



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

**MCPB**  
**ITEM # 6**  
**DATE**

**MEMORANDUM**

**DATE:** September 18, 2007  
**TO:** Montgomery County Planning Board  
**VIA:** Rose Krasnow, Chief, Development Review Division *RK*  
**FROM:** Ralph Wilson, Acting Zoning Supervisor *RW*  
**SUBJECT:** Zoning Application G-860 – “Metro Pike Center” and Preliminary Forest Conservation Plan  
**APPLICANT:** Green Acres Metro L.P, an entity of the Holladay Corporation  
**FILING DATE:** October 20, 2006  
**MASTER PLAN:** White Flint Sector of the 1992 Approved and Adopted North Bethesda-Garrett Park Master Plan

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**STAFF RECOMMENDATION**

1. Approve Preliminary Forest Conservation Plan

A Tree Save Plan will be required as part of the Final Forest Conservation submission since specimen or significant trees both on-site and off-site will be impacted by construction activities for Woodglen Road Extended.

2. Approve Zoning Application G-860 and accompanying Development Plan.

G-860 has many features to support its approval. It is located within 800 feet of the entrance to the White Flint Metro Station and will contribute substantially to transit use. The project is in substantial compliance with the zoning, land use, and density recommendations of the North Bethesda-Garrett Park Master Plan and does not conflict with the General Plan, Capital improvements Program (CIP), or other County plans and policies. The project is a well-designed, mixed-use development consisting of office, retail, and multi-family residential with a maximum 2.22 FAR. Street oriented retail and public open space areas are provided, and a road will be constructed by the applicant between Nicholson Lane and Marinelli Road that will improve Metro access and pedestrian circulation in the area.

## **SUMMARY OF APPLICATION**

Site Size and Location	Site size is 4.48 acres. The site is located west of Rockville Pike, north of Nicholson Lane, and south of Marinelli Road, and sits diagonally across from the entrance to the White Flint Metro Station, which is on the east side of Rockville Pike. The Grand apartments are immediately west of the site.
Current Zone and Use	The site is zoned C-2 (General Commercial) and developed with a two-story retail commercial shopping center.
Proposed Zone and Use:	The TS-M Zone is proposed for the site. The development proposal is to construct a mix of office, retail, and multi-family residential uses, structured parking, an improved street network, public open spaces, and public plazas.
TS-M Zone Density:	An FAR of 3.0 is the maximum density allowed under the zone.
Planned Density:	The planned density is 2.22 FAR, with 247 dwelling units, including approximately 38 on-site MPDUs, and 201,822 gross square feet of commercial space.
Public Use Space Provided:	10 percent of the net lot area
Recreation Space Provided:	25 percent of the net lot area
Parking Spaces:	1,099 parking spaces are provided (292 residential spaces and 807 shared office/retail spaces).
Road Improvements:	Woodglen Road Extended will be constructed by the applicant west of the property to connect Nicholson Lane and Marinelli Road.
Traffic Impact:	The applicant proposes to satisfy the burden of proof on any traffic impact issue using the Annual Growth policy's Alternative Review Procedure.
Master Plan Consistency:	The project complies with the recommendations of the North Bethesda Garrett Park Master Plan by providing

a well-designed, mixed-use form of development at a maximum 2.22 FAR.

## **I. STATEMENT OF THE CASE**

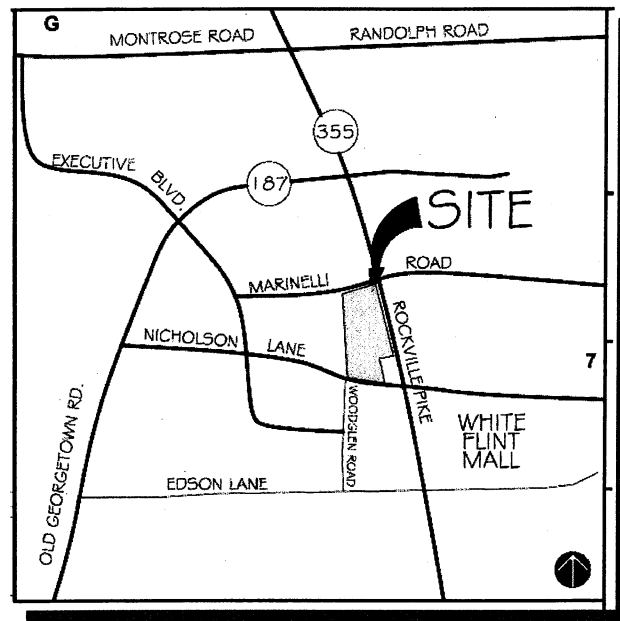
Local Map Amendment No. G-860 was filed on October 20, 2006. It requests reclassification of 4.48 acres of land known as Part of Lot 3, Lot 4, and Lot 5 of Green Acres Corp. Subdivision Montrose, located at 11520, 11560, and 11564 Rockville Pike, North Bethesda, from the C-2 (General Commercial) zone to the TS-M (Transit Station, Mixed) zone. As required by 59-D-1.1, the application is accompanied by a Development Plan that demonstrates how the proposed project meets the standards and purposes of the TS-M zone.

The applicant proposes to construct a mixed-use use project consisting of approximately 246,223 square feet of residential space and 201,822 square feet of commercial space, in two buildings. The residential component of the project consists of 247 dwelling units, including approximately 38 MPDUs. The applicant has agreed to provide 15 percent of the total number of residential units as MPDUs in order to achieve a 22 percent bonus allowed under Chapter 25A of the Montgomery County Code. The actual number of MPDUs will be determined at site plan. All MPDUs will be constructed on-site. The application is not subject to the workforce housing law, which affects development applications filed after December 1, 2006. Structured parking will be provided to accommodate approximately 1,099 spaces. Traffic impact issues will be satisfied using the Growth Policy's Alternative Review Procedure. The proposed development will also be subject to preliminary plan and site plan approval by the Planning Board.

A public hearing before the Hearing Examiner on this application is scheduled for November 5, 2006. The hearing will be held in the Rita Davidson Hearing Room, located on the 2<sup>nd</sup> floor of the County Office Building, 100 Maryland Ave, in Rockville.

## **II. SUBJECT PROPERTY**

The subject property is strategically located in the White Flint Sector of the North Bethesda Garrett Park Master Plan on the west side of Rockville Pike, just north of Nicholson Lane and south of Marinelli Road, within 800 feet of the entrance to the White Flint Metro Station. The 4.48 site is composed of three lots (Part of Lot 3, Lot 4, and Lot 5 of the Green Acres Corp. Montrose Subdivision) with a gross tract area of 201,822 square feet. The general location and shape of the property is depicted below.



Current development on the site consists of a 60,000 square foot two-story shopping center and a McDonald's restaurant. The remainder of the site is devoted to at-grade parking for customers of the shopping center. According to the applicant's land use report, the topography of the site reflects an overall 10-foot increase in grade from the southwest corner of the property to the frontage with Rockville Pike. As reported by the applicant, the site rises in grade from an elevation of 396 in the southwest corner of the site to an elevation of 420 in the center of the site before decreasing to an elevation of 406 at Rockville Pike.

There are no environmental issues that prevent the project from complying with the Forest Conservation Law and Environmental Guidelines. There are no steep slopes, wetlands, streams, or erodible soils. A Stormwater Management Concept Plan will have to be submitted to the Department of Permitting Services for approval before submission of a preliminary plan.

### III. PLANNING AND ZONING HISTORY

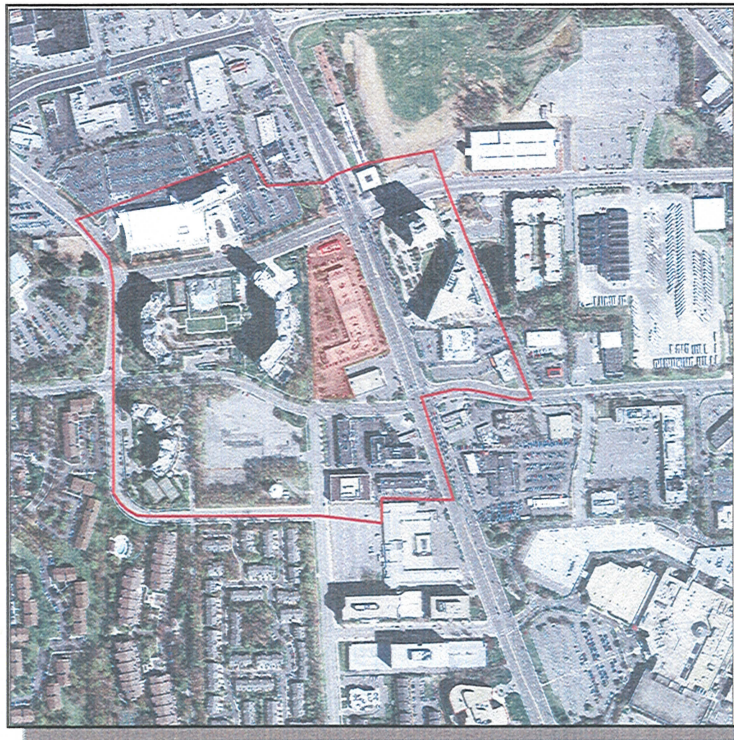
The subject property was first identified for transit-related development in the 1970 North Bethesda Garrett Park Master Plan. The master plan recognized that the Metro station would be a major determinant of future development in the area and encouraged a mixture of office, retail, and residential uses on sites within convenient walking distance of the Metro station. The Metro station impact area was again studied in the 1978 White Flint Sector Plan. The same development policies were carried forward for properties within the Metro station impact area. Because regional commercial uses were judged to be a more suitable land use for properties along Rockville Pike, the subject property was reclassified from the C-1 zone to the C-2 zone by comprehensive rezoning following adoption of the Sector Plan.



The 1992 North Bethesda-Garrett Park Master Plan recommended a more intense mixed-use development pattern for the White Flint Metro Station impact area. The subject property was identified as a key transit-related site appropriate for a mix of residential and employment uses at a 2.4 FAR. Although the property was confirmed in the C-2 zone by the 1992 master plan, the property was identified as appropriate for development under the standards of the TS-M zone. Local Map Amendment Application G-860 was filed on October 20, 2006, to reclassify the property from the C-2 zone to the TS-M in accordance with the master plan recommendation.

#### IV. SURROUNDING AREA

For purposes of the compatibility analysis required for compliance with the TS-M zone, the surrounding area is defined to extend: (1) across Rockville Pike to the east to include the Nuclear Regulatory buildings and the White Flint Metro Station, (2) west to Executive Boulevard to include the TS-M zoned high-rise residential buildings, (3) south to Executive Boulevard Extended to include the existing commercial buildings, and (4) north of Marinelli Road to include the Montgomery County Conference Center and Marriott Hotel. The surrounding area boundary is drawn to include those properties most directly affected by the project. The primary impact area is depicted below.



The land use and zoning pattern of the surrounding area reflects a mix of retail, office, multi-family residential, and transit-related uses. The proposed development compares favorably in terms of density and land use with that of the surrounding area. The White Flint Metro Station has an important presence in the area. The entrance to the station is located at the northeast corner of Marinelli Road and Rockville Pike, well within walking distance of the subject property. By increasing ridership, the project will have a positive influence on the use of Metro.

Located immediately east of the subject property across Rockville Pike are two high-rise office buildings that house the Nuclear Regulatory Commission and several retail commercial uses. The entire block facing the subject property across Rockville Pike is recommended for future development under the TS-M zone. A 9.7-acre site immediately west of the property is developed with two 18 story high-rise residential buildings known as The Grand and The Wisconsin. The 9.7 acre site is classified in the TS-R zone. The Montgomery County Conference Center and a 225-room hotel are located to the north immediately across Marinelli Road from the subject site and zoned TS-M. "Anthropologie", a single-story retail commercial use, is located immediately south of the subject property. This C-2 zoned site is proposed for future development under the TS-M zone. Two automobile service stations zoned C-2 are located immediately south and southeast of the property at the intersection of Rockville Pike and Nicholson Lane. Farther south on the west-side of Rockville are the two Rockwall Office buildings recommended for future development under the TS-M zone.

Development of the subject property under the standards of the TS-M zone would be compatible with the scale and density of existing and planned land use for the surrounding area. The 1992 zoning plan for the White Flint area is depicted on the next page.

## **V. PROPOSED DEVELOPMENT**

The project is being developed under the guidelines of the North Bethesda-Garrett Park Master Plan and features a mixed-use design consisting of office, retail, and multi-family residential uses at a maximum 2.22 FAR. The project includes plazas, enhanced streetscape, and an upgraded pedestrian and vehicular circulation system. Important elements of the proposed development are described below.

### **A. Land Uses**

The subject property is classified in the C-2 zone. The North Bethesda-Garrett Park Master Plan identifies the property as suitable for reclassification to the TS-M zone. The master plan establishes an overall

**FIGURE 19**

density of 2.4 FAR for the site. The master plan recommends mixed-use development of the property under the TS-M zone and encourages additional residential and affordable housing. The project implements master plan objectives by converting the existing shopping center and McDonald's restaurant into a mixed-use, transit-oriented development consisting of approximately 111,531 square feet of retail space, approximately 90,291 square feet of office space, and 247 new residential units. The project will include approximately 38 on-site MPDUs. The proposed development is expected to contribute substantially to transit use and provide employment opportunities in a convenient transit-accessible location.

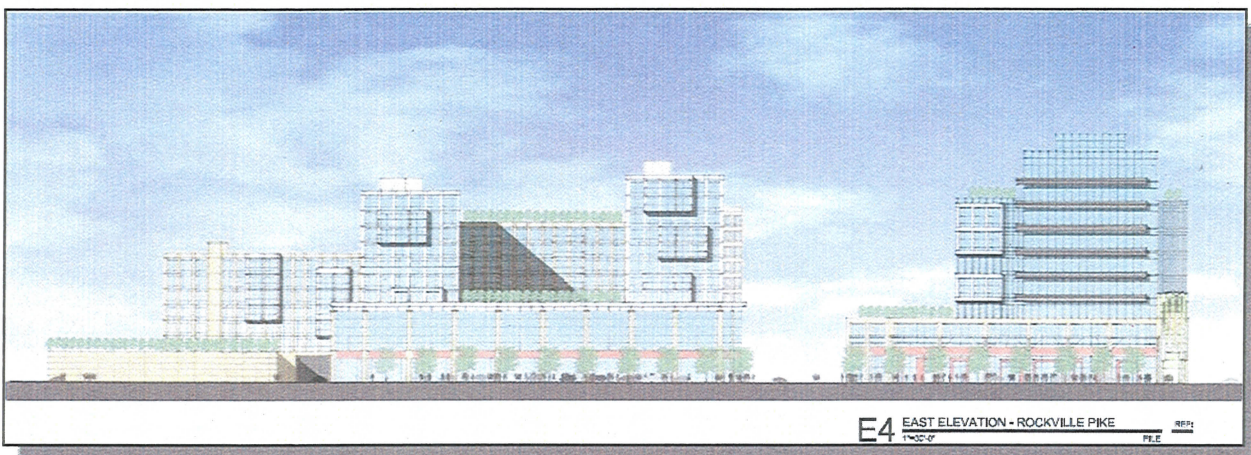
A total of 1,099 parking spaces are provided with two inter-connected levels of below-grade parking and above-grade structured parking in each building. The applicant is limiting the on-site parking to the minimum number of spaces allowed for mixed-use developments under the Zoning Ordinance. The number of spaces proposed by the applicant includes a reduction for the retail and restaurant uses, based on the proximity to the Metro station. This waiver will require approval by the Planning Board at site plan review. Based on the transit-related parking reduction and application of the mixed-use allowance under 59-E-3.1, 1,099 parking spaces will be provided for the project. The applicant's proposal satisfies zoning ordinance standards by providing 292 residential parking spaces and 807 mixed-use parking spaces for the office, retail, and restaurant uses. The site is not within a parking lot district.

The residential and commercial elements of the project are in compliance with master plan land use and zoning objectives. The project provides street-oriented retail and extends a road that will provide alternative access to the White Flint Metro Station and surrounding area.

#### B. Building Scale

The Development Plan shows two separate buildings to be constructed in a single phase. An 11 story office building with ground floor retail (Building 1) will be located nearest the Metro station at the corner of Marinelli Road and Rockville Pike. A 13 story residential building with ground floor retail (Building 2) will be constructed near Nicholson Lane and Rockville Pike. Parking spaces will be provided above-grade and below-grade. The proposed building scale of the buildings is compatible with adjoining and nearby buildings. Illustrative building scale elevations are depicted below.





The G-860 application references a Building Restriction Line Covenant and an Access Easement, recorded among the land records of Montgomery County at Liber 2372, folio 2340, folio 505, respectively. The Building Restriction and Covenant binds a portion of the Landow property, located immediately south of the subject property, for the benefit of the Holladay Property and, at the same time, binds a portion of the Holladay Property for the benefit of the Landow Property. Similarly, the Access Easement provides for a twenty-foot wide access lane across the Holladay Property for the benefit of the Landow Property and also provides a twenty-foot wide access lane across the Landow Property for the benefit of the Holladay Property. Extinguishment of the Building Restriction Line Covenant and Access Easement is required for the future development of the two properties.

Accordingly, the two parties have finalized a written agreement that will require a Reciprocal Easement Agreement to be executed, which will provide access to the Landow Property via the proposed 24-foot right-of-way on the Holladay Property shown on the Development Plan. The parties have also agreed to record in the

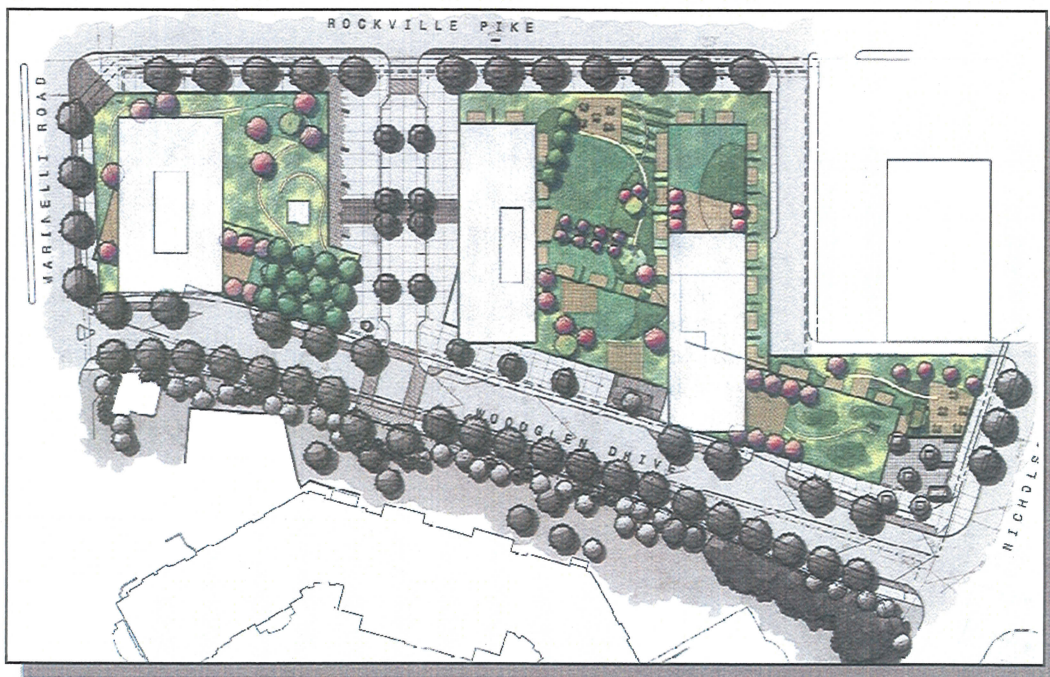


land records a release of the existing building Restriction Line Covenant and Access Agreement. The recordation of these releases will extinguish all rights previously associated with the Building Restriction Line Covenant and Access Agreement. The Development Plan includes a binding element that requires all necessary releases of the Building Restriction Line Covenant and Access Agreement to be finalized at the time of site plan review.

### C. Amenities

Important amenities are included in the project. A central plaza is planned between Building 1 and Building 2. A corner retail plaza is planned at the intersection of Nicholson Lane and Woodglen extended. The project also anticipates a smaller plaza along Woodglen Extended where it intersects a new private street to be provided on-site.

Public use space comprises about 10 percent of the site's net lot area. The public use space consists of streetscape and a central plaza with space for exhibiting public art. In addition, the project will provide a minimum of 25 percent active and passive recreational space. An illustrative landscape plan is depicted below.



## **VI. PUBLIC FACILITIES**

The relevant public facilities that serve the property include schools, water and sewer, area roads, and transit. The impact of the proposed development on public facilities is evaluated at both the zoning and subdivision stages.

### **A. Schools**

The schools serving the property are in the Walter Johnson Cluster. The schools included within the cluster that serve the property are Luxmanor Elementary School, Tilden Middle School, and Walter Johnson High School. The project is expected to result in about 247 multi-family residential units.

Montgomery County Public Schools estimate the impact of the project to be approximately ten elementary, nine middle school, and eight high school students. According to Montgomery County Public Schools, enrollment at Luxmanor Elementary School currently exceeds capacity. However, an addition is scheduled to open in August 2008, resulting in space available in 2008. Enrollment at Tilden Middle School is currently within capacity and is projected to stay within capacity. Enrollment at Walter Johnson High School currently exceeds capacity. However, modernization of the school is scheduled for completion in August 2009, resulting in space available beginning in 2009.

School boundary revisions and other adjustments may be made by the School Board to address individual school capacity problems. The adequacy of schools to accommodate the project will be reviewed again at the subdivision stage.

### **B. Water and Sewer**

The subject property is served by public water and sewer systems, and is currently in Water Service Category 1 and Sewer Service Category 1. According to the applicant's land use report, water mains under Rockville Pike and Woodglen Road serve the site, and sewer service is provided by a main located under Rockville Pike. It seems probable that the existing water and sewer mains are adequate to accommodate the proposed development, but the applicant must submit a Hydraulic Planning Analysis to WSSC to confirm the adequacy of the existing water and sewer mains at subdivision.

### **C. Area Roads**

The road network serving the property consists of: (1) Rockville Pike, a six lane divided highway within a 134-foot right-of-way, east of the property, (2) Nicholson Lane, a four lane arterial road within an 80-foot right-of-way that passes the site immediately to the south, and (3) Marinelli Road, a four lane



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road within an 80-foot right-of-way that passes the site immediately to the north. Nicholson Lane and Marinelli Road run perpendicular to and intersect with Rockville Pike. Woodglen Drive Extended is designated in the master plan as a two-lane business district street. Woodglen Drive Extended will be constructed by the applicant and connect Nicholson Lane and Marinelli Road in an alignment that runs north and south immediately west of the site. Two points of ingress and egress will be provided for the subject property from Woodglen Road Extended.

#### D. Transit

The subject property is conveniently located within a short walking distance to the White Flint Metro Station. Metro passengers can enter the Station diagonally from the property at the northeast corner of the Rockville Pike and the Marinelli Road intersection. In addition, seven bus routes operate along the adjacent roadways as follows: (1) Ride-On routes 5, 38, and 46 and Metrobus route C-8 operating along Rockville Pike, (2) Ride-On routes 26 and 81 operate along Marinelli Road, and (3) Metrobus route J-5 operates at the corner of the Rockville Pike/Nicholson Lane intersection. The internal pedestrian street network is designed to provide safe and efficient access to the White Flint Metro Station. The project is expected to contribute substantially to transit use.

### VII. TRAFFIC IMPACT

The applicant is proposing to satisfy the burden of proof related to any traffic impact issue by using the Growth Policy's Alternative Review Procedure for Metro Station Policy Areas. Under the alternative review procedure, an applicant for a subdivision that is built completely within a Metro Station Policy Area is not required to submit a traffic study at the rezoning stage if the applicant agrees to meet specific trip reduction goals established by the Planning Board, participate in programs operated by a transportation management organization, pay an ongoing annual contribution or tax to fund operating expenses of the transportation management organization, and pay the applicable development impact tax.

If G-860 were reviewed as a typical case, a traffic study would be required to satisfy the LATR standards because the proposed mixed-use development generates 30 or more peak-hour trips during the weekday morning and evening peak hours. Such a traffic study would provide analysis of at least three signalized intersections in each direction. The table below, prepared by transportation staff, shows the Critical Lane Volumes (CLV) at the nearby intersections based on the results from the traffic studies prepared for subdivision cases located nearby:

**Critical Lane Volumes At Nearby Intersections**

<b>Nearby Intersection</b>	<b>Date of Traffic Study</b>	<b>Weekday Peak Hour</b>	<b>Traffic Condition</b>	
			<b>Existing Traffic</b>	<b>Total Future Traffic without the Subject Site</b>
<i>Marinelli Road and Rockville Pike</i>	<i>2005 Study</i>	<i>Morning</i>	<i>1,106</i>	<i>1,312</i>
		<i>Evening</i>	<i>1,128</i>	<i>1,473</i>
<i>Nicholson Lane and Rockville Pike</i>	<i>2006 Study</i>	<i>Morning</i>	<i>1,150</i>	<i>1,262</i>
		<i>Evening</i>	<i>1,478</i>	<i>1,660</i>
<i>Nicholson Lane and Woodglen Drive</i>	<i>2005 Study</i>	<i>Morning</i>	<i>586</i>	<i>666</i>
		<i>Evening</i>	<i>665</i>	<i>824</i>
<i>Nicholson Lane and Executive Boulevard</i>	<i>2005 Study</i>	<i>Morning</i>	<i>645</i>	<i>772</i>
		<i>Evening</i>	<i>585</i>	<i>780</i>
<i>Marinelli Road and Executive Boulevard</i>	<i>2006 Study</i>	<i>Morning</i>	<i>418</i>	<i>520</i>
		<i>Evening</i>	<i>518</i>	<i>616</i>
<i>Old Georgetown Road and Nicholson Lane</i>	<i>2006 Study</i>	<i>Morning</i>	<i>1,547</i>	<i>1,606</i>
		<i>Evening</i>	<i>1,596</i>	<i>1,732**</i>
<i>Old Georgetown Road and Executive Boulevard</i>	<i>2006 Study</i>	<i>Morning</i>	<i>1,654</i>	<i>1,767**</i>
		<i>Evening</i>	<i>1,497</i>	<i>1,675</i>
<i>Old Georgetown Road and Rockville Pike</i>	<i>2006 Study</i>	<i>Morning</i>	<i>1,376</i>	<i>1,509</i>
		<i>Evening</i>	<i>1,384</i>	<i>1,860*</i>
<i>Nicholson Lane and Rockville Pike</i>	<i>2006 Study</i>	<i>Morning</i>	<i>1,150</i>	<i>1,262</i>
		<i>Evening</i>	<i>1,478</i>	<i>1,660</i>
<i>Nicholson Lane and Citadel Avenue/Huff Court</i>	<i>2006 Study</i>	<i>Morning</i>	<i>618</i>	<i>668</i>
		<i>Evening</i>	<i>854</i>	<i>917</i>

\* This CLV exceeds the 1,800 congestion standard.

\*\* This CLV is approaching the 1,800 congestion standard

Transportation staff recommends that the applicants' development impact payment required under the alternative review procedure be used to fund

intersection improvements to reduce the traffic volumes at the congested intersections. These issues will be addressed at preliminary plan.

Transportation staff also identified trip reduction requirements that must be satisfied under the Alternative Review Procedure. Important among these requirements are measures to: (1) enhance the ridesharing program that is typically part of the North Bethesda Transportation Management Organization; (2) require that interim traffic reduction efforts be monitored quarterly for two-years and the final goals be measured and reported on a bi-annual basis thereafter, (3) require a financial penalty or other measure in the event that the trip reduction goals are not achieved by established dates; and (4) provide a bond/security instrument to fund the traffic mitigation plan if the applicant or successors fail to achieve or maintain trip reduction goals. The table below shows the applicant's trip reduction requirements:

Line No.	Trip Reduction Measures	Weekday Peak-Hour Vehicular Trips	
		Morning	Evening
1	Net Increase in Trips	205	544
2	Required Number of Mitigated Trips	103	272
Number of Site-Generated Vehicular Trips Reduced associated with the proposed mitigating measures			
3	Metrorail & Bus Transit Trips	-145	-156
4	Internal Pedestrian Site Trips	- 36	-119
5	Bike Lockers & Racks	- 9	- 9
6	Information Kiosk(s)	- 6	- 6
7	Net Number of Trips Reduced	196	290
8	% Trips Mitigated (Line #7/Line #1)	95.6%	53.3%

## VIII. TRANSIT STATION MIXED (TS-M) ZONE

Before property may be reclassified to the TS-M zone, the project must be evaluated for compliance with the standards of the zone. The standards for reclassification to the TS-M zone are evaluated below.

### A. Intent and Purpose

The intent and purposes of the TS-M zone are found under Sections 59-C-8.21 and 8.23 and require that the zone satisfy the following requirements:

- (1) Be located in a Transit Station Development Area,
- (2) Be where substantial commercial or office uses already exist or where such uses are recommended by an approved and adopted master plan,

- (3) Be in accordance with a plan of development meeting the requirements of the TS-M zone,
- (4) Promote optimum use of transit facilities,
- (5) Provide for the basic needs of the workers and residents of the transit station development area,
- (6) Provide for the incidental shopping needs of the transit facility riders at Metro stations having parking facilities for large numbers of riders,
- (7) Minimize the necessity for automobile transportation by providing, in largely residential transit station areas, the retail commercial uses and professional services that contribute to the self-sufficiency of the community workers,
- (6) Obtain amenities for the workers and residents of the area not ordinarily obtainable in conventional zoning classifications, and
- (7) Prevent detrimental effects to the use or development of adjacent properties and promote the health, safety, morals, and welfare of the present and future inhabitants of the district and the County as a whole.

The application satisfies the intent and purposes of the TS-M zone for the following reasons. The property is located within the White Flint Transit Station Development Area, immediately across Rockville Pike from the entrance of the Metro station. Substantial commercial and office uses already exist in the area. The master plan anticipates a mixed-use development pattern, with emphasis on employment, retail and residential uses for sites in close proximity to the Metro station. The Development Plan is in compliance with the requirements of the TS-M zone and conforms to the master plan land use, density, and urban design recommendations for the site.

The project design incorporates transit-oriented development that provides significant residential development within walking distance of the Metro station that will optimize use of the transit facility. The project's mixed-use development and public amenities provide for the incidental needs of the transit facility workers and riders and for the self-sufficiency of the community. The project is designed at a scale compatible with the surrounding area and will not have detrimental effects on the use and development of adjacent properties. There is no evidence to support a finding that the project would not promote the health, safety, morals, and welfare of the present and future inhabitants of the district and the County as a whole.

#### B. Location

The location standard under 58-C-8.24 of the TS-M zone requires that any site reclassified to the TS-M zone be located in a Transit Station Development Area in accordance with an approved and adopted master or sector plan. The property is located within the master plan designated White Flint Transit Station Development Area and satisfies this location standard.

### C. Public Facilities and Amenities

Section 59-C-8.25 requires development under the TS-M zone to: (1) conform substantially to the facilities and amenities recommended by the applicable master or sector plan, including such easements or dedications to the public as may be shown on the plan; (2) assure compatibility of the development with the surrounding area; and (3) not overburden public facilities. The application implements the master plan recommendations for the provision of public facilities and amenities, is compatible with surrounding development, and public facilities are adequate to support the proposed development.

Woodglen Road will be extended through the site from Nicholson Lane to Marinelli Road generally along the alignment shown in the master plan. The applicant is in the process of negotiating an agreement with Forest City, the property immediately to the west, which will result in the dedication of a portion of the Forest City property to accommodate the proposed extension of Woodglen Drive. The applicant will dedicate the remainder of the right-of-way required for the construction of Woodglen Road Extended.

The Department of Public Works and Transportation (DPWT) has conceptually agreed to the typical right-of-way section for Woodglen Road Extended that includes: (1) a five-foot wide sidewalk on the east side of the right-of-way, (2) a seven-foot wide planting strip, (3) thirty-two feet of pavement to provide two through lanes and one parking lane, (4) a six foot-wide planting strip, and (5) an eight-foot wide shared-use path on the west side of the right-of-way. This typical section will need to widen at the south end to align better with the curb- lines on existing Woodglen Drive. At the intersection with Marinelli Road, vehicle operations are proposed to be restricted to right in, right out only movements.

The right-of way proposals will result in a narrower dedication and pavement cross-section than contemplated in the 1992 master plan. DPWT judges the proposed alignment and cross-section to be a reasonable alternative due to right-of-way dedication issues associated with the development of the Forest City property. DPWT has indicated that Public Improvement Easements will be needed at least two-feet beyond the limits of the sidewalk and/or shared use path, unless accommodated within the dedicated right-of-way. No private underground structures will be allowed by DPWT within the public right-of-way. The following issues will need to be addressed at subdivision:

- The need for parallel and adjacent Public Utility Easements,
- The location and limits of any proposed on-street parking, and

- The need for any road improvements on either Marinelli Road or Nicholson Lane.

Although conceptual agreement has been reached between the property owner and DPWT on the alignment and right-of-way width for Woodglen Road Extended, a dedication agreement between the applicant and Forest City that accommodates the previously described right-of-way requirements will be required at the time of site plan review.

The project design satisfies the master plan amenity objectives by providing streetscape improvements, public use space, passive and active recreational areas, plazas, and sidewalks. The project will contribute to the urban design vision for Rockville Pike. The developer will dedicate 75 feet of right-of-way from the existing centerline of Rockville Pike, and set back any building 10 feet from the right-of-way line, placing any new buildings a minimum of 85 feet from the existing centerline. The application implements the master plan recommendation for the provision of public facilities and amenities.

The scale, density, and land uses of the project ensure compatibility with the surrounding area. The 20-story Nuclear Regulatory Commission buildings face the property across Rockville Pike. Two 18-story residential buildings face the property immediately to the west. The C-2 zoned site that adjoins the property to the south is recommended for the TS-M zone in connection with any future development. The Montgomery County Conference Center and hotel to the north are classified in the TS-R zone. The project complies with the master plan land use and density recommendations for the site and compares favorably with existing and planned development for the area.

#### D. Development Standards

The application satisfies the development standards of the TS-M zone. Section 59-C-8.4 requires a minimum lot area of 40,000 square feet for reclassification to the TS-M zone. The subject property is 4.48 acres in size. The projects overall FAR is 2.22, well within the 3.0 FAR limit of the TS-M zone. The zone requires that 10 percent of the net lot area be devoted to public use space. For projects that provide a residential component totaling 50 or more dwelling units, 25 percent of the net lot area must be devoted to active and passive recreation space. The project equals or exceeds the minimum development standards of the zone as shown on the following table:

	Development Standard	TS-M Requirement	Proposed
59-C-8.41	Minimum Area	40,000 sq. ft.	201,822 sq. ft.
59-C-8.42	Max. Floor Area	3.0 FAR	2.22 FAR
59-C-8.43	Open Space: (a) public use space as % of net lot area	10 % minimum	10 % minimum
	(b) recreational space as % of net lot area, when 50 or more dwelling units are provided	25 % minimum	25 % minimum
	Total minimum open space req.	10% minimum	10% minimum

Final determination of the areas devoted to public open space and recreation space will be made at site plan review.

## IX. DEVELOPMENT PLAN

It has been established in previous zoning cases that there are five specific findings required by §59-D-1.161 for approval of a development plan and that the general requirement that the application fulfill the “purposes and requirements” of the zone is satisfied if the five findings are satisfied. The five findings required for approval of a development plan are evaluated below.

1. *That the zone substantially complies with the use and density indicated by the master plan or sector plan, and does not conflict with the general plan, the county capital improvements program, or other applicable county plans and policies.*

The Development Plan substantially complies with the use and density recommendations of the master plan. The Development Plan implements the objectives of the 1992 North Bethesda-Garrett Park Master Plan by providing a compact, well-designed, mixed-use form of development consisting of office, retail, and multi-family residential uses at a maximum 2.22 FAR. The

project provides street-oriented retail, amenities, open space areas, and extends a road that will serve as an alternative access within the White Flint area. These and other features of the project will benefit area residents and visitors to the White Flint area.

The project does not conflict with other county plans and policies. The project implements an important element of the Montgomery County housing policy and the general plan by contributing to the goal of providing housing choices, conveniently located in a suitable living environment for all incomes, ages, and family sizes. The project provides an important residential component consisting of approximately 247 residential units, including approximately 38 MPDUs, all within a 5 to 7 minute walking distance of the White Flint Metro Station.

2. *That the proposed development complies with the purposes, standards, and regulations of the zone as set forth in article 59-C, would provide for the maximum safety, convenience, and amenity of the residents of the development and would be compatible with adjacent development.*

The evidence supports a finding that the application complies with the purposes, standards, and regulations of the TS-M zone; provides for the safety, convenience, and amenity of the residents; and would be compatible with adjacent development. The proposed development is located in a Transit Station Development Area where substantial commercial and office uses already exist. The property is recommended for the TS-M zone on the applicable master plan. The development proposal contains a number of amenities for the workers and residents of the area and optimizes the use of public transit facilities. The project is of similar scale and density as the surrounding properties.

3. *That the proposed internal vehicular and pedestrian circulation systems and points of external access are safe, adequate, and efficient.*

The project design includes an upgraded vehicular and pedestrian circulation system that is safe, adequate, and efficient, although the need for enhanced safety features will be closely reviewed at site plan. Internal east-west vehicular links are provided between Woodglan Drive Extended and Rockville Pike. The table below shows the proposed number of parking spaces and entry and exit points for each type of land use:



Type of Land Use Served	Level	Number of Spaces	Entry & Exit Points
Residents & their Guests	Above-Grade	Subtotal equals to 292	<u>Southern-Most</u> Internal East-West Driveway
General Parking	At-Grade & Off-Street Spaces		<u>Northern-Most</u> Internal East-West Driveway
Retail Customers and Office/Retail Employees	Below-grade	Subtotal equals to 787	<u>Southern-Most</u> Internal East-West Driveway Woodglen Drive Extended
Total Number of Parking Spaces		1,079	
Office/Retail Tower	At-Grade	2 Loading Docks	Woodglen Drive Extended
Residential/Retail Tower	At-Grade	3 Loading Docks	<u>Southern-Most</u> Internal East-West Driveway

Transportation planning staff has indicated that although the proposed internal vehicular and pedestrian circulation systems and points of external access are safe, adequate, and efficient, certain enhanced traffic calming measures will be required at site plan.

The circulation system allows pedestrians to circulate efficiently through the site. Pedestrian crosswalks are proposed across: (1) the northern internal east-west driveway at Rockville Pike, and (2) Woodglen Drive Extended at Marinelli Road, a mid-block area and Nicholson Lane. Transportation planning staff recommends that the subdivision and site plan submissions for the project include more detail regarding pedestrian crosswalks, pedestrian pushbuttons, refuge islands, and handicapped ramps at adjacent intersections. It is not required that these issues be finalized at rezoning, but they must be addressed at the subdivision and site plan stages.

The vehicular access points to the project are from Rockville Pike and the proposed extension of Woodglen Drive. The project's design proposes improvements to perimeter sidewalks and an internal sidewalk and vehicular circulation system. Transportation staff recommends that the following additional enhancements to the pedestrian and vehicular circulation plan be addressed at subdivision review:

- Deliveries must be scheduled to be outside the peak hours when residents, retail customers, retail employees, and office employees arrive and leave the parking areas.

- The design of the northern-most east-west internal driveway must include traffic calming measures to minimize the conflicting movements between through movements and vehicles parallel parking.
  - Pedestrian crosswalks, handicapped ramps, and other design features must be provided across the southern-most internal east-west driveway to minimize conflicts with vehicles along the driveway, at Rockville Pike, and at Woodglen Drive Extended.
  - Further plan details must be provided at the adjacent intersections regarding pedestrian crosswalks, pedestrian pushbuttons, refuge islands, and handicapped ramp.
  - Further plan details must be provided at any proposed vehicular and pedestrian access to the adjacent Anthropologie store.
  - Bike lockers must be provided in the parking garage for residents and employees and provide inverted-U bike racks (each storing 2 bicycles) at the main entrance in weather-protected area(s). The applicant must coordinate with transportation planning staff to identify the ultimate number and location of bike lockers and racks prior to site plan submittal.
4. *That by its design, by minimizing grading, and by other means, the proposed development will tend to prevent erosion of the soil and to preserve natural vegetation and other natural features of the site. Forest Conservation requirements and water resource protection requirements under Chapter 22A and Chapter 19 must also be satisfied.*

The applicant proposes to use sediment tanks to filter sediment runoff generated during construction before releasing the runoff into the existing storm drain system. Silt fences are planned along the perimeter of the site. These measures are consistent with best management practices to prevent soil erosion, ensure sediment control, and preserve natural resources of the site. These measures will be reviewed for adequacy at the time site plan review.

5. *That documents showing the ownership and method of assuring perpetual maintenance of any areas intended to be used for recreational or other common or quasi-public purposes are adequate and sufficient.*

The applicant proposes to control the property by a management organization overseen by the Holladay Corporation. If the residential component of the project is structured as a condominium, the management will be controlled by the condominium association. Model condominium documents addressing the perpetual maintenance of the public use space and recreation area have been provided by the applicant.

## **IX. BINDING ELEMENTS**

Development under the TS-M zone is permitted only in accordance with a plan of development approved by the District Council. A Development Plan may contain binding and non-binding elements. The binding elements identify features of the project that cannot be changed unless an amendment to the Development Plan is approved by the District Council. The binding elements proposed by the applicant and printed on the face of the Development Plan include the following limitations and requirements:

1. Development on the property shall be limited to 2.22 FAR (448,045 square feet) with no more than 1.0 FAR (201,822 square feet) of non-residential density.
2. The Applicant shall provide 15% of the total number of residential units as MPDUs depending on the amount of the density bonus achieved by the applicant under Chapter 25A of the Montgomery County Code.
3. The total number, mix, and location of the residential units, including the MPDUs, shall be determined at site plan. All MPDUs shall be provided on-site. The following maximum height limitations shall apply to the development: (1) up to eleven (11) stories for Building 1 located on the northern portion of the property; and (2) up to thirteen (13) stories for Building 2 located on the southern portion of the property. The final determination of the height, in feet, of each of the buildings referenced on the development plan shall be made at site plan.
4. A dedication agreement between the Applicant and Forest City regarding the ultimate alignment and right-of-way of Woodglan Road Extended between Nicholson Lane and Marinelli Road shall be provided prior to preliminary plan approval.
5. A minimum of 10 percent public use space and 25 percent active or passive recreation space will be provided with final areas to be determined at site plan.
6. All necessary releases of the Building Restriction Line and Access Agreement that binds a portion of the Landow Property for the benefit of the Holladay Property and binds a portion of the Holladay Property for the benefit of the Landow Property shall be provided prior to site plan approval.

## **X. CONCLUSION**

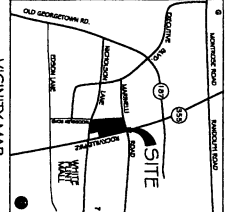
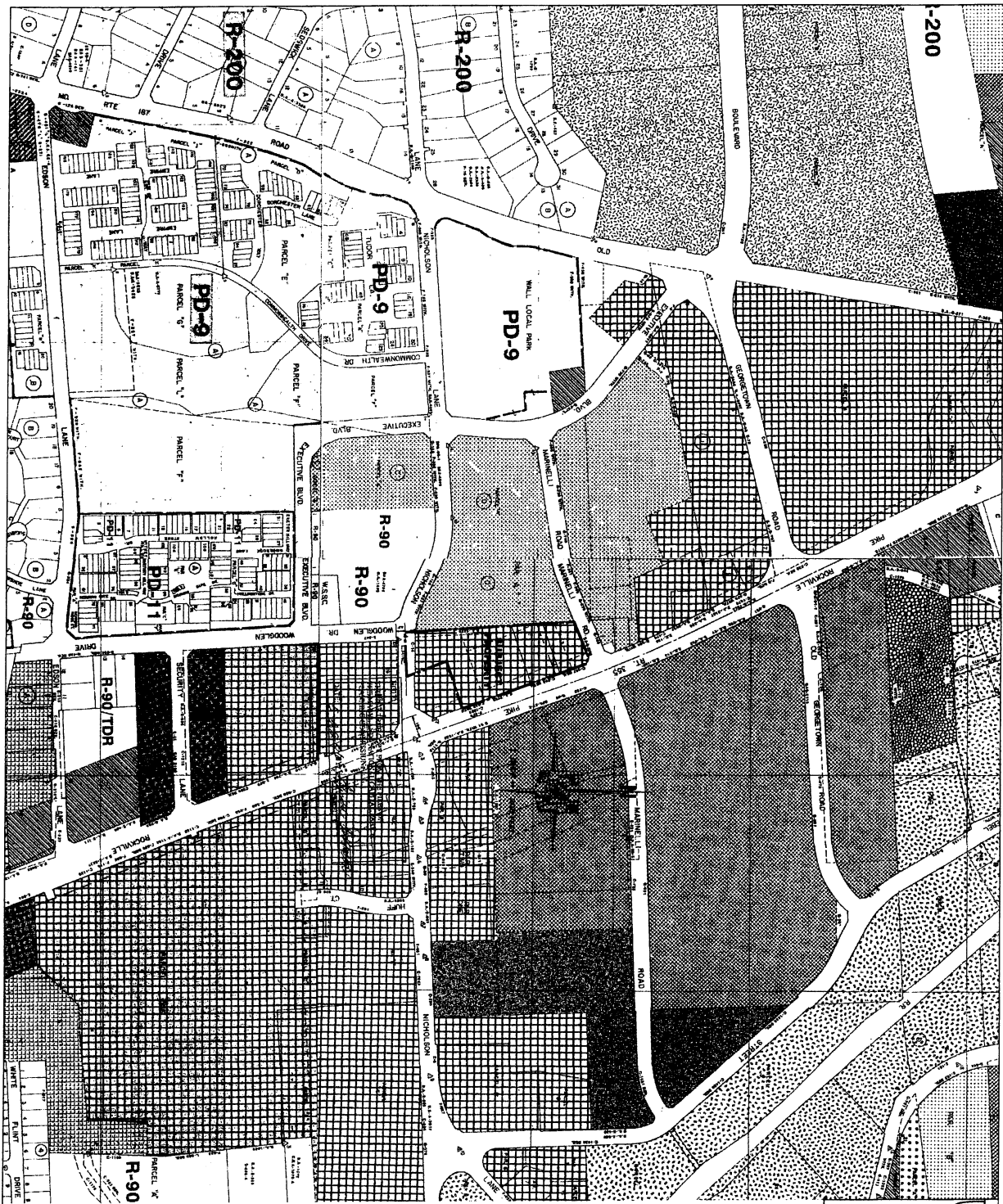
Based on a careful review of the application and all information of record, staff concludes that the TS-M zone is appropriate for the proposed site and that the application satisfies all relevant TS-M zone and Development Plan standards. For these reasons, staff recommends that Zoning Application G-860, for reclassification from the C-2 Zone to the TS-M Zone of 4.48 acres know as Part of Lot 3, Lot 4, and Lot 5 of Green Acres Corp. Subdivision Montrose, located at 11520, 11560, and 11564 Rockville Pike, North Bethesda, be approved.

G Drive: Wilson/G-860/ Staff Report

**ATTACHMENTS**

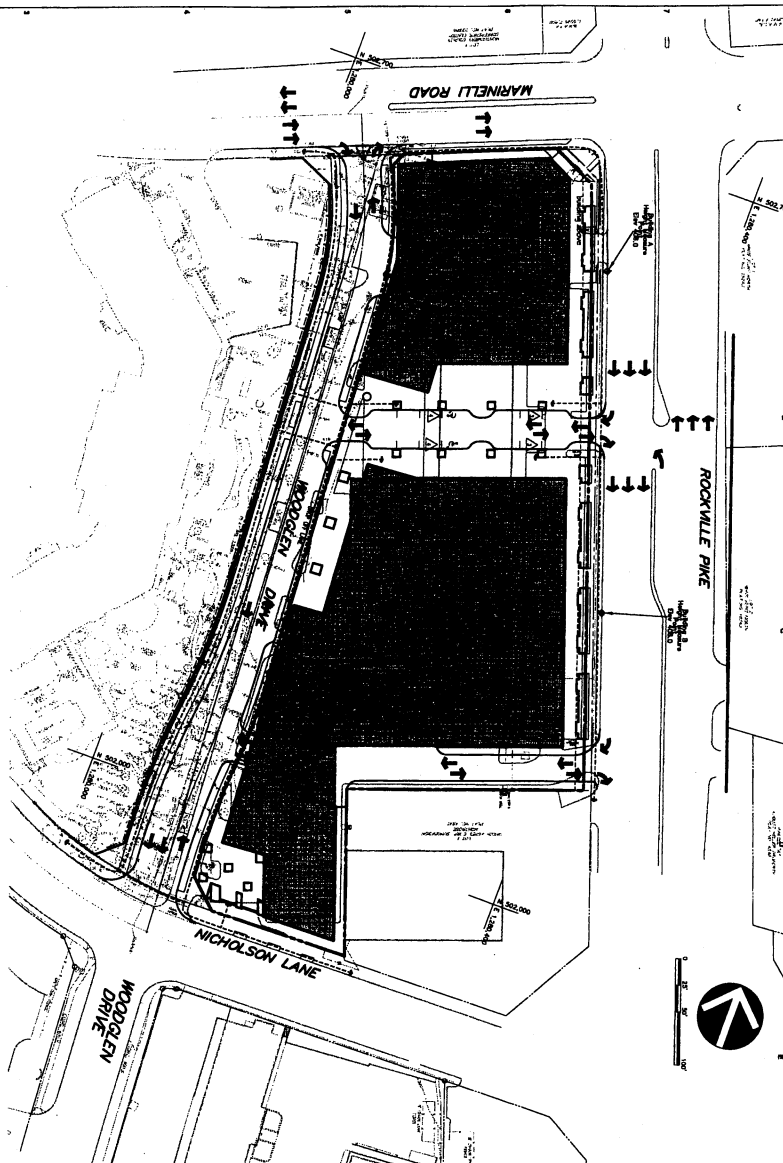
<u>Attachments</u>	<u>Circle Number</u>
1. Revised Development Plan	1
2. Certified Zoning Map	2
3. Circulation Plan	3
4. Surrounding Area	4
5. Environmental Memorandum	5
6. Community Planning Memorandum	6-11
7. Transportation Memorandum	12-24
8. Montgomery County Public Schools Comments	25-32
9. DPWT Comments	33-35
10. Letter of Intent to Record Reciprocal Easement Agreement	36-37
11. Letter of Intent to provide Portion of right-of-way for construction of Woodglen Road Extended	38-39



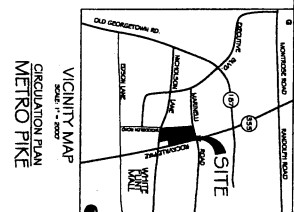


VICINITY MAP  
 SHOWING  
 CERTIFIED ZONING MAP  
 METRO PIKE

<p><b>Metrolink architects</b>          10000 Rockville Pike, Suite 100          Rockville, Maryland 20850          Phone: (301) 761-1000          Fax: (301) 761-1001          E-mail: info@metrolink.com</p>		<p><b>Engineer</b>          The Engineering Firm, Inc.          10000 Rockville Pike, Suite 100          Rockville, Maryland 20850          Phone: (301) 761-1000          Fax: (301) 761-1001          E-mail: info@metrolink.com</p>		<p><b>Map Engineer</b>          The Engineering Firm, Inc.          10000 Rockville Pike, Suite 100          Rockville, Maryland 20850          Phone: (301) 761-1000          Fax: (301) 761-1001          E-mail: info@metrolink.com</p>		<p><b>Structural Engineer</b>          The Engineering Firm, Inc.          10000 Rockville Pike, Suite 100          Rockville, Maryland 20850          Phone: (301) 761-1000          Fax: (301) 761-1001          E-mail: info@metrolink.com</p>		<p><b>Civil Engineer</b>          The Engineering Firm, Inc.          10000 Rockville Pike, Suite 100          Rockville, Maryland 20850          Phone: (301) 761-1000          Fax: (301) 761-1001          E-mail: info@metrolink.com</p>	
<p>Copyright 2006, VSEA, Inc. All rights reserved.</p>									
<p><b>Metro Pike</b>          Rockville, Maryland</p>									
<p><b>CERTIFIED ZONING MAP</b></p>									
<p>PROJECT NO.: 10000          SCALE: 1"=30'-0"          DATE: JULY 2006          DRAWING: 1.10.10.06</p>									
<p><b>Z0</b></p>									



→ VEHICLE MOVEMENT  
 - - - - - PEDESTRIAN MOVEMENT



<p> <b>polster rich architects</b>          1220 Leesville Road, Suite 100          Rockville, MD 20851          Tel: 301.761.1111          Fax: 301.761.1112          www.polster-rich.com       </p>	<p> <b>OWNER</b>          The National Trust for Historic Preservation          11 Dupont Circle, N.W.          Washington, D.C. 20036          Tel: 202.638.2600          Fax: 202.638.2601          www.nationaltrust.org       </p>	<p> <b>MEP ENGINEER</b>          2001 Rockville Pike, Suite 200          Rockville, MD 20851          Tel: 301.761.1111          Fax: 301.761.1112          www.polster-rich.com       </p>	<p> <b>STRUCTURAL ENGINEER</b>          2001 Rockville Pike, Suite 200          Rockville, MD 20851          Tel: 301.761.1111          Fax: 301.761.1112          www.polster-rich.com       </p>	<p> <b>3000 Woodgrove Drive</b>          Rockville, MD 20851          Tel: 301.761.1111          Fax: 301.761.1112          www.polster-rich.com       </p>	<p> <b>Metro Pike</b>          Rockville, Maryland       </p>	<p> <b>CIRCULATION PLAN</b>          PROJECT NO.: 7734          SCALE: 1"=50'-0"          DATE: AUGUST 2008          REVISIONS:          1. 10.20.08          2. 06.26.07       </p> <p>CP</p>
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**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MEMORANDUM**

DATE: August 28, 2007

TO: Ralph Wilson, Development Review Division

VIA: Jorge A. Valladares, P.E., Countywide Planning Division, Environmental

FROM: Marion Clark, Countywide Planning Division, Environmental

SUBJECT: Zoning Application No. G-860  
Green Acres Metro

**Recommendation: Approval of the Preliminary Forest Conservation Plan**

**Forest Conservation – Chapter 22A**

An approved Natural Resource Inventory/Forest Stand Delineation is included in the submission. The NRI/FSD indicates specimen and significant trees both on site and off site in an area that will be impacted by construction activities for Woodglen Road.

A Preliminary Forest Conservation Plan has been submitted. Because there is no forest on site, afforestation is required. Since the site is located in an urban redevelopment context, the afforestation required may be satisfied by using tree cover.

A Tree Save Plan is required as part of the Final Forest Conservation Plan submission. There are four specimen or significant trees on site, all of which will be removed. There are ten significant or specimen trees off site, either within or immediately adjacent to the Woodglen Drive right-of-way. A detailed Tree Save Plan is needed to determine which of these trees will remain.

**Environmental Guidelines**

This site is located in a highly urban area that was developed before the "Environmental Guidelines" were adopted. It is not located within a Special Protection Area or Primary Management Area. This site has no steep slopes, no wetlands, no streams and no erodible soils.

**Water Quality and Stormwater Management**

The site is located in the Lower Mainstem Bethesda subwatershed of the Lower Rock Creek watershed. The subwatershed is designated an Urban Watershed Restoration Area where the CSPS recommends supporting cost-effective stormwater quality controls on redevelopment sites, such as the subject site.

A Stormwater Management Concept Plan has not been submitted to the Department of Permitting Services.

rec'd Tues 6/26/07  
6-860



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

? Draft ?

June 21, 2007

**MEMORANDUM**

**TO:** Sandra Youla, Development Review Division

**VIA:** John Carter, Chief, Community-Based Planning

**FROM:** Judy Daniel, Team Leader, Bethesda-Chevy Chase Team  
Margaret Rifkin, Urban Designer, White Flint Sector Plan

**SUBJECT:** Local Map Amendment G-860

**ZONE:** C-2 to TS-M (Transit Station Mixed)

**MASTER PLAN:** 1992 North Bethesda/Garrett Park Master Plan

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**RECOMMENDATION**

The Community Based Planning staff recommends approval of this rezoning. The submitted site plan for this development proposal conforms to the vision of the 1992 *North Bethesda/Garrett Park Master Plan*, creating a compact, well-designed, and higher intensity mixed-use form composed of office, retail, and residential uses. It provides street-oriented retail and extends a street that will provide an alternative access within the area. The proposed development will contribute to the evolution of the White Flint area into a mixed-use urban center – the North Bethesda downtown.

**BACKGROUND**

This property is located along the west side of MD 355 (Rockville Pike) between Marinelli Road and Nicholson Lane. A rezoning from the C-2 zone to the TS-M zone at a density of 2.4 FAR (as recommended in the Master Plan) is requested. The development will replace a two-story retail building and free-standing fast-food restaurant. The project proposes a multiple-building, mixed-height, mixed-use, transit oriented development comprised of residential, office and retail uses.

6

Major elements of the proposal include:

- **Uses**
  - In the south tower, up to 260 dwelling units, with at least 205 market units and at least 42 affordable housing units (31 MPDU units, 11 other affordable units). The proposal predates work force housing requirements.
  - Ground floor retail potential in both buildings, two story retail in north building.
  - Office space, primarily in the north tower building
- **Parking**
  - Two floors of underground parking serving the entire development, and
  - Three levels of above ground garage parking in the south structure for the residential structure (second, third, and fourth floors).
- **Access**
  - An extension of Woodglen Drive from Nicholson Lane to Marinelli Road.
  - An internal access road from Rockville Pike to Woodglen Road.
  - A service drive (alley) for off-street garage access and loading docks.
- **Height**
  - Retail/Residential structure with a 2-story “platform” with a tower of 12-14 stories (including platform structure), up to 160 feet tall.
  - Retail/Commercial structure with a 4-story “platform” (inclusive of a parking structure) with a tower of 9-11 stories (including platform structure), up to 175 feet tall.
  - The “tower” segments of the structures will front Rockville Pike, stepping down to the 2-3 story elements along Woodglen Drive. This reflects the Plan recommendation that the tallest buildings be located adjacent to the Pike, stepping down in height to the east and west (p. 52)
- **Amenities**
  - The 10 percent public use space requirement is exceeded, by the proposal for 11 percent public use space – approximately 19,000 square feet. This is primarily along the street frontages, including the interior street. It is primarily comprised of streetscaping treatment and a central plaza between the two buildings, with space for a public art installation. The exact composition of improvements to the Public Use Space to be determined at Site Plan review.
  - The 25 percent active/passive recreational space requirements is exceeded, by the proposal for 26 percent, approximately 45,000 square feet. This space is comprised of portions at street level, primarily along the new internal street; and portions at terrace levels in both the north and south structures.

The exact improvements to this space will be determined at Site Plan review, but must include public art in the central plaza area, a water features (sustainable design), lighting features, and seating areas.

## **MASTER PLAN COMPLIANCE**

The elements of this site plan conform to following stated objectives of the 1992 *North Bethesda/Garrett Park Master Plan* for the White Flint Sector:

- Floating TS-R Zone for the subject property.
- Develop White Flint as the main urban center of North Bethesda
- Promote mixed-use development near the Metro station
- Include a significant transit serviceable residential component
- Build connectivity for vehicles and pedestrians

### **1. Main Urban Center**

This proposed mixed-use development will provide a welcome addition to the urbanization of the White Flint sector. It will contribute to building a critical mass of residential and commercial potential in this location so close to the Metro Station.

This property is surrounded by similarly scaled urban scale institutional, commercial, and residential uses. The property to the north includes the North Bethesda Conference Center and Hotel. To the south is a retail store and parking lot in the C-2 zone (recommended for eventual redevelopment under TS-M). To the west is The Grand, a high-rise residential building. To the east on the opposite side of Rockville Pike are two high-rise office structures housing the Nuclear Regulatory Commission in the TS-M zone. The proposed development is compatible with these uses.

### **2. Mix of Uses**

The Master Plan encourages the presence of both residential and retail in a setting with an attractive public realm, as presented in this proposal, as the best means of contributing to the liveliness and livability of the area. The Plan envisioned this more intensive mixed-use development pattern, with an emphasis on employment east of the Pike and housing west of the Pike.

### **3. Transit Serviceable Residential Development and Affordable Housing**

This development is located within a 5-7 minute walk of the Metro Station, and directly accessible to bus service on Rockville Pike.

It proposes up to 247 dwelling units, at a density of 2.4 floor area ratio (FAR) in the TS-M Zone, as established in the Master Plan. The TS-M Zone allows a maximum density of 3.0 FAR, but the North Bethesda Master Plan limits the FAR to 2.0 FAR in the TS-M recommended areas within the White Flint Sector Plan

area. That 2.0 FAR can be increased to 2.4 FAR if the additional density is all residential and includes an affordable housing bonus of at least 50 percent.

The proposed development will provide up 42 affordable units (30 MPDUs at 12.5 percent of the total residential FAR and 12 additional affordable units with the bonus density calculations), as anticipated in the Master Plan.

The 1992 Master Plan was flexible in calculating the affordable housing mix. For this project, the number of MPDUs was calculated using the more recent MPDU legislation. Affordable housing has been difficult to attain in the Bethesda/North Bethesda areas (due to buy-outs, etc.), so the 42 affordable units provided with this project are welcome additions in the area.

#### 4. **Connectivity**

##### ***Pedestrian Environment***

The site plan for this project will add to the pedestrian "friendliness" of White Flint, particularly important for projects within walking distance of Metro, and will create a far more pleasant streetscape along the west side Rockville Pike. In addition, a segment of the North Bethesda Trolley Trail route will be installed along the western side of Woodglen Drive that is being built.

##### ***Roadway Network***

This proposal adds two important elements to the roadway network envisioned in the White Flint Sector Plan:

**Woodglen Drive** - This project includes the construction a Master Plan recommended extension of Woodglen Drive, providing the segment from Nicholson Lane to Marinelli Road. (*Figure 10, p. 291 and Table 3, p. 285*) Providing local circulation streets parallel to Rockville Pike is an essential component of the Plan, as they provide alternate circulation opportunities that spread vehicle trips over several streets, and add pedestrian-friendly connections. Woodglen Drive Extended will contribute to a reduction of future volume on the Pike, and create a more interconnected local street network in the White Flint Metro Station area.

This street is classified by the Master Plan as an industrial and business street, with an 80-foot right of way and two planned through lanes. (*Table 11, p. 163*)

**Rockville Pike** - Achieving the urban design vision for Rockville Pike at this critical location is an important element of this development. After a series of discussions with the applicants and the M-NCPPC staff, a consensus agreement was reached regarding the design of Rockville Pike and the relationship of proposed buildings to the Pike.

In accord with that agreement, the developer will dedicate 75 feet of right-of-way (ROW) from the existing centerline of Rockville Pike, and set back any building 10 feet from that right-of-way line – placing any new buildings 85 feet from the existing centerline.

The Master Plan recommends a *minimum* ROW of 134 feet for this segment of Rockville Pike. The staff recommendation of 75 feet from the existing center-line derives from a desire for an eventual 150-foot ROW along this stretch of Rockville Pike in order to achieve connectivity, pedestrian, vehicle mobility, and urban design goals.

**Other Street Guidelines** - The Plan recommends maintaining and enhancing vegetation along roadsides and in medians of major highway corridors. To achieve the expectations of the Master Plan, the development must also reflect the following applicable “Green Corridor” design guidelines (p. 251):

- Place landscape buffers between the curb and relocated sidewalks
- Place trees in medians and along curbs
- Relocate utility poles to allow for optimum tree planting and sidewalks

Other design elements required to achieve Master Plan goals include:

- Construct sidewalks that are a minimum of 8 feet wide along Woodglen Drive, Marinelli Road, and Nicholson Lane.
- Provide streetscaping along the Rockville Pike portion of sidewalk.
- Provide tree pits and landscaped areas for all sidewalks.
- Construct a sidewalk at least 15 wide along the extension of Woodglen Drive to assure safe and desirable pedestrian circulation on the site.
- Screen the open sections in the parking garage that will be built along Woodglen Drive across from the rear portion of The Grand to prevent headlights from shining into the windows of residences on the lower floors.

## CONCLUSION

The proposed site plan reflects the intent of the White Flint Sector Plan area. Community-Based Planning recommends approval of the rezoning. The following elements are important to be evaluated at Site Plan Review in order to ensure compliance with this master plan vision:

**Roadways:** Along the Rockville Pike frontage, 75 feet of right-of-way dedicated from the existing centerline, and setback all buildings 10 feet from that 75-foot right-of-way line.

*Sidewalks:*

- a. Provide sidewalks at least 8 feet wide along Woodglen Drive Extension, Marinelli Road, and the Nicholson Lane frontage.
- b. Provide sidewalk at least 15 feet wide along the internal street.
- c. Provide sidewalks along Rockville Pike, with width and design to be determined at site plan review.
- d. Include tree pits and landscaped openings for all sidewalk segments.
- e. Place utility lines underground.

*Parking Garage:* Screen open sections facing new section of Woodglen Drive to avoid headlight glare into the confronting residential building.

*Public Facilities and Amenities:* Meet amenity requirements on-site, and contribute to the future North Bethesda Trolley Trail route planned along the west side of Woodglen Drive opposite the development.







# MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

September 11, 2007

## MEMORANDUM

TO: Ralph Wilson, Supervisor  
Development Review Division

VIA: Shahriar Etemadi, Supervisor  
Transportation Planning

FROM: Ed Axler, Planner/Coordinator  
Transportation Planning

SUBJECT: Local Map Amendment No. G-860  
Metro Pike  
White Flint Policy Area

This memorandum supplements Transportation Planning memorandum dated "Revised August 20, 2007" with the changes indicated in bolded print to respond to your request to amend the number of dwelling units in the application to 247 mid-rise apartments and parking spaces.

In the RECOMMENDATIONS section, Recommendation No. 1 is amended as follows:

1. The development is limited to a maximum of **247** mid-rise apartments, 102,245 square feet of general office use, and 112,081 square feet of general retail uses.

In the **DISCUSSION**, Site Location and Vehicular Access Points section, the table showing the proposed location, number of parking spaces, and access points for each type of land use is amended as follows:

Type of Land Use Served	Level	Number of Spaces	Entry & Exit Points
Residents & their Guests	<b>Above-Ground</b>	<b>Subtotal equals to 292</b>	Southern-Most Internal East-West Driveway
General Parking	<b>At-Grade &amp; Off-Street Spaces</b>		<u>Northern-Most</u> Internal East-West Driveway
Retail Customers and Office/Retail Employees	<b>Underground</b>	<b>Subtotal equals to 787</b>	Southern-Most Internal East-West Driveway Woodglan Drive Extended
Total Number of Parking Spaces		<b>1,079</b>	
Office/Retail Tower	<b>At-Grade</b>	2 Loading Docks	Woodglan Drive Extended
Residential/Retail Tower	<b>At-Grade</b>	3 Loading Docks	Southern-Most Internal East-West Driveway

In the **DISCUSSION**, Local Area Transportation Review - Site-Generated Traffic section, the table showing the peak-hour vehicular trips generated by proposed mixed-use development within the weekday morning and evening peak periods is amended as follows:

Type of Land Use	Number of Units or Square Feet	Weekday Peak-Hour Vehicular Trips	
		Morning	Evening
Proposed Mid-Rise Apartments	247 units	<b>102</b>	<b>117</b>
Proposed General Office Use	102,245 sq. ft.	166	167
Proposed General Retail Uses	112,811 sq. ft.	209	836
Proposed Total Peak-Hour Vehicular Trips		<b>477</b>	<b>1,120</b>
Existing Fast Food Restaurant	3,415 sq. ft.	150	89
Existing General Retail Uses	63,627 sq. ft.	122	487
Existing Total Peak-Hour Vehicular Trips		272	576
Net Increase in Peak-Hour Vehicular Trips		<b>205</b>	<b>544</b>

In the **DISCUSSION**, Applicant's Proposal to satisfy 50% Trip Reduction Goal section, the table showing the applicant required trip reduction goal is amended as follows:

Line No.	Trip Reduction Measures	Weekday Peak-Hour Vehicular Trips	
		Morning	Evening
1	Net Increase in Trips	<b>205</b>	<b>544</b>
2	Required Number of Mitigated Trips	<b>103</b>	<b>272</b>
Number of Site-Generated Vehicular Trips Reduced associated with the proposed mitigating measures			
3	Metrorail & Bus Transit Trips	-145	-156
4	Internal Pedestrian Site Trips	- 36	-119
5	Bike Lockers & Racks	- 9	- 9
6	Information Kiosk(s)	- 6	- 6
7	Net Number of Trips Reduced	<b>196</b>	<b>290</b>
8	% Trips Mitigated (Line #7/Line #1)	<b>95.6%</b>	<b>53.3%</b>

EA: tc

cc: Sande Brecher  
Larry Cole  
Cherian Eapen  
Pat Harris  
Barbara Kearney

Chuck Kines  
Greg Leck  
Nancy Randall  
Margaret Rifkin  
Peggie Schwartz  
Fiona Thomas

mmo to Wilson re LMA No. G-865 Metro Pike 3<sup>rd</sup> update.doc



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

August 15, 2007  
Revised: August 20, 2007

**MEMORANDUM**

TO: Ralph Wilson, Supervisor  
Development Review Division

VIA: Shahriar Etemadi, Supervisor  
Transportation Planning

FROM: Ed Axler, Planner/Coordinator EA  
Transportation Planning

SUBJECT: Local Map Amendment No. G-860  
Metro Pike  
White Flint Policy Area

---

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the rezoning case to redevelop the subject commercial site into a mixed-use development from the C-2 zone to the TS-M zone.

**RECOMMENDATIONS**

We recommend the following conditions as part of the APF test for transportation requirements related to approval of the subject local map amendment:

1. The development is limited to a maximum of 238 mid-rise apartments, 102,245 square feet of general office use, and 112,081 square feet of general retail uses.
2. At time of preliminary plan, the applicant must demonstrate that the following transportation-related requirements have "reasonable probable fruition":
  - A. The APF test must be satisfied under the current *Annual Growth Policy's* Alternative Review Procedures for Metro Station Policy Areas (Attachment No. 1 ) that includes the following four requirements:
    - 1) Prior to recordation of plat, enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and the Montgomery County Department of Public Works and Transportation (DPWT) to reduce at least 50% of the weekday vehicular peak-hour trips attributable to the subdivision.

15

To effectively mitigate the site-generated peak-hour vehicular trips for this near-term and long-term mixed-use development, the TMAg must include but not be limited to the following:

- a) Enhance the ridesharing program that is typically part of the North Bethesda TMO to reduce drive-alone vehicular trips.
  - b) Limit on-site parking to the minimum number of spaces required by the County Zoning Ordinance for mixed-use developments as a disincentive for drive-alone trips and an incentive for residents and employees on-site to travel by transit, car/vanpooling, bicycling or walking.
  - c) Require that interim traffic reduction to be monitored quarterly for two years and the final goals be measured and reported on a bi-annual basis thereafter. The auditing will be conducted by a Planning Board's consultant and funded by the applicant.
  - d) Require a financial penalty or other measures to be determined at the time of execution of the trip mitigation agreement in the event that the trip reduction goals are not achieved by established target dates and/or not maintained during the life of the agreement.
  - e) Provide a bond/security instrument to fund the traffic mitigation plan if the applicant or the successors fail to achieve or maintain the trip reduction goals.
- 2) Participate in the North Bethesda Transportation Management Organization (TMO) as recommended in the *North Bethesda-Garrett Park Master Plan* to assist the North Bethesda TMO in achieving and maintaining the 30-percent and 39-percent non-auto driver mode share goals for residents and employees respectively.
  - 3) Pay the ongoing annual TMD fees to fund the North Bethesda TMO, when re as authorized by County Council.
  - 4) Pay double the applicable development impact tax without claiming any credits for transportation improvements. The applicant's tax payment should be used to fund any necessary Local Area Transportation Review improvements to increase capacity or mitigate traffic through three intersections identified as potentially exceeding their congestion standard due to the applicant not being required to submit a traffic study.
- B. The applicant must dedicate additional right-of-way for 75 feet from the centerline of Rockville Pike (MD 355).

- C. The applicant must construct Woodglen Drive Extended that would include the following:
1. Obtain a signed written agreement with the adjoining property owner (Forest City) along the western property line to obtain the necessary right-of-way to construct the master-planned Woodglen Drive. The signed written binding agreement must be submitted to the Planning Board staff prior to recordation of plat.
  2. Dedicate the necessary right-of-way that varies from approximately 10 feet to 40 feet from the existing opposite right-of-way line and construct Woodglen Drive Extended along the western property line as a two-lane business district street between Nicholson Lane and Marinelli Road with an eight-foot-wide shared use path on the west side and a five-foot-wide sidewalk on the east side.
- D. The applicant must revise the internal circulation plan as follows:
1. Deliveries must be scheduled to be outside the peak hours when residents, retail customers, retail employees, and office employees arrive and leave the parking areas.
  2. The design of the northern-most east-west internal driveway must include traffic calming measures to minimize the conflicting movements between through movements and vehicles parallel parking.
  3. Pedestrian crosswalks, handicapped ramps, and other design features must be provided across the southern-most internal east-west driveway to minimize conflicts with vehicles along the driveway, at Rockville Pike, and at Woodglen Drive Extended.
  4. Further plan details must be provided at the adjacent intersections regarding pedestrian crosswalks, pedestrian pushbuttons, refuge islands, and handicapped ramp.
  5. Further plan details must be provided at any proposed vehicular and pedestrian access to the adjacent Anthropologies store.
- E. The applicant must provide bike lockers in the parking garage for residents and employees and provide inverted-U bike racks (each storing 2 bicycles) at the main entrance in weather-protected area(s). The applicant must coordinate with transportation planning staff to identify the ultimate number and location of bike lockers and racks prior to site plan submittal.

## DISCUSSION

### Site Location and Vehicular Access Points

The proposed mixed-use development is located on the west side of Rockville Pike between Nicholson Lane and Marinelli Road. The vehicular access points are from Rockville Pike and the proposed extension of Woodglen Drive.

Potential exists for conflicting movements entering and leaving the access points for the on-site garage. The table below shows the proposed location, number of parking spaces, and access points for each type of land use:

Type of land use Served	Level	Number of Spaces	Entry & Exit Points
Residents & their Guests	4 <sup>th</sup> Above-Ground Level	126	Southern-Most Internal East-West Driveway
	3 <sup>rd</sup> Above-Ground Level	123	
	2 <sup>nd</sup> Above-Ground Level	123	
	Subtotal	372	
General Parking	1 <sup>st</sup> Level	16 Off-Street	<u>Northern-Most</u> Internal East-West Driveway
Retail Customers and Office/Retail Employees	1 <sup>st</sup> Level Basement	441	Southern-Most Internal East-West Driveway
	2 <sup>nd</sup> Level Basement	332	
	Subtotal: Basement	773	Woodglen Drive Extended
	Total	1,161	
Office/Retail Tower	1 <sup>st</sup> Level	2 Loading Docks	Woodglen Drive Extended
Residential/Retail Tower	1 <sup>st</sup> Level	3 Loading Docks	Southern-Most Internal East-West Driveway

It must be shown at preliminary plan, enhanced traffic calming measures needed to minimize pedestrian-vehicle conflicts. This could be accomplished by clearly delineating the internal, designated pedestrian crossings along the two internal east-west driveways and Woodglen Drive Extended. This enhanced traffic calming is necessary because the number of vehicles entering and leaving the three garage access points is increased along the two internal east-west driveways and Woodglen Drive Extended caused by prohibiting left turns from northbound or onto southbound Woodglen Drive Extended at Marinelli Road.

In addition, deliveries must be prohibited to the loading dock serving the retail/residential tower because the access points to the retail and residential garages are located next to this loading dock.

### Prior Transportation Facility Planning Project

DPWT Facility Planning Study for Woodglen Road Extended as a two-lane business district street between Nicholson Lane and Marinelli Road started in 2002. Phase I of this Facility Planning Study, the Project Prospectus, was reviewed by the Planning Board at its March 27, 2003 public hearing. The detail design for construction did not proceed forward because the County Council decided that it was unnecessary to proceed at the time.

### Available Transit Service

The subject site is conveniently located within a short walking distance to the White Flint Metrorail Station. Metrorail passengers can enter this Station at the opposite northeast corner of the Rockville Pike/Marinelli Road intersection opposite the subject site. In addition, seven bus routes operate along the adjacent roadways as follows:

1. Ride-On routes 5, 38, and 46 and Metrobus route C-8 operating along Rockville Pike.
2. Ride-On routes 26 and 81 operate along Marinelli Road.
3. Metrobus route J-5 operates at the corner of the Rockville Pike/Nicholson Lane intersection.

### External Pedestrian Facilities

Sidewalks exist along Rockville Pike, Nicholson Lane, and Marinelli Road with appropriate handicapped ramps, pedestrian crosswalks, and pedestrian signals. The applicant proposes to improve the sidewalks by widening them to at least 15-foot wide with street trees along all three roads. The proposed Woodglen Drive Extended construction includes an eight-foot-wide shared use path on the west side and a five-foot-wide sidewalk on the east side. However, pedestrian (and vehicular) access to the adjoining Anthropologies store is not shown on the submitted plans.

### Internal Pedestrian Circulation

Pedestrian crosswalks are proposed across: 1) the northern internal east-west driveway at Rockville Pike and 2) Woodglen Drive Extended at Marinelli Road, a mid-block area, and Nicholson Lane. However, pedestrian crosswalks are not provided and are needed (will be recommended at preliminary plan) across the southern internal east-west driveway at the intersections at Rockville Pike and Woodglen Drive Extended. The submitted plans need to include more details regarding pedestrian crosswalks, pedestrian pushbuttons, refuge islands, and handicapped ramps at the adjacent intersections.



### Master-Planned Roadways and Bikeway

In accordance with the *North Bethesda/Garrett Park Master Plan*, the master-planned roadway and bikeway facilities are designated as follows:

1. Rockville (MD 355) is designated as a six-lane divided major highway, M-6, with a 134-foot minimum right-of-way or 67 feet from the centerline. The *Master Plan* on page 144 (Attachment No. 2) recommends, widening the right-of-way as necessary to allow six-foot sidewalks between the two rows of street trees. Based on this recommendation and the on-going Rockville Pike Design Study, the Rockville Pike cross-section between Nicholson Lane and Marinelli Road will need eight more feet of right-of-way for 75 feet from the centerline (or a total right-of-way of 150 feet).
2. Woodglen Drive Extended is designated as a two-lane business district street, B-3, with a recommended 80-foot minimum right-of-way. The recommended minimum right-of-way is not available because the property on the west side of Woodglen Drive Extended never dedicated the required 40 feet of right-of-way from the centerline. As the result, this applicant is in the process of negotiating a modified right-of-way to provide for two lanes of travelway, a bike lane and a sidewalk. The applicant is required to finalize the agreement prior to recordation of plat.
3. Nicholson Lane is designated as a four-lane arterial, A-69, with a recommended 80-foot minimum right-of-way.
4. Marinelli Road is designated as a four-lane business district street, B-6, with a recommended 80-foot minimum right-of-way.

In accordance with the *Countywide Bikeways Functional Master Plan*, the nearby bikeway facilities are designated as follows:

1. A shared-use path, SP-41, is designated along west side of Woodglen Road Extended.
2. A shared-use path, SP-45, is designated along the north side of Marinelli Road.
3. A shared sign roadway, SR-37, is designated along Nicholson Lane.

The *White Flint Sector Plan*, Core Area, Phase I is currently being drafted. Based on the current M-NCPPC master plan schedule, Planning Board's review and recommendations are scheduled in January 2008, and County Council adoption of the plan is scheduled for 2009. At the time of the preliminary and/or site plan approval, the transportation-related recommendations in the future *White Flint Sector Plan* may be different from the current recommendations in the *North Bethesda/Garrett Park Master Plan*. The future preliminary and site plans for the Metro Pike will be required to comply with the applicable recommendations of *White Flint Sector Plan*, if adopted before approval of these future plans.

### North Bethesda Transportation Management Requirements

This site is within the boundary of the North Bethesda Transportation Management District (TMD). In accordance with the *North Bethesda-Garrett Park Master Plan* and County Code 42A-25, the applicant is required to participate in the North Bethesda Transportation Management Organization (TMO) ~~because the proposed development includes new multi-family housing and non-residential development with 25 or more employees.~~ Participation is required in the TMAg and includes but not limited to the following:

1. Submit a Traffic Mitigation Agreement (TMAg) for approval by the Park and Planning and DPWT staff.
2. Appoint a transportation coordinator as the point of contact between the TMO, residents and tenants of the development.
3. Participate in the County's annual commuter survey of residents and employees to monitor the performance of the trip reduction measures.
4. Promote alternative transportation modes to residents and employees on the site.
5. Pay the annual Transportation Management Fee to the North Bethesda TMO when the County Council renews the TMD Fees' enabling legislation.

### Local Area Transportation Review (LATR)- Site-Generated Traffic

The table below shows that the proposed mixed-use development peak-hour vehicular trips within the weekday morning peak period (6:30 to 9:30 a.m.) and the weekday evening peak period (4:00 to 7:00 p.m.):

Type of Land Use	Number of Units or Square Feet	Weekday Peak-Hour Vehicular Trips	
		Morning	Evening
Proposed Mid-Rise Apartments	238 units	121	149
Proposed General Office Use	102,245 sq. ft.	166	167
Proposed General Retail Uses	112,811 sq. ft.	209	836
Proposed Total Peak-Hour Vehicular Trips		496	1,152
Existing Fast Food Restaurant	3,415 sq. ft.	150	89
Existing General Retail Uses	63,627 sq. ft.	122	487
Existing Total Peak-Hour Vehicular Trips		272	576
Net Increase in Peak-Hour Vehicular Trips		224	576

Applicant's Proposal to satisfy 50% Trip Reduction Goal

Under the AGP's Alternative Review Procedures for Metro Station Policy Areas, the applicant must meet the trip reduction goal of at least 50% of the weekday peak-hour vehicular trips as shown on Line No. 2 in the table below.

Line No.	Trip Reduction Measures	Weekday Peak-Hour Vehicular Trips	
		Morning	Evening
1	Net Increase in Trips	224	576
2	Required Number of Mitigated Trips	112	288
Number of Site-Generated Vehicular Trips Reduced associated with the proposed mitigating measures			
3	Metrorail & Bus Transit Trips	-145	-156
4	Internal Pedestrian Site Trips	- 36	-119
5	Bike Lockers & Racks	- 9	- 9
6	Information Kiosk(s)	- 6	- 6
7	Net Number of Trips Reduced	196	290
8	% Trips Mitigated (Line #7/Line #1)	87.5%	50.4%

The elements of the traffic mitigation program are proposed to include but not limited to the following:

1. Commuters could use Metrorail and buses as alternative modes of travel because the subject site is conveniently located within a block of the White Flint Metrorail Station and seven bus routes serving the adjacent roadways.
2. Internal captured rate for the synergy between compatible land uses. Each of the individual land use is within easy walking distance of another use within this mixed-use development of residential, retail uses, and offices. For example, people could walk between the apartments and the retail use or between residential and office or offices and retail. These internal trips would reduce the number of external trips generated by each individual land use if located on a separate site.

In addition, concierge service is another element to discourage external trips. A concierge service would run errands for residents and employees -- such as trips to the dry cleaners. The concierge reduces the number of trips by combining multiple errands into one vehicular trip.

3. Encourage bicycle usage as an alternative to driving alone by providing secure bike parking with lockers and racks at the appropriate locations. The number of bike parking facilities must be at least the minimum number of what is required in the County Zoning Ordinance, preferably more bicycle parking should be provided, given its proximity to a

- major regional trail. Beside the bicycle parking facilities, employers need to provide showers, lockers and changing facilities for employees who commute by bicycle.
4. Encourage use of alternative non-auto travel modes instead of commuting in a single occupancy vehicle. Up-to-date information must be provided at the on-site kiosks for transit schedules, car/vanpooling opportunities, and other alternative non-auto transportation modes. Incentives might include transit fare subsidies and preferred parking for car/vanpools.

In addition, a ridesharing program must be created to encourage formation and retention of carpools or vanpools. The ridesharing matching service must actively monitor existing car/vanpools to adjust for any changes due to residents moving and/or changing their employment and continually encourage formation of new car/vanpools.

#### Traffic Congestion at nearby Intersections

Using the *AGP's* Alternative Review Procedures in the White Flint Metro Station Policy Area, the applicant is not required to submit a traffic study and improve any intersection exceeding its congestion standard that would be typically required from a subdivision applicant to satisfy Local Area Transportation Review.

If reviewed as a typical subdivision case, a traffic study would be required to satisfy the LATR because the proposed mixed-use development generates 30 or more peak-hour trips during the weekday morning and evening peak hours. Such a traffic study would provide analysis of at least three signalized intersections in each direction. The Table No. 4 below shows the Critical Lane Volumes (CLV) at the nearby intersections based on the results from the traffic studies prepared for close by subdivision cases:

Table No. 4: Critical Lane Volumes at the nearby Intersections

Nearby Intersection	Date of Traffic Study	Weekday Peak Hour	Traffic Condition	
			Existing Traffic	Total Future Traffic without the Subject Site
Marinelli Road and Rockville Pike	2005 Study	Morning	1,106	1,312
		Evening	1,128	1,473
Nicholson Lane and Rockville Pike	2006 Study	Morning	1,150	1,262
		Evening	1,478	1,660
Nicholson Lane and Woodglen Drive	2005 Study	Morning	586	666
		Evening	665	824
Nicholson Lane and Executive Boulevard	2005 Study	Morning	645	772
		Evening	585	780
Marinelli Road and Executive Boulevard	2006 Study	Morning	418	520
		Evening	518	616

Table No. 4 (Continued): Critical Lane Volumes at the nearby Intersections

Nearby Intersection	Date of Traffic Study	Weekday Peak Hour	Traffic Condition	
			Existing Traffic	Total Future Traffic without the Subject Site
Old Georgetown Road and Nicholson Lane	2006 Study	Morning	1,547	1,606
		Evening	1,596	1,732**
Old Georgetown Road and Executive Boulevard	2006 Study	Morning	1,654	1,767**
		Evening	1,497	1,675
Old Georgetown Road and Rockville Pike	2006 Study	Morning	1,376	1,509
		Evening	1,384	1,860*
Nicholson Lane and Rockville Pike	2006 Study	Morning	1,150	1,262
		Evening	1,478	1,660
Nicholson Lane and Citadel Avenue/Huff Court	2006 Study	Morning	618	668
		Evening	854	917

\* This CLV exceeds the 1,800 congestion standard.

\*\* This CLV is approaching the 1,800 congestion standard

Using one or two year old data, the CLV at the Old Georgetown Road/Rockville Pike intersection during the evening peak hour exceed the 1,800 congestion standard for the White Flint (Metrorail Station) Policy Area. The CLVs at the intersections of Old Georgetown Road/Nicholson Lane and Old Georgetown Road/Executive Boulevard are close to reaching the 1,800 congestion standard. The applicant's DAP should be used to fund intersection improvements to increase their capacity or mitigation measures to reduce the traffic volume through these intersections

EA: tc  
Attachments

cc: Sande Brecher  
Larry Cole  
Cherian Eapen  
Pat Harris  
Barbara Kearney  
Chuck Kines  
Greg Leck  
Nancy Randall  
Margaret Rifkin  
Peggie Schwartz  
Fiona Thomas

mno to Wilson re LMA No. G-865 Metro Pike.doc



*slly rec'd 2/8/2007*

DIVISION OF LONG-RANGE PLANNING  
**Montgomery County Public Schools**

2096 Gaither Road, Suite 201, Rockville, MD 20850 • 240-314-4700 • (FAX) 240-314-4707

February 1, 2007

Ms. Sandra Youla  
Development Review Division  
Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Dear Ms. Youla:

This letter is sent in response to Zoning Application No. G-860, known as "Lots 4, 5 and Part of 3, Green Acres Corp. Subdivision Montrose," located on the west side of Route 355, north of Nicholson Lane and south of Marinelli Road in Rockville, Maryland.

This rezoning would result in 220 high-rise units. Based on average yield factors derived from the Maryland National Capital Park and Planning Commission 2005 Census Update Survey, the impact of this project is estimated to be approximately ten (10) elementary, nine (9) middle, and eight (8) high school students. This property is located within the Luxmanor Elementary School attendance area, Tilden Middle School attendance area, and Walter Johnson High School attendance area.

Enrollment at Luxmanor Elementary School currently exceeds capacity. However, an addition is scheduled to open in August 2008, resulting in space available beginning in 2008. Enrollment at Tilden Middle School is currently within capacity and is projected to stay within capacity. Enrollment at Walter Johnson High School currently exceeds capacity. However, modernization of the school is scheduled for completion in August 2009, resulting in space available beginning in 2009. See enclosed pages from the Montgomery County Public Schools FY 2008 Capital Budget and Amendments to the FY 2007-2012 Capital Improvements Program.

The current Growth Policy schools test finds capacity adequate in the Walter Johnson cluster.

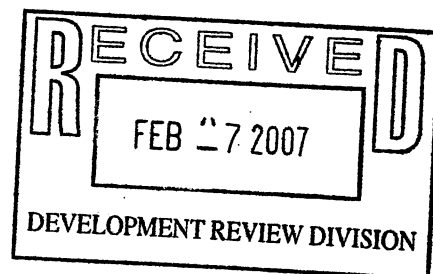
Sincerely,

Bruce H. Crispell, Director  
Division of Long-range Planning

BHC:bc

Enclosures

Copy to: Mr. Bowers, Mr. Hawes, Ms. Turpin



# Walter Johnson Cluster

Montgomery County Public Schools  
850 Hungerford Drive

0.5  
Miles

Map Compiled by MCPS Division of Long-range Planning  
Map base provided by Montgomery County DTS Geographic Information System Division

October 2, 2006

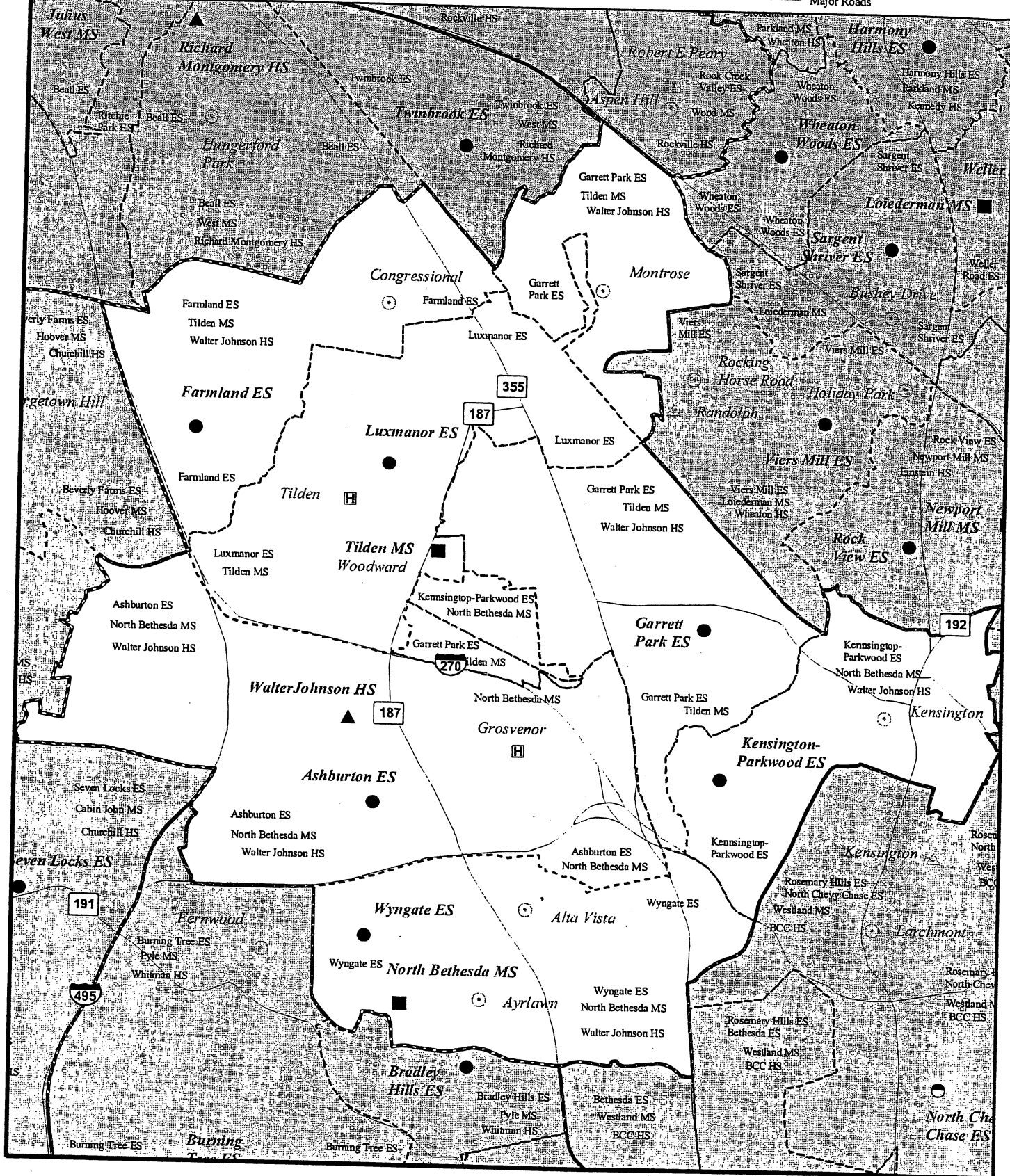


Closed New Current

- Grades K-2
- Grades 3-6 or 3-5
- Grades K-5
- Middle Schools
- High Schools

Cluster Service Areas  
ES Service Areas  
Major Roads

Vicinity Map



## CLUSTER PLANNING ISSUES

**Capital Project:** Restroom renovations are planned for schools in this cluster that were constructed or modernized before 1985 and did not have planning or construction funds approved in the Amended FY 2005–2010 CIP. Schools that will receive an addition project will have the improvements completed at the same time. Please see appendix G for the list of schools not scheduled for an addition or modernization project that are approved to receive restroom renovations.

## SCHOOLS

### Walter Johnson High School

**Capital Project:** A modernization is scheduled for Walter Johnson High School with a completion date of August 2009 for the facility and with the site work scheduled for completion by August 2010. With the decision to reopen Northwood High School, MCPS no longer has a high school holding facility, and all future high school modernizations will be completed on site. The Walter Johnson High School modernization is being phased with students and staff on site.

The first two phases of the modernization have been completed and included a 20-classroom addition and modernization of the cafeteria and media center. As part of the Amended FY 2005–2010 CIP an FY 2006 appropriation was approved for planning to design the auditorium and gymnasium as well as to begin the design for the final phase of the modernization. An FY 2006 appropriation also was approved for construction of the auditorium with completion scheduled during the 2006–2007 school year.

An FY 2008 appropriation for construction to complete the final portions of the modernization is recommended. Construction of the gymnasium will be phased in as part of the final phase of the modernization. In order for this modernization to be completed on schedule, county and state funding must be provided at the levels recommended in this CIP.

### Ashburton Elementary School

**Utilization:** Projections indicate enrollment at Ashburton Elementary School will exceed capacity by at least four classrooms throughout the six-year CIP period. Relocatable classrooms will continue to be utilized until an addition is constructed.

**Capital Project:** An FY 2008 appropriation for construction is recommended to construct the nine-classroom addition. The addition project is scheduled for completion in August 2008. In order for this addition to be completed on schedule, county and state funding must be provided at the levels recommended in this CIP.

### Farmland Elementary School

**Capital Project:** Construction is underway for a classroom addition at Farmland Elementary School. The scheduled completion date for the addition is the 2006–2007 school year.

**Capital Project:** Construction is underway for a gymnasium at this school. The scheduled completion date for this gymnasium is the 2006–2007 school year.

**Capital Project:** A modernization project is scheduled for this school with a completion date of August 2011. FY 2009 expenditures for planning are programmed to begin the architectural design of the modernization. In order for this modernization to be completed on schedule, county and state funding must be provided at the levels recommended in this CIP.

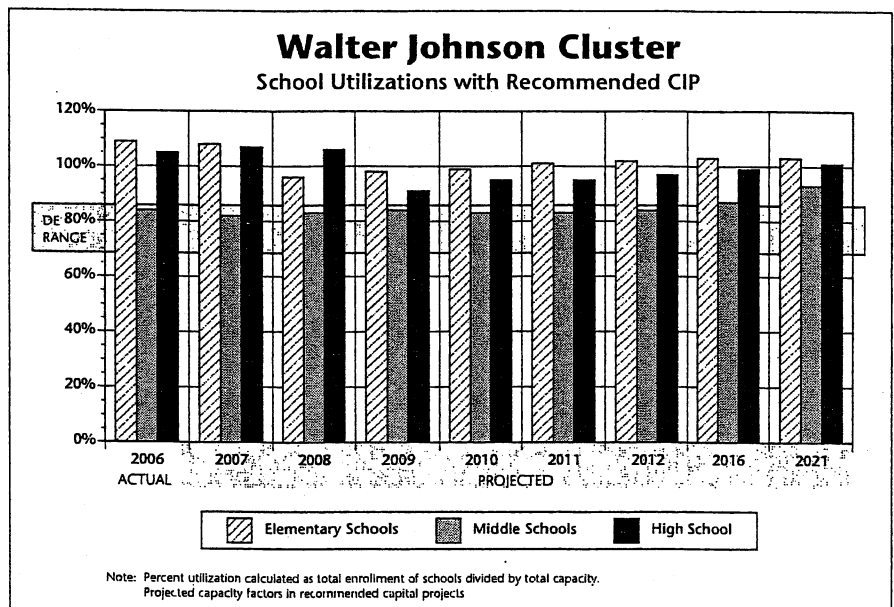
### Garrett Park Elementary School

**Capital Project:** A modernization project is scheduled for this school with a completion date of January 2012. FY 2009 expenditures are programmed for planning to begin the architectural design of the modernization. In order for this modernization to be completed on schedule, county and state funding must be provided at the levels recommended in this CIP.

**Capital Project:** FY 2009 expenditures are programmed for planning to begin the architectural design for a gymnasium that will be constructed as part of the modernization project. The scheduled completion date for this gymnasium is January 2012. In order for this gymnasium to be completed on schedule, county funding must be provided at the levels recommended in this CIP.

### Luxmanor Elementary School

**Utilization:** Projections indicate enrollment at Luxmanor Elementary School will exceed capacity by at least four classrooms throughout the six-year period. Relocatable classrooms will be utilized until additional capacity can be added.





**Capital Project:** An FY 2008 appropriation is recommended for construction to construct the nine-classroom addition. The addition project is scheduled for completion in August 2008. In order for this addition to be completed on schedule, county funding must be provided at the levels recommended in this CIP.

**Capital Project:** A modernization is scheduled for this school. FY 2012 expenditures are programmed for facility planning to conduct a feasibility study to determine the feasibility, scope, and cost of the project. A completion date will be considered in next year's CIP.

## CAPITAL PROJECTS

School	Project	Project Status	Date of Completion
Walter Johnson HS	Auditorium	Approved	SY 2006-2007
	Final Phase modernization	Recommended	Aug. 2009
Ashburton ES	Site work	Recommended	Aug. 2010
	Classroom addition	Recommended	Aug. 2008
Farmland ES	Classroom addition	Approved	SY 2006-2007
	Gymnasium	Approved	SY 2006-2007
	Modernization	Programmed	Aug. 2011
Garrett Park ES	Modernization	Programmed	Jan. 2012
	Gymnasium	Programmed	Jan. 2012
Luxmanor ES	Classroom addition	Recommended	Aug. 2008
	Modernization	Proposed	TBD

# WALTER JOHNSON CLUSTER

## Projected Enrollment and Space Availability

Effects of Recommended Amendments to the FY 2007–2012 CIP and Non-CIP Actions on Space Available

Schools			Actual	Projections							
			06-07	07-08	08-09	09-10	10-11	11-12	12-13	2016	2021
Walter Johnson HS		Program Capacity	1878	1861	1861	2131	2131	2131	2131	2131	2131
		Enrollment	1967	1991	1967	1949	2023	2030	2068	2100	2150
		Available Space	(89)	(130)	(106)	182	108	101	63	31	(19)
		Comments	Aud. Complete	Modernization In progress +1 Aspergers		Mod. Complete	Site Work Complete Aug. 2010				
North Bethesda MS		Program Capacity	850	850	850	850	850	850	850	850	850
		Enrollment	728	756	763	750	719	734	727	750	800
		Available Space	122	94	87	100	131	116	123	100	50
		Comments									
Tilden MS		Program Capacity	928	928	928	928	928	928	928	928	928
		Enrollment	770	702	710	739	763	743	765	800	850
		Available Space	158	226	218	189	165	185	163	128	78
		Comments									
Ashburton ES		Program Capacity	453	453	660	660	660	660	660		
		Enrollment	572	583	582	587	594	605	615		
		Available Space	(119)	(130)	78	73	66	55	45		
		Comments	+1 PEP Planning For Add.	+9 Rooms							
Farmland ES		Program Capacity	617	617	617	617	617	617	617		
		Enrollment	578	559	559	571	583	603	603		
		Available Space	39	58	58	46	34	14	14		
		Comments	+8 Rooms +Gym +FDK		Planning For Mod.	@North Lake Jan. 2010	Mod. Complete Aug. 2011				
Garrett Park ES		Program Capacity	456	456	456	456	456	456	456		
		Enrollment	432	449	461	480	494	501	517		
		Available Space	24	7	(5)	(24)	(38)	(45)	(61)		
		Comments	+6 Rooms		Planning For Mod.	@ Grosvenor Mod. Comp. +Gym Jan. 2012					
Kensington-Parkwood ES		Program Capacity	518	518	518	518	518	518	518		
		Enrollment	490	479	485	499	512	503	501		
		Available Space	28	39	33	19	6	15	17		
		Comments									
Luxmanor ES		Program Capacity	222	222	429	429	429	429	429		
		Enrollment	333	343	371	388	410	432	439		
		Available Space	(111)	(121)	58	41	19	(3)	(10)		
		Comments	+FDK, +1 SCB Planning For Add.	+9 Rooms				Facility Planning For Mod.			
Wyngate ES		Program Capacity	414	414	414	414	414	414	414		
		Enrollment	523	486	498	495	485	482	490		
		Available Space	(109)	(72)	(84)	(81)	(71)	(68)	(76)		
		Comments	+FDK								
Cluster Information		HS Utilization	105%	107%	106%	91%	95%	95%	97%	99%	101%
		HS Enrollment	1967	1991	1967	1949	2023	2030	2068	2100	2150
		MS Utilization	84%	82%	83%	84%	83%	83%	84%	87%	93%
		MS Enrollment	1498	1458	1473	1489	1482	1477	1492	1550	1650
		ES Utilization	109%	108%	96%	98%	99%	101%	102%	103%	103%
		ES Enrollment	2928	2899	2956	3020	3078	3126	3165	3200	3200

## Demographic Characteristics of Schools

Schools	2006-2007						2005-2006		
	Total Enrollment	African-American %	American Indian %	Asian-American %	Hispanic %	White %	FARMs%*	ESOL%**	Mobility Rate%***
Walter Johnson HS	1967	10.3%	0.2%	13.7%	13.0%	62.9%	6.2%	5.2%	9.1%
North Bethesda MS	728	7.0%	0.4%	10.3%	9.9%	72.4%	5.6%	2.9%	9.9%
Tilden MS	770	10.4%	0.6%	16.8%	16.5%	55.7%	14.3%	9.7%	11.9%
Ashburton ES	572	13.3%	0.0%	17.7%	12.8%	56.3%	10.5%	9.1%	11.6%
Farmland ES	578	4.2%	0.0%	32.2%	5.5%	58.1%	4.7%	26.3%	17.1%
Garrett Park ES	432	9.7%	0.0%	22.0%	19.9%	48.4%	19.0%	17.6%	16.3%
Kensington-Parkwood ES	490	7.8%	0.2%	6.3%	9.2%	76.5%	8.2%	4.3%	9.3%
Luxmanor ES	333	12.0%	0.0%	19.5%	7.8%	60.7%	9.6%	12.9%	15.0%
Wyngate ES	523	3.1%	1.3%	11.5%	4.8%	79.3%	0.8%	5.2%	7.1%
<b>Elementary Cluster Total</b>	<b>2928</b>	<b>8.1%</b>	<b>0.3%</b>	<b>18.4%</b>	<b>9.8%</b>	<b>63.5%</b>	<b>8.4%</b>	<b>12.7%</b>	<b>12.7%</b>
<b>Elementary County Total</b>	<b>61836</b>	<b>22.6%</b>	<b>0.3%</b>	<b>15.2%</b>	<b>22.5%</b>	<b>39.4%</b>	<b>28.5%</b>	<b>15.7%</b>	<b>18.1%</b>

*\*Percent of students approved for Free and Reduced-priced Meals Program (FARMS) and Percent of English for Speakers of Other Languages (ESOL).*

**\*\*High School ESOL students are served at regional ESOL centers.**

\*\*\*Mobility Rate is the number of entries plus withdrawals during the 2005–2006 school year compared to total enrollment.

### Program Capacity and Room Use Table

(School Year 2006–2007)

[illegible]

# WALTER JOHNSON CLUSTER

## Facility Characteristics of Schools 2006–2007

Schools	Year Opened	Year Ren./ Mod.	Total Square Feet	Site Size Acres	Adjacent Park	FACT Assess. Score	Child Care*			Reloc. Class. 2006–07	Link. To Learn. Prgm.	Elem. Gym
							Joint Use	County Owned	Private Mod.			
Walter Johnson HS	1956	1977	325,727	30.9		1405						
North Bethesda MS	1955	1999	130,461	19.1			Yes					
Tilden MS	1966		135,150	29.8		1455	Yes					
Ashburton ES	1957	1993	65,363	8.3						7		Yes
Farmland ES	1963		70,006	4.8	PK	1417				3		
Garrett Park ES	1948	2006	54,035	4.4		1388		Yes				
Kensington–Parkwood ES	1952	2005	77,136	9.9		1263	Yes					Yes
Luxmanor ES	1966		41,432	6.5	PK	1578				9		Yes
Wyngate ES	1952	1997	58,654	9.5						5		Yes

\*Private child care is provided at the school during the school day.

Note: PK denotes that a park is adjacent to the school.

# Col. Zadok Magruder Cluster

Montgomery County Public Schools  
850 Hungerford Drive

0.5 Miles

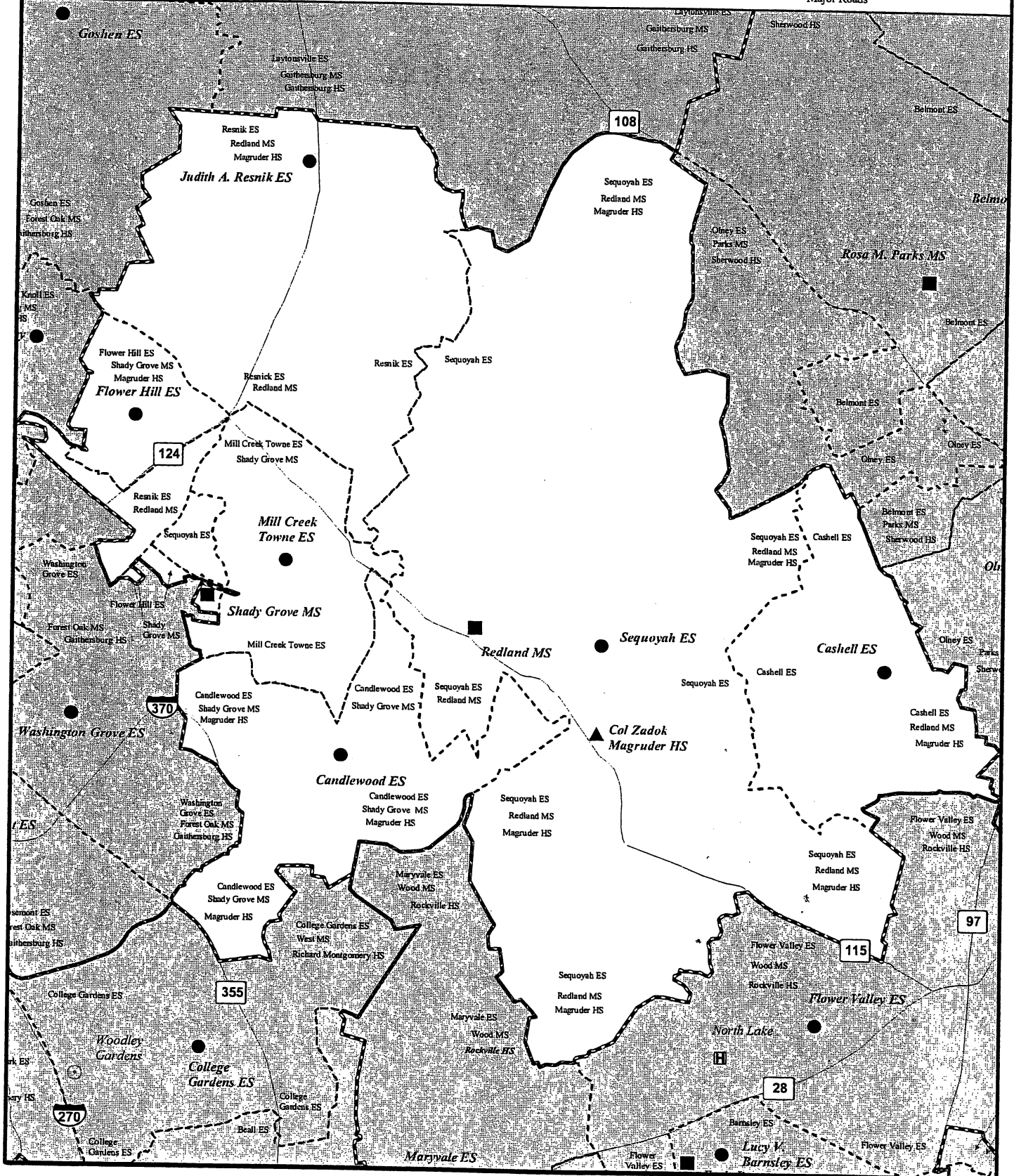


Closed New Current

- Grades K-2
- Grades 3-6 or 3-5
- Grades K-5
- Middle Schools
- High Schools

Cluster Service Areas  
ES Service Areas  
Major Roads

Vicinity Map,



09/06/07 THU 10:06 FAX 2407772080



002

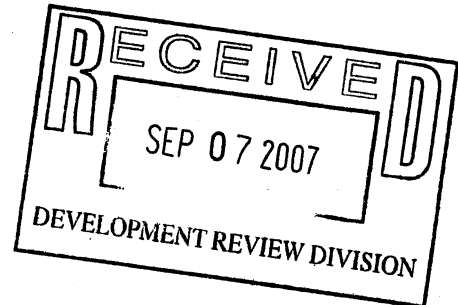
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett  
County Executive

Arthur Holmes, Jr.  
Director

September 6, 2007

Mr. Ralph Wilson, Zoning Supervisor  
Development Review Division  
The Maryland-National Capital  
Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760



RE: LMA G-860  
Metro Pike

Dear Mr. Wilson:

This letter is in response to your request for a letter from the Department of Public Works and Transportation regarding the typical sections and horizontal alignment that are being proposed by the Holladay Corporation for Woodglen Drive Extended under the above-referenced Local Map Amendment and Development Plan. We were advised of your request in an August 17, 2007 letter from the applicants' attorney, Ms. Patricia A. Harris, to our Deputy Director, Mr. Al R. Roshdiah. Mr. Roshdiah has requested me to respond directly to you on the department's behalf.

As noted in Ms. Harris' letter, the proposed extension is located between Nicholson Lane and Marinelli Road. Enclosed with Ms. Harris' letter were typed notes from a February 10, 2006 meeting between representatives of her clients and our two agencies. As I recall the discussion, those notes essentially describe the meeting. We conceptually agreed on the primary typical section described in the letter [five foot wide sidewalk on the east side of the right-of-way, seven foot wide planting strip, thirty two feet of pavement (to provide two through lanes and one parking lane), six foot wide planting strip, and an eight foot wide shared use path on the west side of the right-of-way]. This typical section will need to widen at the south end to better align with the curblines on existing Woodglen Drive. At the intersection with Marinelli Road, vehicular operations are proposed to be restricted to right in, right out only movements. The enclosed February 13, 2006 plan by VIKI, Inc. reflects those agreements. As a result, we support conceptual of the plan, subject to the comments and details described in this letter.

Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878  
240-777-6000 • 240-777-6013 TTY • 240-777-6030 FAX  
[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)



09/06/07 THU 10:06 FAX 2407772080

TRAFFIC ENGR

003

Mr. Ralph Wilson  
LMA G-860  
September 6, 2007  
Page 2

As noted in Ms. Harris' letter, these proposals will result in a narrower dedication and pavement cross-section than that contemplated in the 1992 Approved and Adopted North Bethesda/Garrett Park Master Plan. These proposals were deemed to be a reasonable alternative due to right-of-way dedication issues described in the 1996 meeting minutes.

We should note that Public Improvements Easements will be needed at least two feet beyond the limits of the sidewalk and/or shared use path, unless accommodated within the dedicated right-of-way. No private underground structures will be allowed within the public right-of-way.

At the preliminary plan stage, we will also address:

- the need for parallel and adjacent Public Utilities Easements
- the location and limits of any proposed on-street parking, based on additional engineering studies to be provided by the applicants' civil engineers
- the need for any improvements on either Marinelli Road or Nicholson Lane.

Thank you for your cooperation and assistance on this matter. If you have any questions or comments regarding this letter, please contact me at 240-777-2197 or at [greg.leck@montgomerycountymd.gov](mailto:greg.leck@montgomerycountymd.gov).

Sincerely,



Gregory M. Leck, Manager  
Development Review Group  
Traffic Engineering and Operations Section

M:\gml\sub\docs\BTR\080501, Woodglen Dr conceptual ok ltr

cc: Patricia A. Harris; Holland & Knight, LLP  
Charles A. Irish, Jr.; VIKI Inc.  
Catherine Conlon; M-NCPPC DRD  
Shahriar Etemadi; M-NCPPC TP  
Sarah Navid; DPS RWPPR  
Al R. Roshdieh; DPWT DO  
Emil Wolanin; DPWT TEOS  
Sam Farhadi; DPWT TEOS



NICHOLSON LANE  
(FORMERLY W.A.)

SON LANE  
(FORMERLY WALL LANE)  
72' WIDE  
PLAT NO. #8426

**RECOMMENDED FOR APPROVAL**  
**Montgomery County, Maryland**  
**Department Of Public Works**  
**And Transportation**

Date 9/6/07  
By gmslch

WOODGLEN  
DRIVE

**SUBJECT TO**

1. Slope and Drainage Basements
2. Comments in Green
3. Setting of Monuments by certification  
on Plat or by Public Improvement  
Agreement
4. Letter Dated 9/6/07

HOLLADAY'S PROPOSED  
ALIGNMENT COMPARED WIT  
FCD AGREED DEDICATION

# VIKA RÉVISIONS

2-13-06 realign to  
avoid FCD enclosure

DATE: 12-30-05

DES. CAI

DWN.  
ID

**SCALE:**

$$1'' = 30'$$

PROJECT/FILE NO.  
1273A

SHEET NO. 1 OF 1

G:\Projects\1273\dwg\1273001\_concept schemes.dwg 02/15/2006 12:15:09 PM EST

PIP

35

# Holland+Knight

Tel 301 654 7800  
Fax 301 656 3978

Holland & Knight LLP  
3 Bethesda Metro Center, Suite 800  
Bethesda, MD 20814-6337  
www.hklaw.com

July 12, 2007

Patricia A. Harris  
301 215 6613  
patricia.harris@hklaw.com

Françoise M. Carrier, Esquire  
Director  
Office of Zoning and Administrative Hearings  
Stella B. Werner Council Office Building  
100 Maryland Avenue, Room 200  
Rockville, Maryland 20850

RE: Local Map Amendment G-860  
Metro Pike

Dear Ms. Carrier:

The purpose of this letter is to provide additional information regarding the Metro Pike Development Plan filed by Green Acres Metro Limited Partnership (an affiliate of the Holladay Corporation) in connection with Local Map Amendment G-860. The Holladay Corporation, as the owner of the Metro Pike property (the "Holladay Property"), and Rockville Seasons Limited Partnership (an affiliate of Landow and Company (hereinafter, "Landow")), as the owner of adjacent property located at the northwest corner of Nicholson Lane and Rockville Pike (the "Landow Property"), are currently finalizing an Agreement to extinguish both an existing Building Restriction Line Covenant and an existing Access Easement recorded among the Land Records of Montgomery County at Liber 2372, folio 27 and Liber 2340, folio 505, respectively. Both the Holladay Corporation and Landow recognize that the termination of these prior agreements will serve the best interests of each owner and facilitate the future development of the properties.

In consideration for vacating the Building Restriction Line Covenant and the Access Easement, the Holladay Corporation and Landow will record a Reciprocal Easement Agreement which will, among other things, require the Holladay Corporation to grant a new easement for the benefit of the Landow Property. Pursuant to this new easement, access to the Landow Property will be provided via the proposed 24-foot wide driveway located on the Holladay Property, shown on the Development Plan as running perpendicular to Rockville Pike immediately adjacent to the northern boundary of the Landow Property.

Françoise M. Carrier  
July 12, 2007  
Page 2

The parties are in the process of finalizing the above-referenced Agreement and we will provide more information as soon as it becomes available. The parties' agreement to the information set forth herein is indicated below by their execution of this letter.

If you have any questions or require additional information in the interim, please do not hesitate to contact us.

Sincerely,

HOLLAND & KNIGHT LLP



Patricia A. Harris

AGREED:

**GREEN ACRES METRO LIMITED PARTNERSHIP**

By: 

Name: EVAN GOLDMAN

Title: VICE PRESIDENT

**ROCKVILLE SEASONS LIMITED PARTNERSHIP**

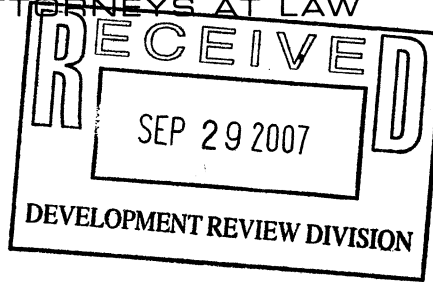
By: 

Name: Nathan Landow

Title: Sole General Partner

MICHAEL B. LANDOW, AGENT AND ATTORNEY-IN-FACT  
POA DATED 9/8/98

**LINOWES  
AND BLOCHER LLP**  
ATTORNEYS AT LAW



September 24, 2007

**C. Robert Dalrymple**  
301.961.5208  
bdalrymple@linowes-law.com

Mr. Ralph J. Wilson  
Acting Supervisor  
Zoning Section  
Maryland-National Capital Park and  
Planning Commission  
8787 Georgia Avenue, Third Floor  
Silver Spring, Maryland 20910

Re: Zoning Application No. G-860 (the "Zoning Application")

Dear Mr. Wilson:

I represent Forest City Residential Development, Inc. ("Forest City"), owner of the high-rise residential rental facility known as The Grand located north of Nicholson Lane, west of Wisconsin Avenue and south of Marinelli Road in North Bethesda. The Grand is immediately adjacent to the west of the property which is the subject of the Zoning Application (the "Subject Property"). The sole purpose of this letter is to represent that an agreement has been generally reached (and is now being finally documented – the "Agreement") between Forest City and the owners of the Subject Property ("Holliday") for Forest City to provide dedication of a portion of the right-of-way necessary for the construction of Woodglen Drive from Nicholson Lane to Marinelli Road (the "Dedication").

The private Agreement will facilitate the Dedication in a timely manner so as to permit Holliday (or others) to construct this road improvement as part of its development program for the redevelopment of the Subject Property. While I have not independently reviewed the proposed development plan accompanying the Zoning Application for the redevelopment of the Subject Property, Holliday has represented that the right-of-way shown is consistent with the Dedication and terms thereof per the Agreement. We anticipate final execution of the Agreement in the next several days.


Should you have any questions, please do not hesitate to contact me.

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Mr. Ralph J. Wilson  
September 24, 2007  
Page 2

Very truly yours,

**LINOWES AND BLOCHER LLP**



C. Robert Dalrymple

CRD:pi

cc: Mr. David Levey  
Patricia Ann Harris, Esquire

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