

Finally, the proposed use is contextually compatible with the surrounding auto-dominated development, which includes a Carvana, bowling alley, Home Depot, and other employment-serving uses. The Washingtonian Light Industrial Park is not expected to transition to residential uses, and the Plan acknowledges the ongoing importance of automotive and industrial functions in this area, provided they evolve to meet higher design and environmental standards. The Dash In hybrid station, with its upgraded and non-traditional building materials reflects this next-generation model—delivering not only operational improvements but also tangible community and environmental benefits.

For the reasons discussed herein, the proposed Conditional Use is in substantial conformance with the goals and recommendations of the Master Plan.

B. Bicycle Master Plan

The Bicycle Master Plan recommends a separated, very low stress side path along the Property's frontage on Shady Grove Road, which is classified as a Town Center Boulevard roadway adjacent to the site. The Complete Streets Design Guide (CSDG) recommends side path width for a Town Center Boulevard be a minimum of 8 feet with a recommended width of 11 feet. Further, the CSDG recommends a buffer between the side path and the roadway of at least 6 feet with 8 feet being the default. The subject property has a short section of frontage along Shady Grove Road that borders the I-270 northbound on-ramp to the west.

The frontage is currently improved with a 6- to 8-foot sidewalk located at the curb without a buffer. Behind the sidewalk are power poles, which complicate the installation of the recommended bikeway. The Project proposes to construct a 10-foot side path located behind the power poles, remove the existing sidewalk and install an 8' buffer along the site frontage. At the west end, the side path will taper back to the existing sidewalk. At the east end it will lead to the new striped crossing of the commercial driveway. This proposed facility would exceed the minimum bikeway requirements for a Town Center Boulevard. The Project proposes to place the side path in an easement for public use.

V. ZONING ORDINANCE REQUIREMENTS

As described herein, the Project will satisfy the applicable standards of the Zoning Ordinance for the proposed Filing Station, accessory Car Wash and Convenience Store uses in the GR Zone, including the Conditional Use standards set forth in Article 59-3, the development standards set forth in Article 59-4, and the general development requirements set forth in Article 59-6.

A. Development Standards: Section 4.6 — Employment Zones

- Intent [Section 4.6.1.B]: *The GR zone is intended for commercial areas of a general nature, including regional shopping centers and clusters of commercial development. The GR zone provides development opportunities adjacent to the County's most auto-dominated corridors and those areas with few alternative mobility options, with limited mixed-use and residential uses. The GR zone allows flexibility in building, circulation, and parking lot layout. Retail/Service Establishment gross floor area is not restricted.*

The Project meets the intent of the GR zone as a neighborhood-serving commercial service opportunity along an autocentric corridor on Shady Grove Road, adjacent to I-270. In addition, as the following table illustrates, the proposed Project will satisfy the development standards contained in Section 4.6.3.C of the Zoning Ordinance for development in the GR zone:

DEVELOPMENT STANDARDS - GR ZONE - SECTION 4.6.3C		
DEVELOPMENT STANDARDS	ALLOWED / REQUIRED	PROVIDED
OPEN SPACE(AMENITY) - TRACT > 10,000 SF	10 %	10 %
MIN. LOT AREA	NO REQUIREMENT	1.995 ACRES
LOT WIDTH AT FRONT BUILDING LINE	NO REQUIREMENT	240 FT
MAX. FLOOR AREA RATIO	FAR - 1.5 86,962 x 1.5 = 130,443 SF	FAR = 0.09 6,168 SF
MAX. HEIGHT	45 FT	+/- 25 FT
MIN. LANDSCAPE STRIP	6 FT	6 FT MIN
DRIVEWAY	EACH DRIVEWAY SHALL BE 10 FEET WIDE FOR ONE WAY AND 12 FEET WIDE FOR TWO WAY.	24' PROVIDED FOR TWO WAY.
	PRINCIPAL BUILDING SETBACKS	
C-STORE	FRONT: 0' SIDE: 0' REAR: 0'	FRONT: 136.40' SIDE: 25.80' REAR: 176.70'
GAS CANOPY	FRONT: 0' SIDE: 0' SIDE SETBACK FROM SHADY GROVE ROAD : 0' REAR: 0'	FRONT: 45.93' SIDE: 65.40' SIDE SETBACK FROM SHADY GROVE ROAD : 73.60' REAR: 239.81'
	ACCESSORY BUILDING SETBACKS	
CAR WASH	FRONT: 0' SIDE: 0' REAR: 0'	FRONT: N/A SIDE: 35.7' REAR: 8.5'

B. General Development Standards: Compliance with Article 59-6

As demonstrated in the table below and on the attached Conditional Use Plan, the Project complies with the general development standards that are applicable to the Project, contained in Article 59-6 of the Zoning Ordinance:

Article 59-6 General Development Requirements		Permitted/ Required	Proposed
Division 6.1 Site Access	Section 6.1.4. Driveway Access	1	1
Division 6.2 Parking, Queuing and Loading	Section 6.2.4. Parking Requirements		
	Convenience Store (Retail/Service Establishment) – 4,800 SF of GFA		
	Vehicle Parking Spaces	Baseline min. 3.5 / 1,000 sf of GFA = 17 parking spaces Baseline max. 6.0 / 1,000 sf of GFA = 29 parking spaces	35 spaces ³
	Filling Station		
	Vehicle Parking Spaces	Baseline min. 1.0 / 1,000 sf of GFA Baseline max. 2.5 / 1,000 sf of GFA	n/a ⁴
	Car Wash – 1,368 sf of GFA		
	Vehicle Parking Spaces	Baseline min. 1.0 / 1,000 sf of GFA = 2 parking spaces	6 queuing spaces

³ The Project will provide 35 parking spaces in total. Two parking spaces provided in excess of the maximum are allowed as parking that is publicly available and will not require a parking waiver, pursuant to Section 6.2.3.H.2.b.

⁴ Pursuant to Section 6.2.3, the parking requirements for a Filling Station are based on gross floor area (GFA). GFA is defined as "[t]he sum of the gross horizontal areas of all floors of all buildings on a tract, measured from exterior faces of exterior walls and from the center line of walls separating buildings." See Section 1.4.2. The Filling Station is not an enclosed space, and thus no parking is required for this use. Conservatively, the baseline minimum/maximum (based on square footage) are provided for informational purposes.

		Baseline max. 2.5 / 1,000 sf of GFA = 4 parking spaces	
Section 6.2.5. Vehicle Parking Design Standards			
E. Size of Spaces			
See Section 6.2.5.E for detailed requirements.			8 ½ x 18
G. Drive Aisles			
See Section 6.2.5.G for detailed requirements.			Complies
Section 6.2.9. Parking Lot Landscaping and Outdoor Lighting			
C. Parking Lot Requirements for 10 or More Spaces			
1. Landscaped Area			
a. A surface parking lot must have landscaped islands that are a minimum of 100 contiguous square feet each comprising a minimum of 5% of the total area of the surface parking lot. Where possible, any existing tree must be protected and incorporated into the design of the parking lot. b. A maximum of 20 parking spaces may be located between islands. c. A landscaped area may be used from stormwater management ESD facility.			complies
2. Tree Canopy Each parking lot must maintain a minimum tree canopy of 25% coverage at 20 years of growth, as defined by the Planning Board's Trees Technical Manual, as amended.			complies

	<p>3. Perimeter Planting. The perimeter planting area for a property that abuts any other zoned property, right-of-way, or an Agricultural, Rural Residential, or Residential Detached zoned property that is improved with a civic and institutional, commercial, industrial, or miscellaneous use must:</p> <ul style="list-style-type: none"> i. be a minimum of 6 feet wide; ii. contain a hedge or low wall a minimum of 3 feet high; and iii. have a canopy tree planted every 30 feet on center; unless iv. the property abuts another parking lot, in which case a perimeter planting area is not required. 	complies
	<p>4. Lighting Parking lot lighting must satisfy Section 6.4.4, General Outdoor Lighting Requirements.</p>	complies
Division 6.3 Open Space and Recreation		The Project provides an outdoor patio and dining area
	Section 6.3.7. Amenity Open Space	
	B. Design Requirements	
	<p>1. The minimum width for any required open space is 15 feet except for a sidewalk pathway or trail.</p> <p>2. Amenity open space must provide space for pedestrian circulation, landscaping seating shade, water features, artwork, or recreation.</p>	complies
Division 6.4 General Landscaping and Outdoor Lighting	Section 6.4.3. General Landscaping Requirements	complies
	Section 6.4.4. General Outdoor Lighting Requirements	
	C. Lighting Types	
	3. Canopy Area Lighting	
	<p>All development that incorporates a canopy area over a Filling Station, automated teller machine, or a similar facility must use a full cutoff fixture with a lens cover flush with the bottom surface of the canopy or recessed within the canopy. Canopy area lighting must be 30 footcandles or less under the canopy as measured horizontally at grade.</p>	complies
	E. Conditional Uses.	

	<div data-bbox="446 247 1230 436"> <p>Outdoor lighting for a conditional use must be directed, shielded, or screened to ensure that the illumination is 0.1 footcandles or less at any lot line that abuts a lot with a detached house building type, not located in a Commercial/Residential or Employment zone.</p> </div> <div data-bbox="1242 321 1356 363"> <p>complies</p> </div>
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C. Accessory Use: Car Wash

The proposed Car Wash does not require separate conditional use approval, as it is permitted under 3.5.13.C.1 as an accessory use to the proposed Filling Station. The Car Wash will employ mechanical facilities used for the "cleaning, washing, polishing, or waxing of motor vehicles" and will be limited to 1 bay. Thus, the Conditional Use standards contained in Section 3.5.13.B.2.b are not applicable here.

D. Conditional Use Standards: Filling Station

The proposed Filling Station also satisfies the applicable conditional use standards that are set forth in Section 3.5.13.C:

Where a Filling Station is allowed as a conditional use, it may be permitted by the Hearing Examiner under the following standards [Section 3.5.13.C.2]:

- a. Access to the site from a street with a residential classification is prohibited if:

 - i. it is the only access to the Filling Station, or*
 - ii. it is the primary entrance to a Filling Station with more than 1 entrance.**

The Hearing Examiner may allow a Filling Station with access on a residential street as a secondary entrance if it finds that the access will not have an adverse impact on neighboring residential houses.

The Property does not have frontage or access on any street with a residential classification. The proposed development will utilize the existing shared access points, and access is provided solely via Shady Grove Road, which serves a regional transportation function. The primary and secondary entrances are located on this commercial roadway, and no residential streets are used to access the site. Accordingly, the proposed development fully satisfies this standard.

- b. Site lighting is a maximum of 0.1 footcandles at the lot line when the subject lot abuts a Residential zone. Site lighting is a maximum of 0.5 footcandles at the lot line when the subject lot abuts all other zones.*

The Property does not abut any Residential zones. Adjacent properties include a Carvana facility to the west, a Bowlero and Shell gas station to the north, and the I-270 right-of-way to the south. The photometrics plan submitted with this conditional use demonstrates that site lighting

does not exceed 0.5 footcandles at any lot line, consistent with this requirement. Lighting will be fully shielded and downcast to avoid glare or spillover impacts to adjacent properties.

- c. Any Filling Station facility designed to dispense a minimum of 3.6 million gallons per year must be located at least 500 feet from the lot line of any land with a dwelling unit; public or private school; park; playground; day care center; any outdoor use categorized as a Civic and Institutional use or a Recreation and Entertainment use; or any wetland, stream, river, flood plain, or environmentally sensitive area.*

The filling station is designed to dispense less than 3.6 million gallons per year. As such, this regulation does not apply to the subject conditional use.

- d. Product displays, parked vehicles, and other obstructions that adversely affect visibility at intersections or to station driveways are prohibited.*

No product displays, parked vehicles, or other obstructions will impede visibility at intersections or driveway entrances. Clear sightlines are maintained through strategic landscape placement, signage setbacks, and open view corridors at both driveways. The project design fully satisfies this visibility and safety requirement.

- e. When such use occupies a corner lot, the driveways must be located a minimum of 20 feet from the intersection of the rights-of-way and must not exceed 30 feet in width.*

The Property does not occupy a corner lot, as it has frontage on only one public street (Shady Grove Road). Therefore, this requirement is not applicable.

- f. Each gasoline pump or other service appliance must be located on the lot a minimum of 10 feet behind the setback line; and all service, storage, or similar activities in connection with the use must be conducted entirely within the building, except for car-share space.*

All fuel dispensers are more than 10 feet behind the front setback line, ensuring compliance with the zoning standard. All service, storage, and retail functions—including back-of-house operations—are entirely enclosed within the proposed Dash In building. There are no outdoor service activities, consistent with this requirement. There is no minimum front setback requirement in the GR zone for this use and the fuel dispensers are 10' behind the front property line.

- g. There must be a minimum of 20 feet between driveways on each street, and each driveway must be perpendicular to the curb or street line. The Hearing Examiner may waive the perpendicular driveway requirement if the Department of Transportation deems the alternative safe.*

The Project proposes two vehicular access points along a private commercial driveway that connects to westbound Shady Grove Road in a right-in/right-out only configuration. Shady Grove

Road is median divided at this location. A shared full-movement connection with the adjacent Carvana parcel, and an exit-only connection to the private driveway located more than 20 feet away. Both are perpendicular to the private driveway and will meet applicable design guidelines. The minimum separation and orientation requirements are therefore satisfied.

h. Vehicle parking that overhangs the public right-of-way is prohibited.

All vehicle parking areas are designed to retain vehicles entirely within the property boundaries, with appropriate wheel stops or curbs to prevent overhang into the public right-of-way. No parking will encroach into public space.

i. If the Filling Station facility includes a Car Wash, it must:

- i. Provide vehicle stacking space equivalent to 5 times the vehicle capacity of the automatic Car Wash and 3 times the vehicle capacity of the manual Car Wash bays; and*
- ii. Demonstrate that the vehicles using the Car Wash will not queue off-site.*

As detailed herein, both of these criteria are met. The Project provides for six (6) queuing spaces for the Car Wash, which exceeds the minimum requirement of five. Pursuant to Section 3.5.13.C.2.i.i, where a Filling Station includes a car wash, the car wash must provide vehicle stacking space equivalent to 5 times the vehicle capacity of the automatic car wash and 3 times the vehicle capacity of the manual car wash bays. In this instance, the car wash provides one (1) mechanical bay. The Project is therefore compliant because it provides six (6) stacking spaces. The queuing line is also located in the northwesternmost portion of the site, making it very unlikely that any vehicles will queue off-site and onto adjacent properties, internal drive aisles, or other areas that are outside the Property.

j. The Hearing Examiner must find there is adequate parking for all accessory uses.

The Code requires a minimum of 19 and a maximum of 33 spaces. The site provides 35 parking spaces, including ADA-accessible spaces. The Property is located in a Reduced Parking Area. Thus, the two spaces provided in excess of the maximum are allowed as parking that is publicly available and will not require a parking waiver, pursuant to Section 6.2.3.H.2.b. To this end, the proposed parking is more than adequate to support all accessory uses, including convenience retail, car wash, and fueling operations.

E. Conditional Use Required Findings

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

- *Section 7.3.1.E.1.a. [The conditional use] satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;*

The Property is subject to a prior site plan and subsequent site plan amendment for the prior restaurant use located on site. The proposed conditional use does not impact this prior approval, however, the Applicant is currently pursuing a vacation of the prior site plan approval as it is no longer relevant to the proposed development of the site.

- *Section 7.3.1.E.1.b. [The conditional use] satisfies the requirements of the zone, use standards under Article 59-3, and applicable general requirements under Article 59-6;*

Pursuant to Section 7.7.1.B.1 of the Zoning Ordinance, this Application is being reviewed under the development standards of Section 3.5.13.C (Filling Station). The Project complies with all applicable requirements of the GR Zone as set forth in the Zoning Ordinance. The proposed automobile filling station is permitted in the GR Zone by Conditional Use under Code Section 3.5.9, and the project satisfies all specific use standards related to lot area, number of dispensers, circulation, and proximity to sensitive uses. The site plan also complies with the development standards for the GR Zone, including FAR height, setbacks, lot coverage, and frontage.

Further, the Project meets or exceeds the general requirements of Article 59-6. Specifically, it exceeds Code requirements by providing 36 percent green cover and 52 percent parking lot tree canopy coverage. The development includes upgraded ADA-compliant pedestrian access, an internal circulation system that ensures safe queuing and maneuverability, and site lighting and signage designed to minimize off-site impacts. Accordingly, the project satisfies all relevant zoning and use requirements and is compatible with the surrounding built environment.

- *Section 7.3.1.E.1.c. [The conditional use] substantially conforms with the recommendations of the applicable master plan;*

As discussed herein, the Project substantially conform to the recommendations and objectives of the Master Plan.

- *Section 7.3.1.E.1.d. [The conditional use] is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan;*

The proposed Commercial Services are harmonious with and will not alter the character of the Surrounding Neighborhood in a manner inconsistent with the plan. As detailed herein, the Applicant has taken great efforts to design the Project in a manner that is compatible with and autocentric nature of the surrounding community. The surrounding neighborhood is located in the “Washington Light Industrial Park” as part of the Great Seneca Master Plan. The surrounding neighborhood is predominantly a commercial neighborhood and includes the properties on the east side of Shady Groove Road from the I-270 interchange to Gaither Road and the properties fronting the west side of Shady Grove Road from Gaither Road down to the I-270 Interchange including the

Subject Property and the two properties west of the subject property (Carvana & Bowlero). As detailed herein, the proposed conditional use application substantially conforms to the Master Plan:

Great Seneca Master Plan

- “Key Recommendation” (Page 2)
 - Increase on-site clean energy generation, incorporate strategies to increase building energy efficiency, and incorporate environmentally sustainable development strategies into all developments.

It is intended that the project will increase building energy efficiency by replacing an outdated frame building with a updated masonry, glass & steel building built to the new County Green Building Standards and provide EV Charging Stations to support the change from fossil fueled vehicles to environmentally sensitive electric vehicles.

- Increase green cover and tree canopy coverage, minimize impervious surfaces and increase bioswales and rain gardens.

The Project will increase the green cover of the property from 16% to 36%, increase the parking lot tree coverage from 15% to 52%, reduce site imperviousness from 84% to 64% and provide stormwater management through the use of micro-bio retention facilities.

- Enhance infrastructure and amenities to attract life science companies, resident, and workers including housing multimodal transportation, public open space, recreation and walkability.

The Project will provide necessary vehicle services, restaurant and convenience store for required by life science employees in the area. The site development will also provide amenity open space for passive recreational use and sidewalk connections will increase the walkability of the local area.

- “Washington Grove Light Industrial Park” (Pages 97 - 101)
 - “Context” The industrial park includes a variety of uses, including Shady Grove Shopping Center, Shady Grove Professional Park, Restaurants, recreation and entertainment facilities, retail sales and service establishments, vehicle sale and service, research and development and warehouses. It plays an important role in the county’s economy.

The Project will continue providing the needed vehicle services and restaurant needs in a very busy vehicle dominated corridor.

- “Natural Environment”
 - On private property, provide a minimum of 35% green cover of the total site, excluding existing forest cover on the property.
 - Increase tree canopy coverage by planning trees and forest stands possible on public and private land, along rights-of-ways, within open space and in existing neighborhoods.

- Areas of surface parking lots on public and private properties should provide 50% tree canopy coverage of the parking lot area.

The Project will help protect the natural environment by increasing the green cover of the site to 36%, increase the existing tree canopy coverage by planning additional trees on the property and the parking lots will have a minimum of 50% tree canopy coverage as recommended in the Master Plan.

- *Section 7.3.1.E.1.e. [The conditional use] 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;*

The proposed Commercial Services are entirely consistent with the GR zone, and the proposed conditional use (filling station) will replace an existing filling station adjacent to the project and therefore will not increase the number, intensity or scope of conditional uses in the area.

- *Section 7.3.1.E.1.f. [The conditional use] 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 Hearing Examiner 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 . . .;*

As discussed in Section V above, public services and facilities are adequate to serve the proposed Conditional Uses. No new residential development is proposed which would impact school facilities. According to the Traffic Impact Analysis provided by Kimely Horn,

This meets the M-NCPPC Guidelines, as well as the MD SHA Guidelines. Additionally, each of the study intersections are considered adequate based on the Local Area Transportation Review requirements.

- *Section 7.3.1.E.1.g. [The conditional use] 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; and*

In the context of filling stations, the zoning ordinance identifies several characteristics to consider in analyzing inherent and non-inherent effects: (1) the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood, (2) traffic, noise, odors, dust, illumination, or a lack of parking, and (3) the health, safety, or welfare of neighboring residents, visitors, or employees. The proposed Filling Station will not be associated with any non-inherent effects. The Board has previously considered the following inherent adverse effects associated with a proposed automobile filling station and convenience store: the amount of impervious area and its effect on stormwater management, the environmental impact from spillage of oils and other automobile fluids, fumes associated with idling vehicles, the parking and queuing of vehicles associated with the station and the convenience store, noise, lighting and signage.

As such, the Project has been strategically designed to limit any inherent adverse impacts on the environment (*e.g.*, minimizing impervious area, stormwater management plan, and landscaping) and control other inherent impacts (*e.g.*, establishing car wash queuing at the most western portion of the Property). Additionally, the site layout is sensitive to confronting properties. The Filling Station maintains a significant distance from the internal access points and drive aisles, and the Project provides significant screening and buffering through strategic site design and landscaping.

As previously stated, there are no facts or circumstances that warrant denial of the requested Conditional Use. The Applicant has designed the Project in such a way that any adverse effects will not go "above and beyond" those inherently associated with an automobile filling station.

As to non-inherent adverse effects, namely, physical and operational characteristics *not necessarily associated* with the particular use, or adverse effects created by unusual characteristics of the site, no such effects would result from the proposed conditional use. Any adverse effects as a consequence of the proposed redevelopment would be those typically associated with gas stations; the Project creates no other unacceptable dangers, impacts or effects. There are no non-inherent effects that require denial of the Conditional Use approval.

In sum, the Project as designed is in harmony with the surrounding neighborhood, will not cause undue harm or alter the character of the neighborhood, and substantially conforms to the recommendations and objective of the Master Plan

- *Section 7.3.1.E.5. [A Filling Station] 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:*

As discussed in detail in the Needs Analysis prepared by Polestar Analysis dated October 12, 2025, there is significant unmet demand ("need") of approximately 23 million gallons per

annum, for the proposed use to serve the population in the general neighborhood, considering the present availability of identical or similar uses to that neighborhood.

- Immediate Trade Area Supply – The 10 other gas stations identified within the trade area are not directly competitive with the Dash In, due to their store, service bays, location and scale. Those stations serve the residents of the trade area, but also the commuters passing through the area to employment and destinations among Rockville and Gaithersburg. Only one gas station has a modern design with the greatest consumer demand, but its location is difficult to access, thereby limiting its potential. The closest stations are an old format, “legacy” service station with an office/snack shop that is functionally obsolete, and one traditional-scale 7-11 that is under renovation but well-placed in the King Farm community. Five of the stations are in close proximity to each other along Frederick Road (MD-355) and serve commuters and a market predominantly east of this trade area.
- Current Performance – Estimating that the total existing competitive supply is now pumping approximately 18 million gallons of gasoline per year, we judge that local consumer demand for gasoline within the trade area is shaped by other factors, including the arterial road network, commuters and travelers along the I-270 corridor and the availability of convenience services in a well-lit modern environment. Performance data and traffic generation models prove that the modern convenience store will generate more customer traffic than the traditional and smaller gas stations.
- Unmet Demand – Based on the performance indicators above of the two modern stations and the five other legacy service stations, we estimate that there is unmet demand of approximately 23.4 million gallons per annum in this trade area. This is a conservative estimate, based on surveyed averages, as no local gas station will disclose their actual performance. Concern for the impact on the existing Shell station next door is tempered by the excessive unmet demand, as well as other forces that drive sales, including location, brand, loyalty programs, accessibility, visibility, etc.

The Applicant finds that there is an estimated residential demand for at least 41.4 million gallons of gasoline within the defined Shady Grove Dash In trade area, as determined by standard market research methodologies of residential demand. It is important to note that the availability of gas stations in the immediate community are presently limited to 10 stations: two-thirds of which include service bays, averaging more than 40 years old, and only one with a similar scale conveniences store, albeit on a site with difficult access. Half of these stations are located on Frederick Road (MD-355), which is the eastern edge of the trade area – not conveniently accessible to residents of the west side of I-270. We find that the older and smaller stations may not capture consistent levels of demand, as industry indicators suggest that a substantial volume of trade would be handled by the more modern facilities that offer larger convenience spaces and services that are attractive to a broader market of consumers. Those older and smaller stations are also not conveniently located to serve the large medical community of Shady Grove, associated with the Adventist Health Care Shady Grove Medical Center and nearby university outposts.

Additionally, the Applicant finds that the proposed fueling station is “reasonably convenient and useful to the public” because it meets the demand of Dash In shoppers for fuel service as demonstrated by:

- Dash In Patrons – Dash In is locating in an area underserved by full-service convenience stores with fresh food, therefore capturing more of the market than the average gasoline station nearby competition.
- Expedient or Reasonably Convenient – The location along a primary route with an interchange at the interstate highway and proximal to a large retail and office community provides a convenient option for both local workforce, residents and visitors.
- Useful – There are no other convenience stores of this scale, with in-store and on-site offerings, within this trade area. Consumers will find the competitive fuel pricing and food offerings at Dash In to become a destination for fueling services.

VI. COMMUNITY OUTREACH

While not required, the Applicant conducted a pre-submittal community meeting prior to submitting this Conditional Use Application in order to seek feedback on the proposed project. On October 6, 2025, the Applicant held a community meeting after noticing adjoining and abutting property owners and applicable civic associations, as determined by the Maryland-National Capital Park & Planning Commission. In addition to sending notice, the Applicant posted signs on the Property advertising the community meeting. It appears that all participants were either affiliated with the Dash In Team, the ownership or the affiliated adjacent Shell gas station. As summarized in the minutes, which are included as part of this Application, participants had no questions for the Applicant Team. The minutes and sign-in sheets for both of these community meetings are provided with this conditional use application.

VII. CONCLUSION

For the reasons stated above, the proposed Car Wash and Filling Station comply with all applicable requirements of the Zoning Ordinance. Furthermore, the proposed development is in substantial conformance with the recommendations of the Master Plan. For these reasons and for all other reasons set forth in this Land Use Report, the Applicant requests approval of this conditional use application.

Kevin Foster



Bhoopendra Prakash



Edward Steere



William Zeid