



Staff Report: Site Plan 820090020, Pike Center

ITEM #: _____

MCPB HEARING DATE: January 15, 2009

REPORT DATE: January 2, 2009

TO: Montgomery County Planning Board

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

FROM: Elza Hisel-McCoy, Assoc. AIA, LEED-AP *EH*
Coordinator
Development Review Division
301.495.2115
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APPLICATION

DESCRIPTION: Addition of two pad-site commercial retail buildings, a 3,710-square foot bank with three drive-through lanes and a 6,000-square foot retail building, totaling 9,710 gross square feet to an existing retail center site, for a grand total of 81,007 gross square feet, on 6.84 acres of C-4-zoned land; in the northeast quadrant of the intersection of Rockville Pike and Bou Avenue; North Bethesda/Garrett Park Master Plan. The application includes a request for two waivers from the parking requirements.

APPLICANT: JBG/Pike Center, LLC

FILING DATE: August 12, 2008

RECOMMENDATION: Approval with conditions

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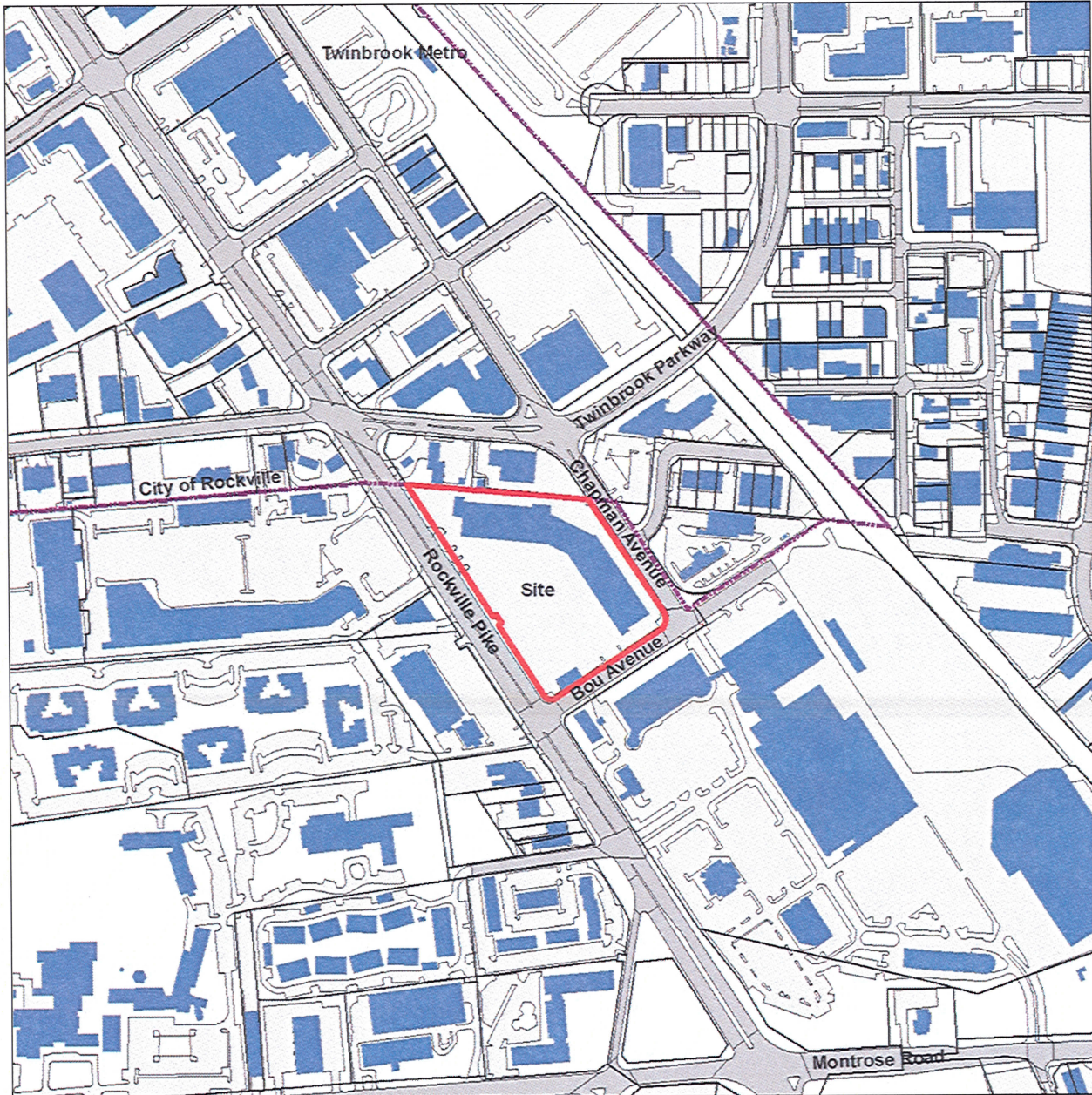
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SITE DESCRIPTION

Vicinity

The subject site is the existing Pike Center shopping center, located at 12101 Rockville Pike just north of Bou Avenue. The site is bound by Chapman Avenue on the east, Bou Avenue on the south, Rockville Pike on the west and Twinbrook Parkway (in the City of Rockville) to the north. The site is located entirely outside of the City of Rockville. The Twinbrook Metro Station is located approximately one-quarter mile north of the site on Chapman Avenue. Vehicle-oriented retail and commercial centers surround the site.



Vicinity Map

Site Analysis

The subject site is currently occupied by a one-story retail center that features an Office Depot, a “T.G.I. Friday’s” restaurant, sundry small retail operations, and a gas station, all of which will be retained under this site plan. A small pad-site building located at the corner of Rockville Pike and Bou Avenue will be removed and replaced with a larger retail pad-site building. The prominent parking lot fronting the Pike will largely remain intact, though reconfigured to improve circulation and accommodate the addition of another pad site. The site is currently served by public water and sewer. There are no significant trees or substantial vegetation on the site, nor are there any known historic resources.



Aerial Photo

PROJECT DESCRIPTION

Previous Approvals

The site was recorded as Parcel B of the Washington-Rockville Industrial Park in June 1962, and no subdivision is required to accommodate the changes proposed. A special exception (S-710) for the gas station was approved in November 1979.

Proposal

This proposal is intended and accepted as an expansion of the interim continued use of this site as a surface-parked highway retail center. The Applicant and staff share a vision of this site redeveloped at a future time to be more in keeping with the urbanization of the North Bethesda/Twinbrook area.

The proposed development would remove one existing pad-site building and add two new one-story pad-site retail buildings – a bank at 3,710 square feet and a retail building at 6,000 square feet – for a grand total of 81,007 square feet over the whole site. Vehicular access to the site will continue to be provided from Rockville Pike, Bou Avenue, and Chapman Avenue. The proposal increases the number of landscaped islands in the parking lots, providing additional shading, lighting, and visual relief.



Illustrative Plan

The two new pad-site buildings represent a wide range of design, though both present a face directly to the adjacent streets.



Bank Site Schematic Elevations



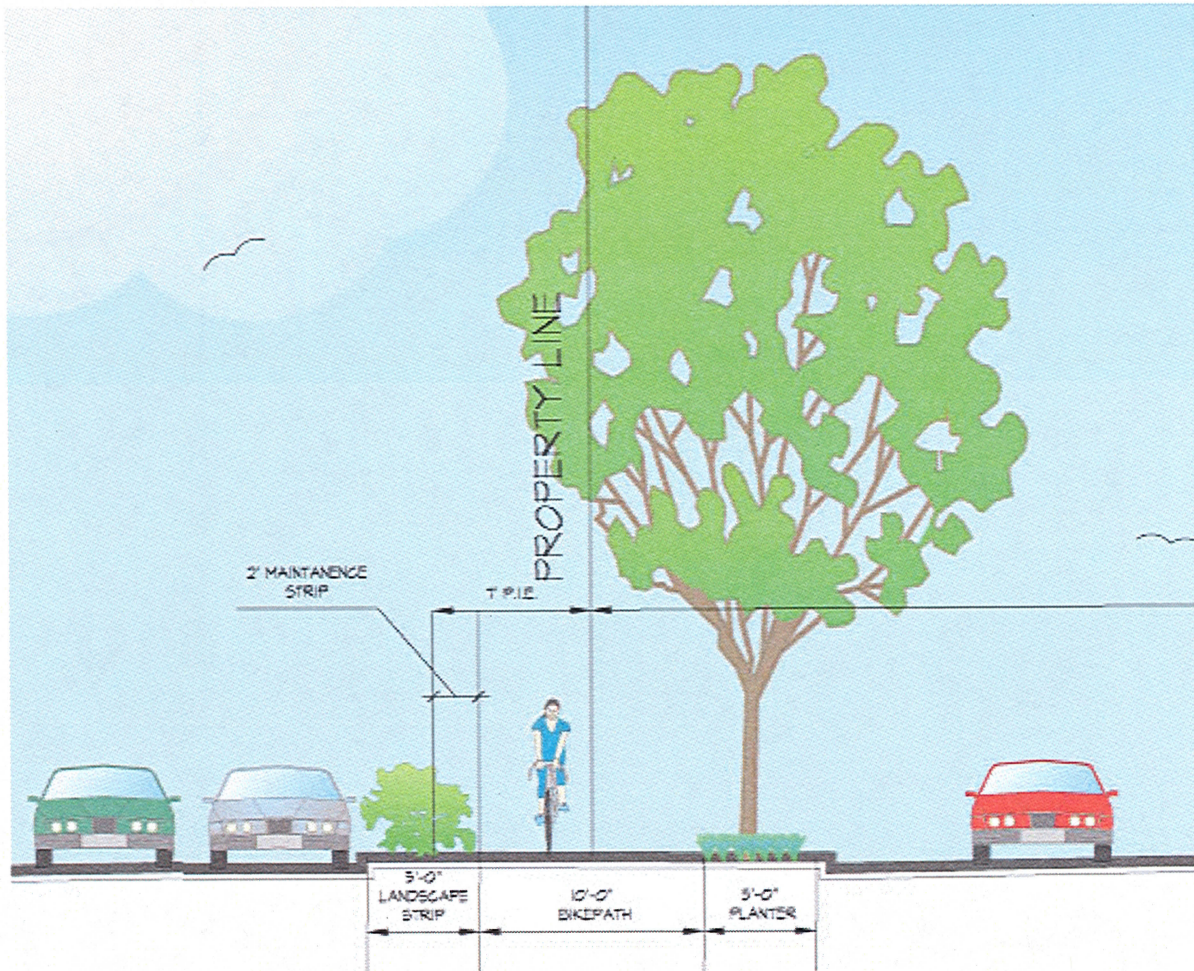
Jewelry Store Schematic Elevation

Waivers from Parking Standards

Section 59-E-4.5 of the Zoning Code allows the Planning Board to waive any of the requirements of Article 59-E “not necessary to accomplish the objectives in Section 59-E-4.2.” The Applicant for this project is requesting two such waivers.

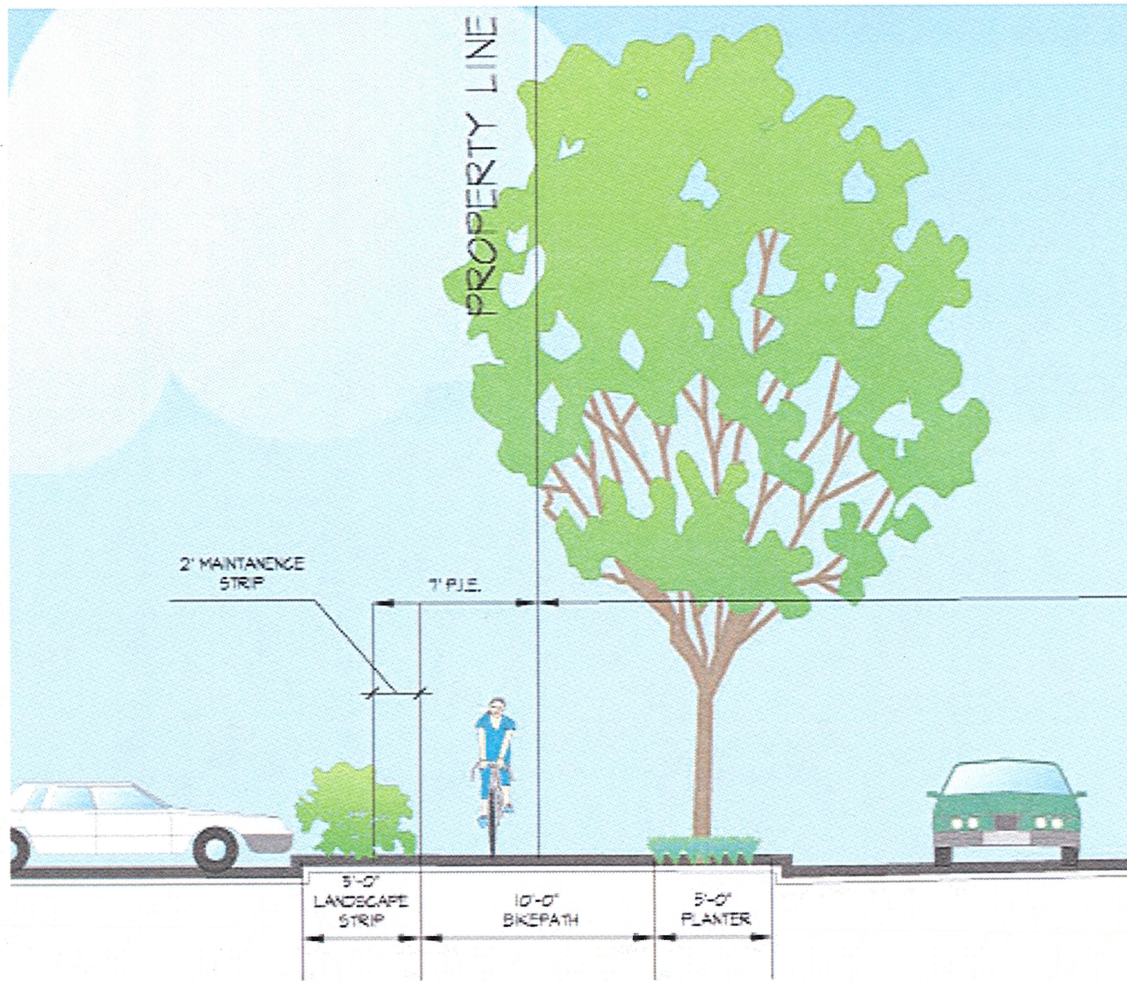
The first is for a reduction in the required minimum number of parking spaces from 415 to 358, 13.73 percent. This is in addition to reductions for mixed-use development and proximity to metro that were already included in the calculation of the required 415 spaces. Staff supports the Applicant’s request for a waiver. Currently, the existing parking at the center is under-utilized,

and the Applicant does not believe the proposed additions will impose a strain on the users of this center. Staff concurs.



Chapman Avenue Bikeway Detail

The second request deals with the required 10-foot landscape strip adjacent to street rights-of-way (59-E-2.71). Given the need to accommodate a Master-Planned shared-use bike path along Bou and Chapman Avenues, there is insufficient room in the existing street configurations for the full complement of 10 feet. The Applicant is proposing to reduce each of the landscape strips to 5 feet in width. The public benefit derived from the extension of the bike paths outweighs the loss of vegetative buffer between parking and street. Staff supports the requested waiver.



Bou Avenue Bikeway Detail

PROJECT ANALYSIS

Master Plan

The subject site is located within the boundaries of the 1992 North Bethesda/Garrett Park Master Plan. The Plan's sole recommendation for the site is that it be re-zoned C-4.

Transportation and Circulation

As part of this Site Plan review, Transportation Planning staff conducted both a Local Area Transportation Review (LATR) and a Policy Area Mobility Review (PAMR). As described in their attached memo, staff concluded that the Applicant has satisfied LATR, but that PAMR requires the Applicant to mitigate seven new peak-hour vehicular trips generated by the proposed new land uses within the weekday morning and evening peak periods. Instead of providing off-site non-auto transportation improvements within the North Bethesda Policy Area, the Applicant has elected to pay the County \$11,000 per trip for a total of \$77,000.

In accordance with the *North Bethesda/Garrett Park Master Plan* and *Countywide Bikeways Functional Master Plan*, the subject site includes the following master-planned roadways and bikeways:

1. Rockville Pike (MD 355) is designated as a major highway, M-6, with a recommended 134-foot right-of-way and no bikeway along the property frontage.
2. Chapman Avenue is designated as a business street, B-4, with a recommended 70-foot right-of-way. According to the *Countywide Bikeways Functional Master Plan*, a shared use path, SP-41, known as the North Bethesda Trolley Trail, is designated along Chapman Avenue between Bou Avenue and the Twinbrook Metrorail Station.
3. Bou Avenue is a functional business street with a 70-foot right-of-way and a master-planned Class I bikeway. According to the *Countywide Bikeways Functional Master Plan*, a shared use path, SP-41, known as the North Bethesda Trolley Trail, is designated along Bou Avenue between Rockville Pike and Chapman Avenue.

Pedestrian and bicycle facilities would not be adversely impacted by the proposed commercial development. The existing sidewalk along the property frontage of Rockville Pike is proposed to be upgraded to the current standards. The Applicant's plans include upgrading the regional North Bethesda Trolley Trail, SP-41, along the site's property frontage along Bou Avenue and Chapman Avenue. The Applicant agreed to a Public Improvement Easement for additional right-of-way along these roadway frontages to provide for a 10-foot-wide bike path, street trees between the bike path and pavement edge, and a 5-foot-wide landscaping panel between the bike path and the shopping center paved parking area.

Environment

A Natural Resources Inventory/Forest Conservation Plan (NRI/FSD), 42008097E, was approved in January 2008. The site is located in the Great Seneca Creek watershed, a Use I-P category. The site is not located within a Special Protection Area. There are no regulated environmental features on-site such as streams, wetlands, 100-year floodplain, or steep and severe slopes. There is no forest on-site and there are no large or specimen trees.

The site was granted an exemption from submitting a forest conservation plan with a condition that a Tree Save Plan (TSP) be submitted. A TSP was included in the subject submittal. The purpose of the TSP is for the retention of 19 of 29 existing trees, most of which are located on the site's north property line. Ten of the existing 29 trees are proposed to be removed due to either their current condition or because of their proximity to the proposed construction. The limit of disturbance (LOD) on the Exemption Plan is the same compared to the proposed LOD shown on the proposed Development Plan. The LOD on the TSP is in general conformance with the LOD on the proposed Development Plan.

On-site stormwater management for the new buildings will be achieved with an underground system beneath the parking lots adjacent to each of the buildings. Montgomery County Department of Permitting Services approved the concept on March 21, 2008.

Development Standards

The subject site is zoned C-4. The purpose of the C-4 Zone is to provide locations for low-density commercial uses of a nature compatible with arterial or major roads outside of central business districts and regional shopping centers. The Zone allows the proposed use. The proposed development meets the purpose and requirements of the zone as detailed in the Findings section of this report.

The following data table indicates the proposed development’s compliance with the Zoning Ordinance.

Project Data Table for the C-4 Zone

Development Standard	Permitted/ Required	Proposed for Approval
Min. Gross Lot Area (acres)	2	6.84
Min. Gross Lot Area (sf.)	87,120	298,021
Right-of-Way Dedication (sf.)	n/a	5,581
Net Lot Area (sf.)	n/a	292,440
Max. Commercial Density (FAR)	0.75	0.28
Max. Commercial Density (sf.)	223,515	81,007
Max. Lot Coverage (% of Gross Lot Area)	35	29.5
Max. Lot Coverage (sf.)	104,307	86,363
Min. Lot Frontage (ft.)	100	810
Min. Green Area (% of Net Lot Area)	10	14.11
Min. Green Area (sf.)	29,244	41,287
Max. Building Height (ft.)	40	30 ¹
Min. Parapet Height (ft.)	n/a	23 ²
Min. Building Setback (ft.)		
Rockville Pike	10	10
Bou Avenue	25	25
Chapman Avenue	10	10
Parking		
Internal Landscape (% of parking lot area)	5	10
Internal Landscape (sf.)	5,612	11,313
Spaces (see Site Plan for calculations)	415	358 ³

¹ Measured from the level of the approved street grade opposite the middle of the front of a building to the highest point of a flat roof.

² Measured from the elevation at the top of the finished building slab.

³ The Applicant is requesting a waiver of the 57 parking spaces (approximately 13.7 percent of the total).

COMMUNITY OUTREACH

The Applicant has met all proper signage, noticing, and submission meeting requirements. Staff has not received correspondence on this matter.

FINDINGS

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

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

2. *The site plan meets all the requirements of the Zone.*

The proposed commercial retail use is allowed in the C-4 Zone and the site plan fulfills the purposes of the zone by providing additional locations for low-density commercial uses of a nature compatible with locations on arterial or major roads outside of central business districts, in this instance Rockville Pike.

As the project data table on page 10 indicates, the site plan meets all of the development standards of the zone. With respect to building height, setbacks, and density the proposed development is less than all the maximum standards allowed. Further, the proposed development provides more than the minimum green area required.

Additionally, this application requests a 13.73 percent reduction in the number of parking spaces required by the Zoning Code, from 415 to 358. Currently, the existing parking at the center is under-utilized, and the Applicant does not believe the proposed additions will impose a strain on the users of this center. The reduction in the required number of parking spaces does not impair the projects ability to meet the purposes, intents, and other requirements of the C-4 Zone.

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

The two new buildings are located along Rockville Pike, providing a quantum of streetfront. The buildings will provide a two-story presence on the street, helping to further define, albeit loosely, the street edge. The location of the buildings is adequate, safe, and efficient.

As this remains a primarily automobile-oriented retail center with surface parking, the open space, landscaping, and recreation facilities are limited in scope and reach. The primary landscape benefit is to improve the attractiveness and shading of the parking lot through the addition of planted islands. Throughout the parking lot and along the

roadways, the generous addition of shade trees will provide not only respite from the hot summer sun, but also visual relief the year round. Through the sidewalks, pedestrian paths, and extension of the bikeways along Chapman and Bou Avenue, the project also provides some opportunity for recreation along and through the site. Taken as a whole, the open spaces, landscaping, and recreation facilities are adequate, safe, and efficient.

Pedestrian access to the site is provided from the existing sidewalk, to be refurbished in places, on three sides of the site. Bicycle access will be from the shared bikeway on Chapman and Bou Avenues. Vehicles entering from Rockville Pike, Chapman Avenue, or Bou Avenue enter into a slightly reconfigured parking lot with additional lighting, shade trees, and landscaping. Pedestrian, bicycle, and vehicular access and circulation systems are adequate, safe, and efficient.

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

Until the redevelopment of the surrounding area from single-story automobile-oriented retail to mixed-use multi-story development is further along, the proposed one-story pad-site buildings are compatible with the existing adjacent and confronting one-story retail buildings and with other nearby one-story retail buildings.

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

The proposed development is exempt from forest conservation requirements, but requires review of a tree save plan for the site. The plan is also in compliance with the requirements for water resource protection, with an approved stormwater management concept dated March 21, 2008.

RECOMMENDATION AND CONDITIONS

Staff recommends approval of site plan 820090020, Pike Center, for two new pad-site buildings, a 3,710-square foot bank with three drive-through lanes and a 6,000-square foot retail building, totaling 9,710 gross square feet to an existing retail center site, for a grand total of 81,007 gross square feet, on 6.84 gross acres. All site development elements shown on the site and landscape plans stamped "Received" by the M-NCPPC on December 8, 2008, are required except as modified by the following conditions:

Environment

1. Forest Conservation & Tree Save

The proposed development must comply with the conditions of the approved tree save plan. The Applicant must satisfy all conditions prior to the issuance of sediment and erosions control permits by the Montgomery County Department of Permitting Services.

2. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated March 21, 2008, unless amended and approved by the Montgomery County Department of Permitting Services.

3. LEED Certification

- a. In the final design and construction of this project, the Applicant must implement sustainable design strategies sufficient to achieve the equivalent of a minimum of 19 points in the LEED-NC rating system.
- b. By Certified Site Plan, the Applicant must provide LEED-NC score card indicating the total points anticipated.
- c. Before final building use and occupancy permit, the Applicant must demonstrate to the appropriate Montgomery County Department of Permitting Services staff that this condition has been met.

Transportation & Circulation

4. Transportation

- a. The Applicant must limit the site plan to a maximum of 81,007 square feet of general retail space.
- b. The Applicant must satisfy the Policy Area Mobility Review (PAMR) test by paying the County \$77,000 to mitigate seven new peak-hour trips generated by the proposed new land uses prior to release of any building permit. The payment of \$11,000 per PAMR new trip is a permitted alternative to providing off-site non-auto transportation improvements within the North Bethesda Policy Area.
- c. The Applicant must enter into a Traffic Mitigation Agreement with the Planning Board and the Montgomery County Department of Transportation (MCDOT) to participate in the North Bethesda Transportation Management District (TMD) and assist in achieving and maintaining the 39% percent non-auto driver mode share goal for employees working within the *North Bethesda/Garrett Park Master Plan*. The Traffic Mitigation Agreement must be executed prior to certification of the site plan.
- d. Dedicate land area along the site's Rockville Pike frontage as necessary to meet the Master Plan right-of-way for that road to the Maryland State Highway Administration (SHA), as described in SHA's letter dated September 15, 2008.
- e. The Applicant must provide eight (8) inverted-U bike racks and place one rack in front of each pad site, with the remaining racks distributed evenly in front of the main cluster of stores. The final locations of the bike racks shall be determined prior to certification of the site plan in coordination with the Montgomery County Planning Department's bikeway planner.

Site Plan

5. Site Design

- a. The Applicant may modify the approved building footprint up to two feet in any direction, provided the approved maximum buildable area for each building – 3,710 sf. for the bank and 6,000 sf. for the retail building – is not exceeded and the revised footprint does not impinge on any required minimum setbacks or easements.

- b. Provide continuous streetscape along the site frontages on Rockville Pike, Bou Avenue, and Chapman Avenue, consistent with the North Bethesda Master Plan, following the “Business Street” standard for Bou and Chapman Avenues.
 - c. Except where leadwalks enter the site from the adjacent sidewalks, screen the parking lot from Rockville Pike and Bou Avenue using a low wall or landscaping of sufficient height. By Certified Site Plan, provide an elevation diagram showing a typical screen condition for both streets.
 - d. Provide a consistent minimum parapet/roof height of 23 feet.
6. Landscaping
Provide shade trees in all parking lot islands.
7. Lighting
- a. All onsite downlight fixtures must be full cut-off fixtures.
 - b. Deflectors shall be installed on all uplight fixtures.
 - c. Illumination levels of all new on-site fixtures shall not exceed 0.5 footcandles (fc) at any property line abutting county roads.
 - d. The height of the light poles shall not exceed the height specified on the certified site plan, including the mounting base.
8. Development Program
The Applicant must construct the proposed development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:
- a. Street lamps and sidewalks must be installed within six months after street construction is completed. Street tree planting may wait until the next growing season.
 - a. On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities must be installed prior to release of any building occupancy permit.
 - b. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Sediment Control Plan and M-NCPPC inspection and approval of all tree-save areas and protection devices.
 - c. The development program must provide phasing acceptable to M-NCPPC staff for installation of on-site landscaping and lighting.
 - d. Landscaping associated with the parking lot and building shall be completed as construction of the new pad buildings is completed.
 - e. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, afforestation, trip mitigation, and other features.
9. Certified Site Plan
Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the final forest conservation approval, stormwater management concept approval, development program, inspection schedule, and site plan resolution on the approval or cover sheet.
- b. Indicate all public use easements on the site plan.
- c. Execute the SHA plat of dedication for the site's Rockville Pike frontage required in Condition 4.d.
- d. Modify data table as necessary to reflect development standards enumerated in the staff report.
- e. Ensure consistency of all details and layout between site plan and landscape plan.
- f. Provide a table identifying the built/buildable area for each building/structure on-site.
- g. Provide a diagram delineating the location of the on-site Green Area.

APPENDICES

- A. Parking Regulation Waiver Request
- B. Agency Letters

APPENDIX A: Parking Regulation Waiver Request

June 5, 2008

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

VIA HAND DELIVERY

Dr. Royce Hanson
Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Pike Center Shopping Center (the "Property") -- Request for Parking Waiver

Dear Dr. Hanson:

On behalf of JBG Rosenfeld, the owners of the above-referenced Shopping Center Property and in accordance with Zoning Ordinance Section 59-E-4.5, we respectfully request a parking waiver to reduce the required number of parking spaces on the Property by 12 percent. This request is made in connection with the Site Plan application that has been filed to develop an additional 7,600 square feet of retail space on the Property. The justification for the parking waiver is set forth herein.

I. Property Description

The Property consists of 6.84 acres and is located on the east side of Rockville Pike immediately south of the Rockville city limits. The Property is improved with a one story shopping center which consists of a total of 73,297 square feet of retail and restaurant uses (56,485 square feet of retail and 16,812 square feet of retail uses, of which 7,809 is devoted to patron area). There are currently 496 parking spaces on the Property.

II. Parking Requirements

As discussed more thoroughly in the Site Plan Statement of Justification submitted concurrently with the subject parking waiver request, the Applicant is proposing the development of two retail pad sites to the Property, consisting of a total of 9,600 square feet, of which 7,600 is net additional square footage (there is an existing bank consisting of 2,000 square feet which will be replaced with a 3,600 square foot bank). The resulting total density will be 80,897 square feet, with 64,085 square feet devoted to retail uses and the 16,812 square feet of restaurant uses. Based on the shared use parking requirements of Zoning Ordinance Section 59-E-3.1 and taking into account Zoning Ordinance Section 59-E-3.32 which permits a parking

reduction of 15% for sites located within 1,600 feet of a Metro Station, the total required number of parking spaces for the Property will be 415 and 364 parking spaces are proposed. Thus, the Applicant seeks a parking waiver of 51 spaces, or 12 percent of the total number of spaces otherwise required to accommodate the proposed redevelopment.

The redevelopment of the Property with the two pad sites represents an interim development phase for the Property. Given the Property's proximity to the Twinbrook Metro Station, it is the Property's owner desire that the Property will ultimately be redeveloped with a mixed-use retail and residential project. As such, it is the Property owner's intention to maintain the current (or comparable) tenant base until a comprehensive redevelopment of the Property is possible.

III. Justification for the Parking Space Waiver

Upon redevelopment, the Owner anticipates that the 364 parking spaces will be more than adequate to accommodate the parking needs of the Property. This conclusion is based on several factors, as follows:

A. The Number of Spaces Required by the Zoning Ordinance is More than What the Property Requires in Practice.

The Shopping Center in its current form has been in operation for more than 40 years and the number of unused parking spaces that exist on the Property at any given time remains consistently high (See attached photos). There are several reasons for this including the age and condition of the Shopping Center, its orientation as a local shopping center serving only local clientele and the fact that the existing tenants are not destination uses drawing from outside of the local trade area but rather primarily convenience-based retail establishments. While the Property owner is conducting some minor cosmetic changes to the Shopping Center as part of the development of the pad sites, these changes are not expected to change either the tenant base or the existing clientele of the Shopping Center. Thus, the Property owner anticipates that the current level of operation of the Shopping Center will continue basically as is, until the Property is comprehensively redeveloped as a mixed-use project.

In evaluating the utilization of the Property, the Applicant's Traffic Consultants, Wells & Associates studied the existing Shopping Center and found that during its peak weekday period only 49 percent of the Shopping Center's parking spaces were occupied and during its peak weekend period, only 54 percent were occupied. Wells & Associates extrapolated these findings to determine the parking demand for the Shopping Center upon redevelopment with the two proposed pad sites. Wells & Associates concluded that 87 percent of the total parking spaces (317 of the 364 total number of spaces) would be needed during its peak weekday period and 95 percent of the total parking spaces (348 of the 364 spaces) would be needed during the peak weekend period.

B. Public Transportation

The Property is well served by public transportation and in connection with the redevelopment will promote employee's use of public transportation to access the Shopping Center. In addition to being within 1,600 feet from the Twinbrook Metro Station, the Property is conveniently located in close proximity to several Metro and Ride-on bus lines. Within 1/2 mile of the Property, there are 8 Ride-On buses (four of which are within .3 miles of the Property) and three Metro buses within .3 miles of the Property.

C. Recent Parking Waivers Granted by Planning Board

The parking waiver is wholly consistent with the direction of the Planning Board in connection with projects located within transit station policy areas. The Planning Board is encouraging developments to provide less, not more parking, and to seek whatever waivers possible toward this end. This approach is based on the theory that limited parking will provide the necessary incentives to encourage alternatives to single occupancy vehicles.

D. No Impact on Surrounding Area

The area surrounding the Property consists solely of commercial uses, primarily commercial shopping centers. The reduction of parking on the Property will not result in the undesirable effect of vehicles in need of a parking space parking on residential streets and creating an unwanted burden on a residential neighborhood.

For the reasons discussed above, we respectfully request a 12 percent parking waiver to accommodate the redevelopment of the Property. We look forward to presenting the justifications for the requested parking to the Planning Board at the hearing.

Very truly yours,

HOLLAND & KNIGHT LLP


Patricia Harris

Enclosure



APPENDIX B: Agency Letters



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

TO: Elza Hisel-McCoy, Planner Coordinator, Development Review Division

VIA: Mark Pfefferle, Supervisor, Environmental Planning Division *MP*

FROM: Lori Shirley, Planner Coordinator, Environmental Planning Division *LS*

SUBJECT: Site Plan No. 820090020 - Pike Center, Rockville

DATE: September 4, 2008

Recommendation

Environmental Planning staff recommends **approval** of the above referenced site plan for Pike Center. A Tree Save Plan (TSP) was included in the submittal as required in the conditional approval of 42008097E.

Background/Proposal

The site is located on the east side of Rockville Pike, the south side of Bou Avenue and the west side of Chapman Avenue, south of the Rockville city limits. The site contains 6.84 acres, is zoned C-4 and is improved with a one-story shopping center known as Pike Center. The site is also located in the North Bethesda-Garrett Park Master Plan Area.

The proposal is for the demolition of an existing free standing 2,000 square foot bank for partial redevelopment for two new free standing structures: a 6,000 square foot retail building and a 3,600 square foot bank building both to be oriented toward Rockville Pike.

Environmental Guidelines

A Natural Resources Inventory/Forest Conservation Plan (NRI/FSD), 42008097E, was approved in January 2008. The site is located in the Great Seneca Creek watershed, a Use I-P category. The site is not located within a Special Protection Area. There are no regulated environmental features on-site such as streams, wetlands, 100-year floodplain and steep and sever slopes. There is no forest on-site and there are no large or specimen trees.

Forest Conservation

The site was granted an exemption from submitting a forest conservation plan with a condition that a Tree Save Plan (TSP) be submitted. A TSP was included in the subject submittal. The purpose of the TSP is for the retention of 19 of 29 existing trees, most of which are located on the site's north property line. Ten of the existing 29 trees are proposed to be removed due to either their current condition or because of their proximity to the proposed construction. The limit of disturbance (LOD) on the Exemption Plan is the same compared to the proposed LOD shown on the proposed Development Plan. The LOD on the TSP is in general conformance with the LOD on the proposed Development Plan.

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

December 11, 2008

MEMORANDUM

RECEIVED

DEC 11 2008

DEVELOPMENT REVIEW

TO: Elza Hisel-McCoy, Site Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning

FROM: Ed Axler, Planner/Coordinator
Transportation Planning

SUBJECT: Site Plan No. 820090020
Pike Center
North Bethesda Policy Area

This memorandum is Transportation Planning staff Adequate Public Facilities (APF) review of the subject site plan to demolish an existing bank pad site and add two retail pad sites within the existing shopping center.

RECOMMENDATIONS

We recommend the following conditions as part of the APF test for transportation requirements related to approval of the subject site plan:

1. The Applicant must limit site plan to a maximum of 81,007 square feet of general retail space.
2. The Applicant must satisfy the Policy Area Mobility Review (PAMR) test by paying the County \$77,000 to mitigate seven new peak-hour trips generated by the proposed new land uses prior to release of any building permit. The payment of \$11,000 per PAMR new trip is a permitted alternative to providing off-site non-auto transportation improvements within the North Bethesda Policy Area.
3. The Applicant must enter into a Traffic Mitigation Agreement with the Planning Board and the Montgomery County Department of Transportation (MCDOT) to participate in the North Bethesda Transportation Management District (TMD) and assist it in achieving and

maintaining the 39% percent non-auto driver mode share goal for employees working within the *North Bethesda/Takoma Park Master Plan*. The Traffic Mitigation Agreement must be executed prior to certification of the site plan.

4. The Applicant must provide eight (8) invert-U bike racks and place one rack in front of each pad site and the remaining racks distributed evenly in front of the main cluster of stores. The ultimate locations of the bike racks shall be determined prior to certification of the site plan in coordination with the Montgomery County Planning Department's bikeway planner.

DISCUSSION

Site Location and Vehicular Site Access Points

The subject site is located on the east side of Rockville Pike (MD 355) between Bou Avenue and Twinbrook Parkway. The six (6) vehicular access points are from Rockville Pike, Bou Avenue, and Chapman Avenue.

Master-Planned Roadways and Bikeways

In accordance with the *North Bethesda/Garrett Park Master Plan* and *Countywide Bikeways Functional Master Plan*, the master-planned roadways and bikeways are as follows:

1. Rockville Pike (MD 355) is designated as a major highway, M-6, with a recommended 134-foot right-of-way and no bikeway along the property frontage.
2. Chapman Avenue is designated as a business street, B-4, with a recommended 70-foot right-of-way. According to the *Countywide Bikeways Functional Master Plan*, a shared use path, SP-41, known as the North Bethesda Trolley Trail, is designated along Chapman Avenue between Bou Avenue and the Twinbrook Metrorail Station.

Bou Avenue is a functional business street with a 70-foot right-of-way and a master-planned Class I bikeway. According to the *Countywide Bikeways Functional Master Plan*, a shared use path, SP-41, known as the North Bethesda Trolley Trail, is designated along Bou Avenue between Rockville Pike and Chapman Avenue.

Pedestrian and Bicycle Facilities

Pedestrian and bicycle facilities would not be adversely impacted by the proposed commercial development. The existing sidewalk along the property frontage of Rockville Pike is proposed to be upgraded to the current standards. The Applicant's plans include upgrading the regional North Bethesda Trolley Trail, SP-41, along the site's property frontage of Bou Avenue and Chapman Avenue. The Applicant agreed to a Public Improvement Easement for additional right-of-way along these roadway frontages to provide for a 10-foot-wide bike path, street trees between the bike path and pavement edge, and a 5-foot-wide landscaping panel between the bike path and the shopping center paved parking area.

Traffic Mitigation Requirements

The Applicant is required to enter into a Traffic Mitigation Agreement with MCDOT and the Planning Board to participate in the North Bethesda Transportation Management District (TMD) because the site is located within the TMD's boundary.

Available Transit Service

Transit service is available on the following routes:

1. Ride-On route 46 operating along Bou Avenue and Chapman Avenue.
2. Ride-On route 26 serving at the corner of Chapman Avenue and Twinbrook Parkway.

Local Area Transportation Review (LATR)

Table 1 below shows the projected number of peak-hour trips generated by the proposed commercial land uses within the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.). The trips shown in the Table 1 below are total trips that include the new, diverted, and pass-by trips. The new trips are shown in parentheses after the total trips.

Table 1: Site-Generated Peak-Hour Trips

<i>Land Uses</i>	<i>Square Feet</i>	<i>Site-Generated Peak-Hour Trips</i>	
		<i>Morning</i>	<i>Evening</i>
Existing Shopping Center – Occupied Retail Space	66,126	184 (71)	388 (152)
Existing Shopping Center – Vacant Retail Space	7,171	20 (8)	42 (17)
Existing Shopping Center – Occupied & Vacant Retail Space	73,297	204 (79)	430 (169)
Bank Pad Site to be Removed	-2,000	-5 (-2)	-12 (-4)
New Bank Pad Site	+3,710	10 (4)	22 (8)
New Retail Pad Site	6,000	16 (6)	36 (13)
Net Increase	7,710	21 (8)	46 (17)
Proposed Total Commercial Space	81,007	225 (87)	476 (186)

In accordance with the *Local Area Transportation Review and Policy Area Mobility Review Guidelines*, a traffic study was submitted to satisfy Local Area Transportation Review (LATR) because the existing and proposed land uses generates 30 or more peak-hour trips within the weekday morning and evening peak periods. Table 2 below shows the calculated Critical Lane Volume (CLV) values at studied intersections for existing, background (trips generated from approved but un-built developments in the study area), and total traffic conditions.

Table 2: Calculated Critical Lane Volumes at Studied Intersections

<i>Intersection</i>	<i>Congestion Standard</i>	<i>Peak Hour</i>	<i>Traffic Condition</i>		
			<i>Existing</i>	<i>Background</i>	<i>Total</i>
East Jefferson Street & Rollins Avenue	1,550 North Bethesda	Morning	589	858	858
		Evening	826	1,330	1,330
Rockville Pike & Halpine Road	1,500 Rockville City	Morning	986	1,472	1,473
		Evening	1,279	1,955*	1,956**
Rockville Pike & Rollins Avenue- Twinbrook Parkway	1,550 North Bethesda	Morning	1,020	1,542	1,542
		Evening	1,311	2,294*	2,294**
Rockville Pike & North Site Access Point	1,550 North Bethesda	Morning	811	1,061	1,062
		Evening	882	1,282	1,283
Rockville Pike & South Site Access Point	1,550 North Bethesda	Morning	802	1,052	1,053
		Evening	856	1,256	1,257
Rockville Pike & Main Site Access point	1,550 North Bethesda	Morning	855	1,108	1,113
		Evening	1,076	1,499	1,526
Rockville Pike & Bou Avenue	1,550 North Bethesda	Morning	1,107	1,538	1,538
		Evening	1,242	1,895*	1,897**
Rockville Pike & Hubbard Drive	1,550 North Bethesda	Morning	1,140	1,515	1,515
		Evening	1,484	1,994*	1,995**
Bou Avenue & South Site Access Point	1,550 North Bethesda	Morning	653	1,012	1,017
		Evening	691	1,120	1,130
Chapman Avenue & Twinbrook Parkway	1,550 North Bethesda	Morning	774	1,435	1,436
		Evening	1,102	1,660*	1,664**
Chapman Avenue & North Site Access Point	1,550 North Bethesda	Morning	400	567	568
		Evening	417	614	617
Chapman Avenue & South Site Access Point	1,550 North Bethesda	Morning	382	549	551
		Evening	390	598	601
Chapman Avenue & Bou Avenue	1,550 North Bethesda	Morning	610	967	970
		Evening	741	1,051	1,055
Twinbrook Parkway & Parklawn Drive	1,800	Morning	911	1,587	1,587
		Evening	1,139	1,655	1,656

* This CLV value exceeds the applicable congestion standard.

** This CLV value exceeds the applicable congestion standard, but the increase from the background CLV to the total CLV is less than five (5) CLV.

At five of the 14 studied intersections, the evening peak-hour CLV values in the background and total traffic conditions are greater than the applicable congestion standard. As stated on the bottom of page 29 of the FY 2007-2009 Growth Policy “(refer to the attached copy of this page):

“If an applicant is participating in a traffic mitigation program or one or more intersection improvements to meet Local Area Transportation Review requirements, that applicant must be considered to have met the Local Area Transportation Review for any other intersection where the volume of trips generated is less than 5 Critical Lane Movements.”

At these five intersections, the increase in CLV in the background traffic condition to the CLV in the total traffic condition is less than five (5). With the Applicant's Traffic Mitigation Program to satisfy the *North Bethesda/Chevy Chase Master Plan*, no intersection improvements are required in accordance with the Growth Policy procedure above and, thus, LATR is satisfied

Policy Area Mobility Review

Under the current *Growth Policy*, the Policy Area Mobility Review (PAMR) test requires the Applicant to mitigate seven (or 40% of 17) new peak-hour vehicular trips generated by the proposed new land uses within the weekday morning and evening peak periods. The Applicant chose to pay the County \$11,000 per trip for a total of \$77,000 instead of providing off-site non-auto transportation improvements within the North Bethesda Policy Area. The Planning Board permitted this alternative payment with its approval at its October 2, 2008, hearing for developments requiring PAMR mitigation of fewer than 30 new peak-hour vehicular trips. As described in *Recommendation No. 2*, the \$77,000 payment must be made to the County prior to release of a building permit.

EA: tc
Attachment

cc: Bill Barron
Seth Fisher
Pat Harris
Chuck Kines

mmo to Hisel-McCoy re Pike Center 820090020.doc

**MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES
WATER RESOURCES SECTION**

255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153

Date: September 11, 2008

MEMO TO: Robert Kronenberg, Acting Supervisor
Development Review Committee, MNCPPC

FROM: William Campbell
Water Resources Section, MCDPS

SUBJECT: Stormwater Management Concept Plan/100-Year Floodplain Review
Site Plan # 820090020, Pike Center
Project Plan #
Preliminary Plan # , DPS File # 232630
Subdivision Review Meeting of September 15, 2008

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 7-02AM for stormwater management and Executive Regulation 108-92 AM for a 100year floodplain. The following summarizes our findings:

SM CONCEPT PLAN PROPOSED:

- On-site:** CPv WQv Both
 CPv < 2cfs, not required
 On-site/Joint Use Central (Regional): waived to
 Existing Concept Approved March 21, 2008
 Waiver: CPv WQv Both
 Approved on March 21, 2008
 Other

Type Proposed:

- Infiltration Retention Surface Detention Wetland Sand Filter
 Separator Sand Filter Non Structural Practices Other

FLOODPLAIN STATUS: 100 Year Floodplain On-Site Yes No Possibly

- Provide source of the 100Year Floodplain Delineation for DPS approval:
 Source of the 100-Year Floodplain is acceptable.
 Submit drainage area map to determine if a floodplain study (> or equal to 30 acres) is required.
 Dam Breach Analysis: Approved Under Review:
 100-Year Floodplain study: Approved Under Review:

SUBMISSION ADEQUACY COMMENTS:

- Provide verification of Downstream notification.

RECOMMENDATIONS:

- Approve as submitted with conditions (see approval letter)
 Incomplete; recommend not scheduling for Planning Board at this time.
 Hold for additional information. See below
 Comments/Recommendations:

cc: Steve Federline, Environmental Planning Division, MNCPPC

bll DRC site plan.03/01



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

September 15, 2008

Ms. Catherine Conlon
Supervisor, Development Review
Subdivision Division
Maryland National Capital
Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Re: Montgomery County
Pike Center
DRC File No. 820090020
MD 355 (Rockville Pike)
Mile Post: 6.91

Dear Ms. Conlon:

The State Highway Administration (SHA) appreciates the opportunity to review the plans for the Pike Center development. We offer the following comments:

- An access permit will be required from SHA's EAPD office.
- The existing curb radii and entrance widths need to be shown on the plans. If these items do not meet current SHA standards, improvements will be needed.
- All ADA ramps need to be perpendicular from each other. Therefore the ramp located at Sta. 410+75 needs to be moved towards the property so that it aligns with the ramp on the opposite side of the entrance. Also the ramps at the remaining 2 north entrances need to be realigned so that they are perpendicular from each other.
- The plans call out a proposed 6' wide concrete sidewalk; is the entire sidewalk to be this width? Please show the width of all sidewalk sections on the plans.
- If the existing shell gas sign structure/base is located in the proposed right of way dedication area, it will need to be relocated outside of the right of way.
- If not already existing, a median cut through must be provided at Sta. 410+25. If the island does not meet current SHA standards, improvements will be needed.
- The existing ramp at Sta. 404+25 will need to be replaced to meet current ADA standards so that it provides an upgraded connection to the site.
- Should a TIS be required, SHA requests five (5) copies to be sent for review. These can be forwarded to us after M-NCPPC has completed its review.
- Right-of-way dedications will be required along the property frontage of MD 355 per the master plan and should be platted using SHA standards. These plats must be submitted in hard copy format for review, checking and final issuance. Please contact Mr. Daniel Andrews, Assistant Division Chief, Plats and Surveys Division at (410) 545-8860 or via email at dandrews@sha.state.md.us for more information and any questions regarding the plat review process. Additionally, please contact Mr. Paul Lednak, Chief, District 3 Right of Way at (301) 513-7470 for information regarding the deed process.

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com




Ms. Catherine Conlon
Page 2

If you have any questions or require additional information, please contact Ms. Corren V. Giles at (410) 545-5595, toll free at (800) 876-4742, or via email at cgiles@sha.state.md.us.

Sincerely,



 Steven D. Foster, Chief
Engineering Access Permits Division

SDF/cvg

- Cc: Mr. Shahriar Etemadi / M-NCPPC
Mr. Sam Farhadi / Montgomery County DPW&T
Ms. Krista Di Iaconi / JBG, 4445 Willard Avenue, Suite 700, Chevy Chase, Maryland, 20815
Mr. Edward Bou / Pike Chapman, LLC, 5607 Ontario Circle, Bethesda, Maryland, 20816
Mr. Jeff Wentz *sent via e-mail*
Ms. Kate Mazzara *sent via e-mail*
Mr. Augustine Robish *sent via e-mail*
Mr. Daniel Andrews *sent via e-mail*
Mr. Paul Lednak *sent via e-mail*
Mr. Mark Loeffler *sent via e-mail*