



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

Staff Report: Site Plan 82006021A 10001 New Hampshire Avenue

CONSENT ITEM #: _____

MCPB HEARING

DATE: June 19, 2008

REPORT DATE: May 29, 2008

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
 Robert Kronenberg, Supervisor *RK*
 Development Review Division

FROM: Michele Oaks, Planner Coordinator *(1)*
 Development Review Division
 301.495.4573
 michele.oaks@mncppc-mc.org



APPLICATION DESCRIPTION: Proposal to amend an approved Site Plan for an office building located at 10001 New Hampshire Avenue in the O-M Zone; which is located in the southeast quadrant of the intersection of New Hampshire Avenue (MD 650) and Elton Farm Road; within the White Oak Master Plan.

APPLICANT: Ralph J. Duffie, Inc.

FILING DATE: November 6, 2007

RECOMMENDATION: Approval of the proposed amendment to the Site Plan 820060210 and approval of the attached draft Planning Board Resolution for the Site Plan 82006021A.

EXECUTIVE SUMMARY: This amendment proposes changes to the approved site plan, including exterior landscaping, site lighting and trash dumpster relocation to meet LEED certification requirements, and minor engineering and architectural changes to the building. All proposed changes have been reviewed by agency planning staff, who has collectively responded in support of this amendment.

SITE VICINITY

The site is located in the southeast quadrant of the intersection with New Hampshire Avenue (MD 650) and Elton Farm Road in Hillandale. The property is included within the White Oak Master Plan. Surrounding land uses include the Hillandale Shopping Center, a bank and the Coca-Cola plant to the north, zoned C-1, C-1 and I-1 respectively and a two-story office building, to the east, zoned O-M. Flanking the site to the south is the Capital Beltway (I-495) ramp.

The property is 1.38 acres in size. The general character of the site and the surrounding built environment is business/office park.



Vicinity Map

PROJECT DESCRIPTION

Previous Approvals

The site was granted a Local Map Amendment (G-826) for the O-M zone, with Binding Elements approved by the District Council on May 3, 2005.

The Planning Board approved the Site Plan (820060210) for this property at its Public Hearing on June 8, 2006. A formal resolution was issued on August 1, 2006.

There are no other previous approvals that encumber this site.

Proposed Amendment

The approved site plan included the construction of a 55,862 gross square foot office building on the property. During the construction of the approved building, changes to the site and landscape plans have occurred in order to comply with requirements of other certification boards (LEED) and agencies (DPS, Fire and Rescue, etc). The requested changes to the approved site and landscape plans include:

Leed Items:

1. Landscaping (use of drought tolerant species)
2. Site lighting
3. Dumpster enclosure final design to provide area for recycling
4. Improvements to pedestrian flow
 - a. Handicap parking locations moved to improve accessibility
 - b. Add pavers in island at deck stairway
 - c. Add pedestrian entrance to garage on west side
 - d. Add sidewalk at island at garage
 - e. Update Plaza and front walkway due to final architecture and design requirements

Engineering Items:

1. Shift Sidewalk alignment a uniform one foot (1') at Elton Road per DPS plan approval
2. Install a new fire hydrant on Elton Road
3. Update Stormwater management, storm drain, and Elton Road design due to agency comments/approvals subsequent to Site Plan approval.
4. Alter final retaining wall/fence design at Beltway ramp frontage
5. Revise grading at west entrance door and trench drain to accommodate new door and improve drainage

Final Architecture Items:

1. Revise stairs and planters on patio deck per final architecture and design requirements
2. Add bollards adjacent to transformer for safety
3. To improve traffic flow, modify width of entrance to twenty-two feet (22ft)

PUBLIC NOTICE

A notice and copy of the proposed plan was sent to the Adjacent Property Owners of record by the Applicant on March 27, 2008. The File of Record has been supplied with a copy of the Notice of Application. The notice gave the interested parties 15 days to review and comment on the contents of the amended site plan. Staff did not receive any comments from the parties of record for the proposed application during this period.

Signage required by the Montgomery County Planning Board was posted on or about March 24, 2008. The Applicant has supplied the File of Record with photo documentation.

RECOMMENDATION

Staff recommends approval of the site plan amendment 82006021A, 10001 New Hampshire Avenue for minor changes which include exterior landscaping, site lighting and trash dumpster relocation to meet LEED certification requirements, and minor engineering and architectural changes to the building. All site development elements must conform to the site plans stamped "Received" by the M-NCPPC on March 31, 2008.

APPENDICES

- A. Community-Based Planning Memorandum
- B. Montgomery County Planning Board Preliminary Plan Resolution, August 1, 2006.

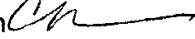


MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

April 14, 2008

MEMORANDUM

TO: Michele Oaks, Planner Coordinator, Site Plan/Project Plan Review

FROM: Calvin Nelson, Jr., Community-Based Planning, Eastern County Team 

RE: 10001 New Hampshire Avenue – Site Plan 820060210A

I have reviewed the proposed modifications to the 10001 New Hampshire Avenue, that are noted on the sheet described as Amended Site Plan – Redline Exhibit – 8-20060210A. There are no objections to the proposed changes which are shown.

AUG 01 2006

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

PLANNING BOARD RESOLUTION

MCPB No. 06-58
Site Plan No. 820060210
10001 New Hampshire Avenue

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

WHEREAS, pursuant to Montgomery County Code § 59-D-3.4(b), following a public hearing on the application, the Planning Board must, by resolution, approve, approve with conditions or disapprove a proposed site plan; and

WHEREAS, on November 1, 2005, Ralph J. Duffie, Inc. ("Applicant"), filed an application for approval of a site plan for a 55,862 gross square feet office building, on 1.38 acres of O-M zoned land in the southeast quadrant of the intersection of New Hampshire Avenue and Elton Road, consisting of Parcel 18 ("Subject Property"); and

WHEREAS, on May 3, 2005, the property was reclassified from the C-1 Zone to the O-M Zone by Local Map Amendment G-826; and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820060210, 10001 New Hampshire Avenue (the "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on June 8, 2006, Staff presented the Application to the Planning Board at a public hearing for its review and action (the "Hearing"); and

WHEREAS, prior to the Hearing on May 26, 2006, Staff had issued a memorandum to the Board setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, at the Hearing on June 8, 2006, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, following the Hearing, the Planning Board approved the Determination of Adequate Public Facilities (APF) to be transmitted to Department of

Permitting Services (DPS) and Department of Public Works and Transportation (DPWT); and

WHEREAS, following the Hearing, and based on the uncontested evidence of record, the Planning Board approved the Application subject to certain conditions on the motion of Commissioner Bryant; duly seconded by Commissioner Wellington; with a vote of 4-0, Chairman Berlage and Commissioners Bryant, Wellington, and Robinson voting in favor and Commissioner Purdue absent.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board approved Site Plan 820060210 for a 55,862 gross square feet office building in the O-M Zone, subject to the following conditions:

1. Binding Elements

The proposed development shall comply with the Binding Elements approved by Local Map Amendment G-826 on May 3, 2005.

2. Site Design

- a. Provide a steel-backed timber guardrail along the 8-foot wide sidewalk along New Hampshire Avenue.
- b. The dumpster enclosure shall use the same type and color of brick as used for the office building, and have doors to hide the dumpster.
- c. Indicate the bicycle parking area on the site development plan.

3. Lighting

- a. All light fixtures shall be full cut-off fixtures.
- b. Deflectors shall be installed on all fixtures causing potential glare or excess illumination. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting county roads. The height of the light poles shall not exceed 16 feet including the mounting base.

4. Transportation

The Applicant shall comply with the following conditions of approval from M-NCPPC - Transportation Planning in the memorandum dated May 22, 2006:

- a. Limit development on the property to a 55,862 square-foot general office building.
- b. Remove the existing sidewalk and unless otherwise required by State Highway Administration (SHA) provide a new eight-foot wide sidewalk along the entire

New Hampshire Avenue property frontage, including an appropriate crosswalk across the Capital Beltway ramp at its intersection with New Hampshire Avenue. The path shall be offset a minimum of six feet from the edge-of-pavement to accommodate a tree panel along the entire New Hampshire Avenue property frontage.

- c. Remove the existing sidewalk and unless otherwise required by the Montgomery County Department of Permitting Services (DPS) provide a new five-foot wide sidewalk along the entire Elton Road property frontage. The sidewalk shall be offset from the edge-of-pavement to accommodate a tree panel along the entire Elton Road property frontage.
- d. Improvements described under Conditions b and c above shall be in place prior to the release of any building use and occupancy permit.

5. Maintenance of the Open Drainage Channel

The Applicant shall maintain a clean appearance of the open drainage channel from the end of the I-495 exit ramp to Elton Road, by removing trash and other debris from the channel on a regular, year-round basis.

6. Pedestrian Count-Down Signals

The Applicant has voluntarily agreed to commit the sum of Fifty Thousand Dollars (\$50,000) towards the installation of count-down signals at the intersection of New Hampshire Avenue and Elton Road and the intersection of New Hampshire Avenue and Powder Mill Road in that order of priority. The timing of the contribution, as required by State Highway Administration (SHA), shall be upon notice that SHA has entered into a contract for the installation of the timers. Applicant shall use its best efforts to secure the expedited installation of the count-down signals by SHA.

7. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated November 21, 2005, unless amended and approved by Department of Permitting Services.

8. Development Program

Applicant shall construct the proposed development in accordance with the Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of signature set of site plan.

- a. The required sidewalks along New Hampshire Avenue and Elton Road shall be completed prior to issuance of occupancy permit for the proposed office building.

- b. Street trees and on-site landscaping and lighting shall be completed prior to issuance of occupancy permit for the proposed office building.

9. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of certified site plans.

10. Signature Set

Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Resolution.
- b. Revise the Site Development Plan notes and data table to conform with the project data table shown in the Planning Board Staff Report dated May 26, 2006.

BE IT FURTHER RESOLVED, that all site development elements shown on 10001 New Hampshire Avenue plans stamped by the M-NCPPC on May 17, 2006, shall be required except as modified by the above conditions of approval; and

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

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference, and other evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, the Montgomery County Planning Board hereby finds, based on uncontested evidence of record, that:

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required.*

The proposed development is consistent with the Binding Elements of the Schematic Development Plan for Local Map Amendment G-826, approved on May 3, 2005.

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

The Site Plan meets all of the requirements of the O-M Zone as demonstrated in the Project Data Table.

PROJECT DATA TABLE

Development Standards	Zoning Ordinance Requirements	*Binding Elements Schematic Development Plan, LMA - 826	Development Standard Approved by the Board And Binding on the Applicant
Lot Coverage	60% maximum	Not greater than 40%	24%
Building Height-stories**	5 stories	Not greater than 5 stories	5 stories
Building Height-feet**	60 feet	Not greater than 60 feet	60 feet
Green Area	10% minimum	Not less than 20%	25 %
Floor Area Ratio (FAR)	1.5	Not greater than 1.4	1.2
Gross Floor Area (GFA)	---	Not greater than 84,305 sf	Not to exceed 55,862 sf
Building Setback- from New Hampshire Ave.	15 feet minimum	Not Binding	47 feet
Building Setback - from Elton Road	15 feet minimum	Not Binding	18 feet
Building Setback - From adjacent Commercial property on Parcel 23	60'±3 =20 feet (1 foot for each 3 feet of height)	Not Binding	88 feet
Parking Setback, (landscape strip) from New Hampshire Ave. Elton Road I-495 exit ramp	10 feet minimum 10 feet minimum 10 feet minimum	Not Binding Not Binding Not Binding	15 feet 10 feet Parking setback waiver granted 12/07/04 by DPS
Off Street Parking	2.9 spaces/1000 SF of office 55,862 sf @2.9/1000 SF= 162 spaces required bicycle - 1 for every 20 spaces provided = 9 motorcycle - 2% of number of spaces = 4	The off-street parking requirements under 59-E of the Montgomery County Zoning Ordinance will be complied with on Parcel 1B	surface parking - 97 garage parking - 65 total proposed 162* *(includes 6 handicapped spaces, 3 garage and 3 surface) 9 bicycle spaces 6 motorcycle spaces
Green Area, Parking Compound	5% minimum	Not Binding	5.9%
Driveway Access	N/A	The driveway closest to New Hampshire Ave. will be restricted to right in and right out turns only, if found by the Planning Board to be necessary at Site Plan Review.	The driveway closest to New Hampshire Ave. has been restricted to right in and right out turns only.
Elton Road approach	N/A	The Elton Road approach to New Hampshire Avenue to be re-striped from 2 lanes to 3 lanes or such other improvement as may be deemed necessary at Site Plan Review.	APF determination at Site Plan Review indicated that this improvement is not necessary.

**The height of the proposed office building was measured from the middle street grade of Elton Road opposite the middle of the front of the proposed office building to the highest point of the flat roof, which measures 60 feet.

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

a. Buildings

The proposed office building is oriented in a safe and efficient manner and does not adversely affect the surrounding development. The 5-story building will serve as an attractive gateway to Hillandale.

b. Open Spaces

The open spaces are adequate, safe and efficient. The eastern side of building features a landscaped plaza for sitting and congregating.

The Stormwater Management Concept for the proposed development was approved with conditions by the Montgomery County Department of Permitting Services (DPS) on November 21, 2005. The stormwater management concept consists of on-site water quality control via installation of proprietary filtration units.

c. Landscaping and Lighting

The landscaping and lighting are adequate, safe and efficient. The proposed landscaping consists of shade trees located along the periphery of the property, and within the surface parking areas. Evergreen shrubs are generally located along the edges of the parking areas, with groups of ornamental trees and shrubs located within planting beds around the building.

Exterior lighting is proposed for the office building and the surrounding parking area. Lighting was reviewed for safety and conformance to parking standards for commercial properties and parking facilities. Pole heights are limited to 16 feet. Deflector shields (cutoff lighting) will be required to mitigate any negative glare or illumination on public roadways. The pediments at the top of the building will have "halo" lighting for the building's address.

d. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is safe, adequate and efficient. The two existing access points to the site will be rebuilt. The access point closest to New Hampshire Avenue will be for right-in and right-out traffic only. The other access point to the site will be controlled to restrict vehicles that are 10 feet or

greater in height. For greater safety, the existing sidewalks located at the curb on New Hampshire Avenue and Elton Road will be replaced by an 8-foot wide multi-use sidewalk on New Hampshire Avenue, and a 5-foot wide sidewalk along Elton Road. The sidewalks will be separated from the curb by a grass strip that will include street trees. The Applicant has volunteered to commit a total of \$50,000. to SHA towards pedestrian count-down signals at the intersection of New Hampshire Avenue and Powder Mill Road, and at the intersection of New Hampshire Avenue and Elton Road in that order of priority.

e. Signage

In the event the Department of Permitting Services does not permit the Applicant to include the number "10001" on the pediments, the Planning Board finds that the Applicant is permitted to relocate the numbers elsewhere on the building without having to amend the site plan.

4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.*

The relationship of the building is consistent and compatible with the surrounding commercial office and retail uses. The activity associated with the proposed office building will not cause any negative effect on the adjacent properties.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The development is exempt from the requirements of forest conservation from Environmental Planning Division by letter dated April 27, 2004. The property falls under the Modification of Existing Developed Property (no more than a total of

5,000 square feet of forest will be cleared), and also under a Small Property exemption (whereby activity occurring on the lot is less than 1.5 acres, no existing forest in excess of 10,000 square feet is being removed, and no specimen or champion trees will be disturbed). There are no wooded areas on the site.

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


BE IT FURTHER RESOLVED, that the date of this written opinion is AUG 01 2006 (which is the date that this opinion is mailed to all parties of record); and

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

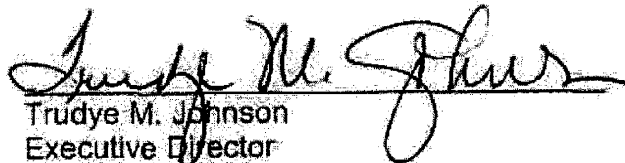
* * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Bryant, seconded by Commissioner Wellington, with Chairman Berlage, Commissioners Bryant, Wellington and Robinson voting in favor of the motion, with Commissioner Perdue absent, at its regular meeting held on Thursday, June 08, 2006, in Silver Spring, Maryland.

Adopted by the Montgomery County Planning Board this 20th day of July, 2006.



Derick P. Berlage
Chair, Montgomery County Planning Board



Trudye M. Johnson
Executive Director



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

MCPB No. 08-72
Site Plan No. 82006021A
Project name: 10001 New Hampshire Avenue
Hearing Date: June 19, 2008

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on November 6, 2007, Ralph J. Duffie, Inc. ("Applicant"), filed a site plan amendment application designated Site Plan No. 82006021A ("Amendment") for approval of the following modifications:

1. Landscaping (use of drought tolerant species)
2. Site lighting
3. Dumpster enclosure final design to provide area for recycling
4. Improvements to pedestrian flow
 - a. Handicap parking locations moved to improve accessibility
 - b. Add pavers in island at deck stairway
 - c. Add pedestrian entrance to garage on west side
 - d. Add sidewalk at island at garage
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8. Alter final retaining wall/fence design at Beltway ramp frontage
9. Revise grading at west entrance door and trench drain to accommodate new door and improve drainage
10. Revise stairs and planters on patio deck per final architecture and design requirements
11. Add bollards adjacent to transformer for safety
12. To improve traffic flow, modify width of entrance to twenty-two feet (22ft)

Approved as to
Legal Sufficiency: DAL 6/6/08
M-NCPPC Legal Department

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated May 29, 2008, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on June 19, 2008, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing"); and

WHEREAS, the Planning Board finds that the Amendment does not alter the overall design character of the development in relation to the original approval. And further, these modifications do not affect the compatibility of the development to its surrounding neighborhood; and

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82006021A; and

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

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

BE IT FURTHER RESOLVED, that the date of this written resolution is _____ (which is the date that this opinion is mailed to all parties of record); and

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

* * * * *