



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

Staff Report: Site Plan 820090140, Ourisman Ford Montgomery Mall

ITEM #: _____

MCPB HEARING DATE: September 17, 2009

REPORT DATE: September 7, 2009

TO: Montgomery County Planning Board

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

FROM: Elza Hisel-McCoy, Assoc. AIA, LEED-AP *EH*
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APPLICATION DESCRIPTION:

Mixed-use development with 340 dwelling units (including 43 MPDUs, 12.5 percent), 42,000 square feet of retail use, and 12,000 square feet of restaurant space, and including a request for a partial waiver of the parking requirements to allow shared parking off-site; 4.08 acres; C-2 Zone; located in the northeast quadrant of the intersection of Motor City Drive and Westlake Terrace, opposite Montgomery Mall; Potomac Master Plan

APPLICANT: Withro Holdings, LLC/FP Westlake, LLC

FILING DATE: March 18, 2009

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY:

Redevelopment of an existing automobile dealership lot with a six-story mixed-use building featuring 340 multi-family apartments over 54,000 sf. of ground-floor retail and restaurant uses and below-grade structured parking. Located across the street from a planned bus transit station.

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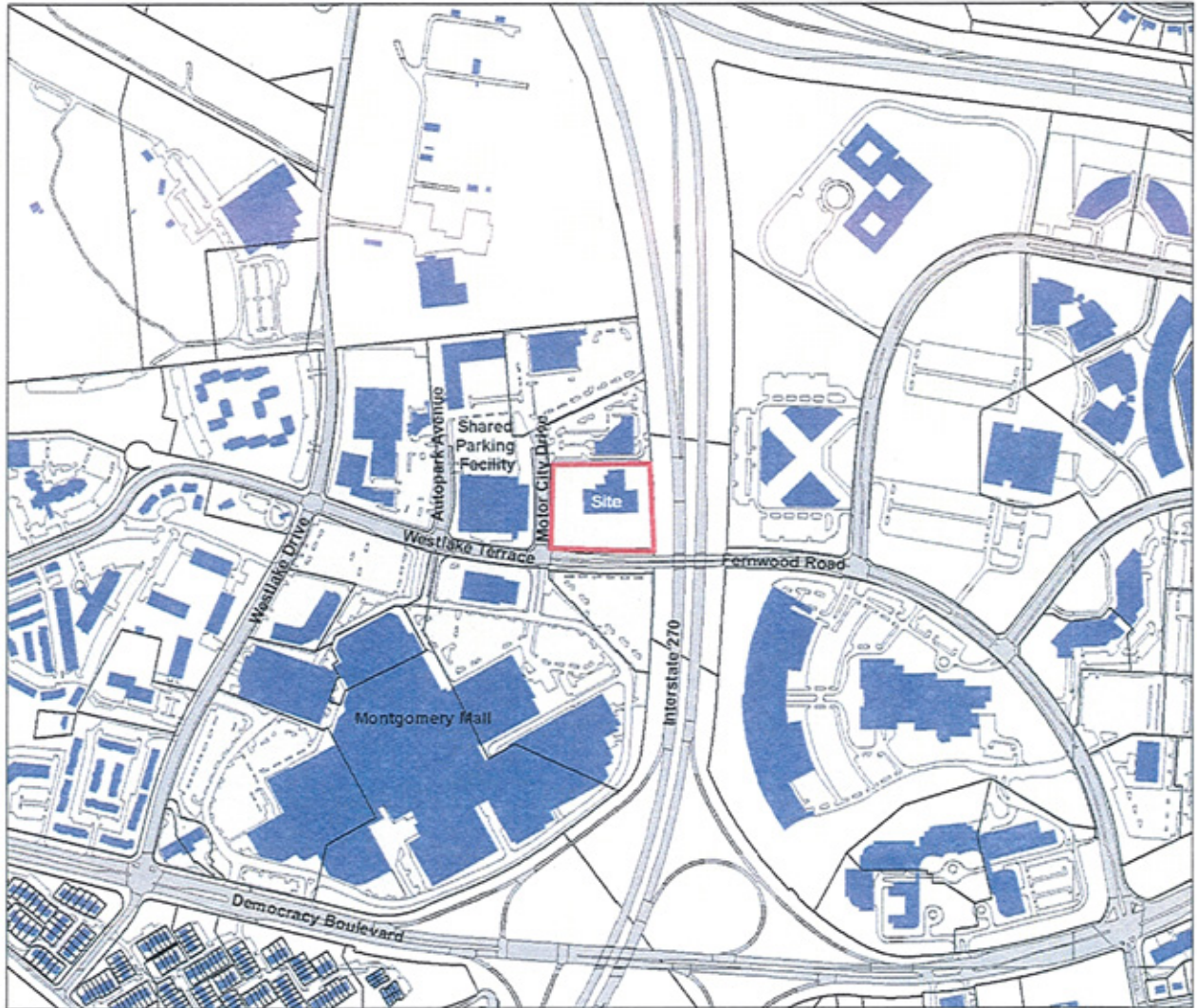
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SITE DESCRIPTION

Vicinity

The site, located at the intersection of Westlake Terrace and Motor City Drive, is situated within in a small area of commercial uses directly adjacent to the Interstate 270 spur and Montgomery Mall. The commercial area is bound by a variety of residential uses, including multi-family apartment buildings, townhouses, and single-family detached units. Across Interstate 270, a series of office parks dominates the landscape.



Vicinity Map

Though not part of this Site Plan, the Applicant has indicated the potential of this project to anchor one end of a new mixed-use development that would extend west from this site parallel to Westlake Terrace.

Site Analysis

The subject site was formerly occupied by an Ourisman Ford automobile dealership. The site is 100 percent impervious, with a surface parking lot consuming over half the site, and is served by public water and sewer. The sole vehicular access to the site is from Motor City Drive. Existing sidewalks along the Motor City Drive and Westlake Terrace frontages allow pedestrian access to all surrounding uses, including across Interstate 270. The eastern edge of the site is buffered from Interstate 270 by a tree line, which will remain.



Aerial Photo

The ramp for the Westlake Terrace overpass rises above the southern edge of the property, enclosing the back corner.



Looking west along the Westlake Terrace overpass

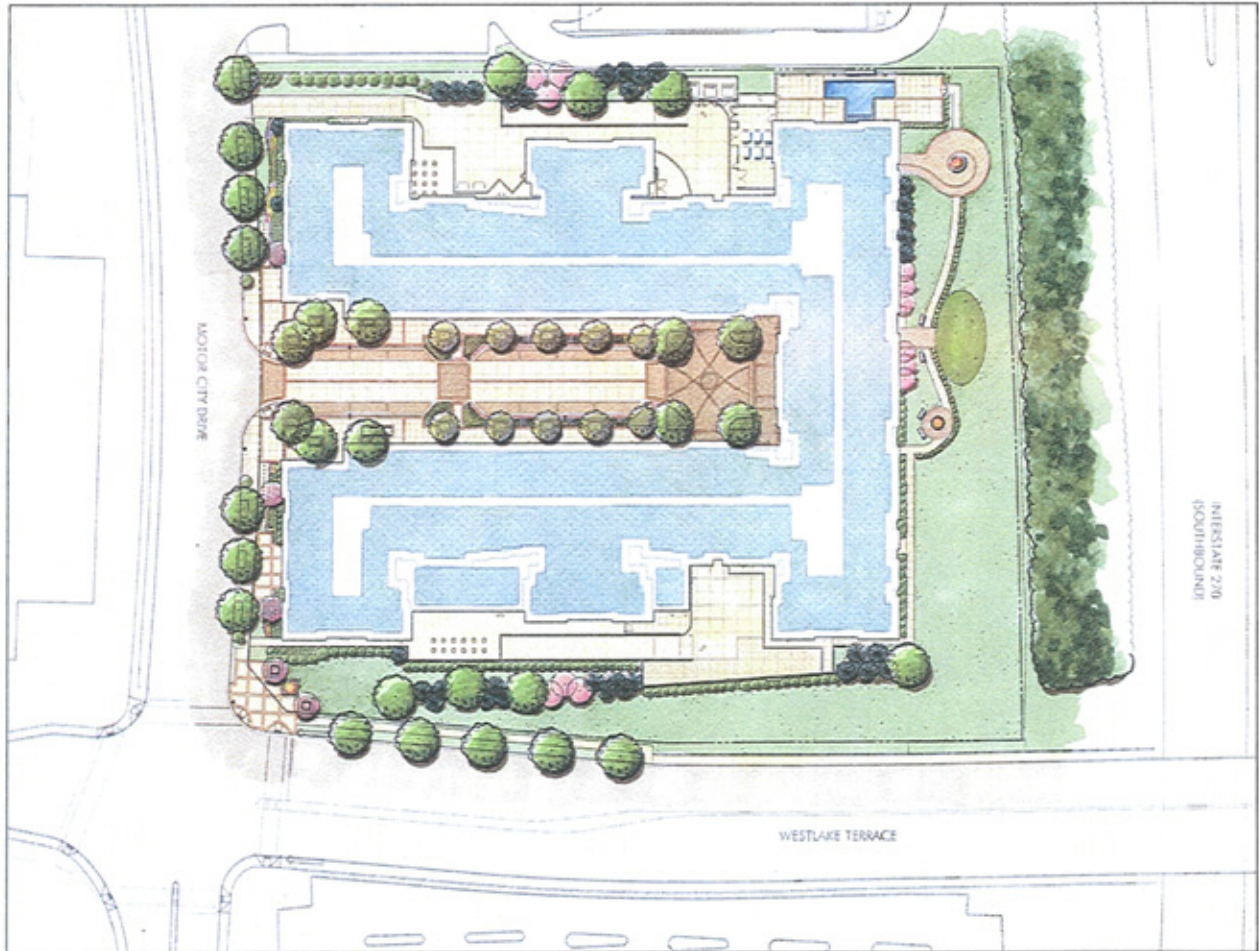
PROJECT DESCRIPTION

Previous Approvals

A plat was recorded for this property in 1980 (plat #12806), for 4.1 acres. In 1993 the State acquired 688 square feet of right-of-way for improvements to Westlake Terrace. A Preliminary Plan is not required.

Proposal

The proposed development would create a 6-story mixed-use multi-family apartment building, with 340 dwelling units (including 12.5 percent of the units – 43 – as MPDUs), 42,000 sf. of ground-floor retail, 12,000 sf. of restaurant space, and below-grade parking, on 4.08 net acres.



Illustrative Plan

Vehicular access for residents, customers, and service will continue to circulate solely from Motor City Drive, with a central entrance and exit and a secondary exit-only at the northwest corner of the site. Service and parking access will be provided along the outer edges of the site, but will be screened from the public roads by the Westlake Terrace overpass on the south and by the building itself along Motor City Drive.

Pedestrian access is provided from improved sidewalks on the street frontages and along the interior retail street.



Perspective across Westlake Terrace

The building design strongly defines the street edge, from the corner of Westlake Terrace and Motor City Drive to the northern limit of the property on Motor City Drive. The ground-floor retail/restaurant uses open directly onto the street, activating the sidewalk and encouraging pedestrian use.



Motor City Drive retail

An internal street, terminated at the residential building entrance, provides direct access to additional retail/restaurant uses, and features attractive streetscape with planters, street trees, and lighting.



Internal Retail Street

PROJECT ANALYSIS

Master Plan

The subject site is located within the boundaries of the Potomac Master Plan.

The general goals of the Master Plan, relevant to the subject site, include:

- create environmentally sustainable development;
- promote transit use, walking, and biking as alternatives to car trips;
- create neighborhood centers;
- create developments with interconnected street patterns;
- design streets with pedestrian activity.

There are no recommendations specific to this site.

The proposed development addresses these recommendations in a number of ways. It proposes a mixed-use building with street-activating ground-floor retail and restaurant uses, accessible

directly from improved sidewalks. The proposed residential units will be conveniently located across the street from a major Metro bus depot, planned for the Montgomery Mall site. The central internal retail street has the potential to extend north of the site parallel to Westlake Terrace, helping to create a residential center in this busy commercial area. Finally, the project incorporates several sustainable design elements, including green roofs and a Filterra integrated stormwater management system, and will meet LEED-NC Certification per County requirements.

Urban Design

Urban Design review focused on the proposed development in relation to its visual and physical context: the surrounding residential neighborhoods to the west, the adjacent regional-scale mall (Montgomery Mall) to the south, commercial properties to the north and the adjoining I-270 right-of-way to the east. Staff, in the course of the review, recommended further attention to pedestrian accessibility, ADA accommodations, and the visual perspectives from the transitional areas between the public rights-of-way and the subject lot(s).

The applicant's drawing revisions reflect improvements to pedestrian accessibility to the building retail/commercial entrances from the public sidewalk. Visual amenity is also improved substantially by the better reconciliation between the street grade and the finished floor levels of the commercial space.

Transportation and Circulation

Available Transit Service

Several bus routes operate along the site frontage of Westlake Terrace. These routes will eventually serve the Montgomery Mall Transit Center, required under the conditions of approval for the Westfield Montgomery Mall expansion, Preliminary Plan No. 120050180 and Site Plan No. 820050030.

Pedestrian Facilities

The Applicant has proposed to upgrade the existing sidewalks along Westlake Terrace and Motor City Drive with handicapped ramps, crosswalks, and other pedestrian improvements. The intersection improvements are necessary to provide a safe pedestrian connection from the site located on the north side of Westlake Terrace to the Westfield Montgomery Mall and the Transit Center located on the south side.

Master-Planned Roadways and Bikeway

In accordance with the 1992 adopted North Bethesda/Garrett Park Master Plan, the roadways and bikeway are designated as follows:

1. Westlake Terrace is designated as an arterial, A-85, with a recommended 90-foot right-of-way and a bikeway along the south side.
2. Dwight Eisenhower Highway (I-270) West Spur is designated as a freeway, F-1a, with a recommended 300-foot right-of-way.

Motor City Drive is not listed in the North Bethesda/Garrett Park Master Plan. Motor City Drive functions as a business district street with a 70-foot right-of-way.

Transportation Demand Management

The site is located within the western limits of the North Bethesda Transportation Management District (TMD). The Applicant is required to enter into a Traffic Mitigation Agreement with the Planning Board and MCDOT to participate in the Bethesda Transportation Management Organization (TMO, operated by the Bethesda Transportation Solution) due to the proposed multi-family housing and commercial business. Participation with the TMO is required to assist the County in achieving and maintaining the 39% non-auto-driver mode share for employees and 30% non-driver mode-share goal for multi-family residents in the North Bethesda TMD.

Local Area Transportation Review

A traffic study was submitted to satisfy Local Area Transportation Review (LATR) because the proposed land uses generate 30 or more peak-hour trips within the weekday morning and evening peak periods. Based on the results of this traffic study, the CLV values at all studied intersections are less than their congestion standard and, thus, the LATR test is satisfied.

Policy Area Mobility Review

The Policy Area Mobility Review (PAMR) test under the Growth Policy must be satisfied because this site is located within the Potomac Policy Area. The Applicant must mitigate 90 (or 45% of the 200) new site-generated peak-hour trips within the weekday evening peak hours by providing pedestrian improvements for the connection between Westfield Montgomery Mall and the Transit Center and the office buildings in the adjacent Rock Spring Park.

Parking Waiver

Transportation Planning staff supports the requested parking waiver that could discourage driving and encourage use of non-automobile transportation modes.

Environment

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) in 420080560 was approved on October 1, 2007. The site is in the Cabin John watershed, designated as Use I/I-P waters. There are no environmental sensitive features on-site including no areas of forest, or individual specimen or champion trees.

Forest Conservation

This property is subject to Chapter 22A Montgomery County Forest Conservation Law. A final forest conservation plan (FFCP) date stamped received by the Environmental Planning Division on March 18, 2009, has been submitted for approval. The plan shows no existing forest and/or specimen and champion trees on-site. The FFCP shows the site's forest conservation requirement of 0.67 acres to be met partially with afforestation tree planting credit of 0.29 acres and the remaining 0.38 acres by in-lieu payment. Proposed shade trees along Motor City Drive inside the public right-of-way and use of non-native trees onsite will not be credited towards meeting the site's requirement.

Noise

Based on the site's location nearby the southbound lanes of the I-270 spur, traffic noise impacts are anticipated. A Traffic Noise Testing prepared on June 11, 2009 by Polysonics Corp., was submitted on August 19, 2009.

Four outdoor recreation areas are proposed between the southbound I-270 southbound spur and the building nearest I-270. These include an in-ground swimming pool with walk-out access exclusively to/from the building nearest the I-270 spur. The pool will be enclosed by a six-foot high concrete wall along the site's north property line. From the east side of the pool an interconnected sidewalk extends to a patio fire pit. The sidewalk continues south to an outdoor putting green where to the south of the putting green are two benches at the end of the sidewalk.

Three conclusions in the noise analysis address mitigation of projected noise levels from the I-270 spur affecting the nearest building and the outdoor recreation spaces. Interior mitigation shall be provided via the façade of the six-story residential building nearest to I-270. These conclusions state acceptable outdoor recreation space noise levels (65 dBA Ldn) will be mitigated by installation of a berm or barrier at the site's east property line. The noise analysis does not stipulate the length of the berm or barrier in linear feet; the details of length shall be determined at certified site plan. The residential level building façade facing I-270 will be impacted by traffic noise levels as high as 67 dBA Ldn. Required interior noise levels (45 dBA Ldn) for the nearest building in relation to I-270 will be achieved with a combination of building materials to mitigate the interior noise including windows and doors which are rated at approximately 34 STC in the impacted areas and walls which are rated at 56 STC. The certified site plan and FFCP must be revised to show the proposed location of the berm or barrier to mitigate outdoor recreation space noise levels.

Stormwater Management

County DPS has issued concept stormwater management plan approval on January 26, 2009. The proposed method includes on-site detention and required review of the landscape plan as part of the Sediment Control/Stormwater Management Plan.

Development Standards

The subject site is zoned C-2. The purpose of this Zone is to provide locations for general commercial uses representing various types of retail trades, business, and services for a regional or local area, as well as to encourage housing and commercial uses near transit, including within 500 feet of a Bus Transit Center, in this case to be located across the street at Montgomery Mall. The proposed uses are allowed in the Zone. 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-2 Zone

Development Standard	Permitted/Required	Proposed for Approval
Gross Tract Area (acres)	N/A	4.08
Gross Tract Area (square feet)	N/A	177,911
Building Height (feet)	75	75
Building Setbacks (feet)		
Motor City Drive	10	12
Westlake Terrace	0/3 (if provided)	42
North side		13
East side		60
Green Area (% of lot)	10	31.6
Floor Area Ratio (FAR)	2.5	2.36
Building Area (square feet)	444,777	420,500
Max. Commercial Density (FAR)	1	0.45
Max. Commercial Density (square feet) – total	177,911	54,000
Max. Retail Density (square feet)	N/A	42,000
Max. Restaurant Density (square feet)	N/A	12,000
Dwelling units	N/A	340
MPDUs (%)	12.5	12.5 (43 du)
Parking Spaces	763	645*

*Applicant is requesting a reduction for on-site parking via a shared parking arrangement.

COMMUNITY OUTREACH

The Applicant has met all proper signage, noticing, and submission meeting requirements. Staff has received no correspondence on this matter.

FINDINGS

- 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 of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The proposed use is allowed in the C-2 Zone and the site plan fulfills the purposes of the zone by providing a mix of residential and commercial uses convenient to a Metro Bus Station to be developed on the adjacent Montgomery Mall site.

As the project data table on page 12 indicates, the site plan meets all of the development standards of the zone. With respect to building height, setbacks, green space, and density the proposed development is under all the maximum standards allowed.

Sections of the C-2 zone (59-C-4.35), including the purpose clause, allowed uses (e.g. dwelling units), and building height provisions, were invalidated by a recent court case but were not formally removed from the code by the County Council. There remains some ambiguity as to which standards apply, particularly to building height (i.e., 65' for 75'). Staff is prepared to recommend a maximum building height for this project of 75', but subsequent action by the County Council, or possibly other body, may be incompatible with this approach. Staff is pursuing corrective/clarifying action parallel to this review.

The requested partial waiver of the total number of parking spaces required by the Zone, reducing the on-site parking contingent from 763 spaces to 645 spaces and allowing the balance to be provided across Motor City Drive in the surface parking lot of the shuttered Home Depot Expo store, is consistent with the intent of providing transit-oriented housing and commercial uses.

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

The buildings and structures of the proposed development are located along the street, setting the correct standard for definition and activation of the public street as this area redevelops. The location provides easy access to the building from adjoining sidewalks and parking. Staff finds the locations of the buildings and structures to be adequate and efficient, while meeting the aesthetic concerns of the area, and not to pose safety concerns on the site.

The central open space, the internal retail street accessible to the public, provides a well-designed pedestrian environment with opportunities for multiple activities. This area provides attractive streetscape, landscape, and lighting. A secondary open space sequence, accessible only to residents, provides a variety of recreational facilities, including an outdoor pool, to complement indoor exercise and meeting spaces. The plan further includes and maintains a landscaped buffer along the busy adjacent roads, Interstate 270 and the Westlake Terrace overpass, to improve screening for residents. The open spaces, landscaping, and recreation facilities are adequate, safe, and efficient.

Pedestrian access from adjacent sidewalks adequately and efficiently integrates this site into the surrounding area. The vehicular circulation design efficiently directs traffic into

the site with minimal impacts to pedestrian circulation. The pedestrian and vehicular 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.*

The proposed development sets a high standard for urban design in the redevelopment of this area. It faces the streets, opens to the sidewalks, and provides activating uses. This area is currently dominated by automobile-oriented uses and the proposed development is a strong beginning for its reorientation to transit-oriented pedestrian-friendly development. The structure itself is in scale with nearby redevelopment and is located such that it will not adversely impact existing or proposed adjacent uses. The proposed structure and uses are compatible with the surrounding existing, proposed, and planned uses and development.

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.*

A final forest conservation plan (FFCP) date stamped received by the Environmental Planning Division on March 18, 2009, has been submitted for approval. The plan shows no existing forest and/or specimen and champion trees on-site. The FFCP shows the site's forest conservation requirement of 0.67 acres to be met partially with afforestation tree planting credit of 0.29 acres and the remaining 0.38 acres by in-lieu payment.

County DPS has issued concept stormwater management plan approval on January 26, 2009. The proposed method includes on-site detention and required review of the landscape plan as part of the Sediment Control/Stormwater Management Plan.

RECOMMENDATION AND CONDITIONS

Staff recommends approval of site plan 820090140, Ourisman Ford at Montgomery Mall, for a mixed-use development with 340 dwelling units (including 43 MPDUs, 12.5 percent), 42,000 square feet of retail use, and 12,000 square feet of restaurant space on 4.08 gross acres, as well as a request for a partial waiver of the parking requirements to allow shared parking off-site. All site development elements shown on the site and landscape plans stamped "Received" by the M-NCPPC on August 20, 2009, are required except as modified by the following conditions.

Environment

1. Forest Conservation
 - a. The applicant must satisfy all conditions of the final forest conservation plan prior to Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permit(s), as appropriate.
 - b. Submission of the final forest conservation plan consistent with Section 109.B. of the forest conservation regulations. Worksheet must be revised to include only native trees, and trees outside public rights of way for credits towards meeting forest conservation requirements.

2. Noise Mitigation

- a. The applicant must commit to investigate design options and propose noise mitigation measures to meet performance criteria identified in the “Conclusions” section of the Polysonics Corp. technical noise study entitled “Traffic Noise Testing – Ourisman Site – Montgomery Mall” dated June 11, 2009. Details showing noise appropriate site design and mitigation must be confirmed prior to certified site plan approval
- b. Certification from an acoustical engineer that the building shell for residential dwelling units to be constructed within the projected 65 dBA Ldn noise contour is designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. The certification shall be provided to M-NCPPC Environmental Planning staff for concurrence prior to issuance of building permits.
- c. The builder shall provide a signed commitment to construct the impacted units in accord with the acoustical design specifications. Any changes to the building shell construction that may affect acoustical performance after issuance of building permit shall be approved by an acoustical engineer and M-NCPPC Environmental Planning staff prior to their implementation.

3. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated January 26, 2009, unless amended and approved by the Montgomery County Department of Permitting Services.

4. LEED Certification

The Applicant must achieve a LEED (Leadership in Energy and Environmental Design) Certified Rating Certification at a minimum. The Applicant must make good faith efforts to achieve a LEED Silver rating. Before the issuance of any use and occupancy certificate, the Applicant must inform M-NCPPC staff of the LEED Certification Level for which they are applying. If this level is less than a Silver rating, before the issuance of the final use and occupancy certificate the Applicant must provide to staff a written report for public record purposes only from the Applicant’s LEED consultant analyzing the feasibility of achieving a LEED-Silver rating, to include an affidavit from a LEED-Accredited Professional identifying the minimum additional improvements required to achieve the LEED Silver rating, including their associated extra cost.

Transportation & Circulation

5. Maximum Development

The Applicant must limit the proposed mixed-use development to a maximum of 340 mid-rise apartments and 50,869 leasable square feet of general retail uses.

6. PAMR

The Applicant must satisfy Policy Area Mobility Review (PAMR) by providing pedestrian safety ADA-compliant improvements at the signalized intersections of Rockledge Drive/Rock Spring Drive, Rock Spring Drive-Marriott’s driveway/Fernwood Road, and Rockledge Drive-Marriott’s driveway/ Fernwood Road. The three intersections are along the walking route that connects the Westfield Montgomery Mall

and its Transit Center with the office buildings in the adjacent Rock Spring Park. At each corner of the three intersections, ADA-compliant dual handicapped ramps and accessible pedestrian signals must be installed. At Rockledge Drive-Marriott's driveway/ Fernwood Road only, the pedestrian crosswalks and stop bars need to be upgraded at each intersection approach. In addition, a countdown pedestrian signal head is needed at the southeast corner. The pedestrian safety improvements must be permitted and bonded by the Montgomery County Department of Permitting Services (DPS) prior to site plan certification.

7. Traffic Mitigation Agreement

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 its non-auto driver mode share goals. The Traffic Mitigation Agreement must be fully executed prior to site plan certification.

8. Pedestrian Improvements

The Applicant must provide ADA-compliant dual handicapped ramps and accessible pedestrian signals at each corner of the two signalized intersections of Westlake Terrace with Motor City Drive and Auto Park Drive. The pedestrian safety improvements must be permitted and bonded by DPS prior to site plan certification.

9. Bicycle Storage

The Applicant must provide twenty (20) inverted-U bike racks along the site's frontage in weather protected locations and ten (10) bike lockers in the garage within 50 feet of the elevator to serve the residents and visitors of the apartment building. Transportation Planning staff will determine the ultimate locations of the bike racks and lockers prior to site plan certification.

Site Plan

10. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheet A3.2-3.5A of the submitted architectural drawings, as determined by M-NCPPC Development Review and Urban Design staff.

11. Lighting

- a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for mixed-use development.
- b. All onsite down- light fixtures must be full cut-off fixtures.
- c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- d. The height of the light poles shall not exceed the height specified in the certified site plan, including the mounting base.

12. Landscape Surety

The Applicant shall provide a surety (letter of credit, performance bond) in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a. The amount of the surety shall include plant material, on-site lighting, recreational facilities, and site furniture within the relevant block of development. Surety to be posted prior to issuance of first building permit within each relevant block of development and shall be tied to the development program.
- b. Provide a cost estimate of the materials and facilities, which will establish the initial bond amount.
- c. Completion of plantings by block, to be followed by inspection and bond reduction. Inspection approval starts the 1 year maintenance period and bond release occurs at the expiration of the one year maintenance period.
- d. Provide a screening/landscape amenities agreement that outlines the responsibilities of the respective parties and incorporates the cost estimate. Agreement to be executed prior to issuance of the first building permit.

13. 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:

- e. Street lamps and sidewalks must be installed as 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 residential 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 Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- c. The development program must provide phasing of stormwater management, sediment and erosion control, afforestation, trip mitigation, and other features.

14. 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. Add a note to the site plan stating that “M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading”.
- c. Add a note that “All plant substitutions must be approved by M-NCPPC” and provide a list of alternative species.
- d. Modify data table to reflect development standards enumerated in the staff report.
- e. Ensure consistency off all details and layout between site plan and landscape plan.
- f. Minor changes to landscape, lighting, and recreation facilities.
- g. Final location, design, and details of any noise walls on-site.

- h. Provide a drawing elevation for the surface adjoining the recreational putting green on the east; show landscaping and planting.
- i. Show noise attenuation for the exterior recreational spaces, including the pool area.
- j. Provide façade design for roof top mechanical equipment and/or mechanical penthouse(s).
- k. Provide a drawing showing line-of-sight visibility of roof top equipment and lighting standards, & signage (from public streets and I-270 and ramps).
- l. Demonstrate compliance with MCFRS requirements.

APPENDIX

A. Agency Letters



September 1, 2009

MEMORANDUM

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

VIA: Shahriar Etemadi, Supervisor
Transportation Planning Division

FROM: Ed Axler, Planner/Coordinator
Transportation Planning Division

SUBJECT: Site Plan No. 820090140
Ourisman Ford at Montgomery Mall
Potomac Policy Area

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject site plan for the proposed mixed-use development replacing the vacated automobile dealership.

RECOMMENDATIONS

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

1. The Applicant must limit the proposed mixed-use development to a maximum of 340 mid-rise apartments and 50,869 square feet of general retail uses.
2. The Applicant must satisfy Policy Area Mobility Review (PAMR) by providing pedestrian safety ADA-compliant improvements at the signalized intersections of Rockledge Drive/Rock Spring Drive, Rock Spring Drive-Marriott's driveway/Fernwood Road, and Rockledge Drive-Marriott's driveway/ Fernwood Road. The three intersections are along the walking route that connects the Westfield Montgomery Mall and its Transit Center with the office buildings in the adjacent Rock Spring Park. At each corner of the three intersections, ADA-compliant dual handicapped ramps and accessible pedestrian signals must be installed. At Rockledge Drive-Marriott's driveway/ Fernwood Road only, the pedestrian crosswalks and stop bars need to be upgraded at each intersection approach. In addition, a countdown pedestrian signal head is needed at the southeast corner. The pedestrian safety improvements must be permitted and bonded by

the Montgomery County Department of Permitting Services (DPS) prior to site plan certification.

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 in achieving and maintaining its non-auto driver mode share goals. The Traffic Mitigation Agreement must be fully executed prior to site plan certification.
4. The Applicant must provide ADA-compliant dual handicapped ramps and accessible pedestrian signals at each corner of the two signalized intersections of Westlake Terrace with Motor City Drive and Auto Park Drive. The pedestrian safety improvements must be permitted and bonded by DPS prior to site plan certification.
5. The Applicant must provide twenty (20) inverted-U bike racks along the site's frontage in weather protected locations and ten (10) bike lockers in the garage within 50 feet of the elevator to serve the residents and visitors of the apartment building. Transportation Planning staff will determine the ultimate locations of the bike racks and lockers prior to site plan certification.

Transportation Planning staff supports the requested parking waiver that could discourage driving and encourage use of non-automobile transportation modes.

DISCUSSION

Site Location and Vehicular Access

The subject site is located in the northwest corner of Westlake Terrace and the I-270 West Spur. The vehicular access point is proposed from Motor City Drive.

Available Transit Service

The following bus routes operate along the site frontage of Westlake Terrace and serve the Montgomery Mall Transit Center:

1. Ride-On: Routes 6, 26, 38, 47, and 96
2. Metrobus: Routes J-1, J-2, and J-3

One of the conditions of approval for the Westfield Montgomery Mall expansion under Preliminary Plan No. 120050180 and Site Plan No. 820050030, is to relocate the Transit Center from its current location to the southeast corner of Westlake Terrace and I-270 West Spur.

Pedestrian Facilities

The Applicant has proposed to upgrade the existing sidewalks along Westlake Terrace and Motor City Drive with handicapped ramps, crosswalks, and other pedestrian improvements.

As described in Recommendation No. 4, the intersection improvements listed below are necessary to provide a safe pedestrian connection from the site located on the north side of Westlake Terrace to the Westfield Montgomery Mall and the Transit Center located on the south side.

Intersection	Dual Handicapped Ramps	Accessible Pedestrian Signal Pushbuttons
Westlake Terrace & Motor City Drive	Set of 2 in all 4 corners	In all 4 corners
Westlake Terrace & Auto Park Drive	Set of 2 in all 4 corners	In all 4 corners

Master-Planned Roadways and Bikeway

In accordance with the 1992 adopted *North Bethesda/Garrett Park Master Plan*, the roadways and bikeway are designated as follows:

1. Westlake Terrace is designated as an arterial, A-85, with a recommended 90-foot right-of-way and a bikeway along the south side.
2. Dwight Eisenhower Highway (I-270) West Spur is designated as a freeway, F-1a, with a recommended 300-foot right-of-way.

Motor City Drive is not listed in the *North Bethesda/Garrett Park Master Plan*. Motor City Drive functions as a business district street with a 70-foot right-of-way.

On-Going Transportation Projects

The I-270 West Spur, along the eastern property line, is one segment of the Maryland State Highway Administration (SHA) Capital Transportation Program (CTP) Project No. AW518B11, Feasibility Study for Express Toll Lanes along I-270 between I-495 and I-370, West Side Mobility Study.

Transportation Demand Management

The site is located within the western limits of the North Bethesda Transportation Management District (TMD). The Applicant is required to enter into a Traffic Mitigation Agreement with the Planning Board and MCDOT to participate in the Bethesda Transportation Management Organization (TMO, operated by the Bethesda Transportation Solution) because of the proposed multi-family housing and any commercial business with more than 25 employees. Participation with the TMO is required to assist the County in achieving and maintaining the 39% non-auto-driver mode share for employees and 30% non-driver mode-share goal for multi-family residents in the North Bethesda TMD.

Local Area Transportation Review

The table below shows the number of peak-hour trips generated by the proposed mixed-use development within the weekday morning peak-hours (6:30 to 9:30 a.m.) and evening peak

hours (4:00 to 7:00 p.m.). The table shows new and total peak-hour trips. Total trips include the new, diverted, and pass-by trips. Pass-by and diverted trips refer to those trips that are already on the road and stop at the subject site on the way from other origins or destinations.

Land Use	No. of Units or Square Feet	Weekday Peak Hour	
		Morning	Evening
Mid-Rise Apartments	340	139	161
General Retail Uses	50,869	198	325
Subtotal Peak-Hour Trips		337	486
Internal Trips from Apartments to On-Site Retail		-38	-68
Pass-by & Diverted to/from On-Site Retail		-67	-138
Trips generated by the prior Ourisman Ford		-64	-80
Net New External Peak-Hour Trips		168	200

A traffic study was submitted to satisfy Local Area Transportation Review (LATR) because the proposed land uses generate 30 or more peak-hour trips within the weekday morning and evening peak periods. Based on the results of this traffic study, the table below shows the calculated Critical Lane Volume (CLV) values at studied intersections.

Intersection	Congestion Standard	Weekday Peak Hour	Traffic Condition		
			Existing	Background	Total Future
Westlake Terrace & Westlake Drive	Potomac 1,450	Morning	626	730	759
		Evening	725	825	848
Westlake Terrace & Auto Park Drive	Potomac 1,450	Morning	388	501	512
		Evening	427	542	579
Westlake Terrace & Motor City Drive	Potomac 1,450	Morning	412	560	676
		Evening	811	1,113	1,238
Westlake Terrace & I-270 West Spur Ramp	North Bethesda 1,550	Morning	503	863	928
		Evening	531	738	839
Westlake Terrace-Fernwood Drive & Rockledge Drive	North Bethesda 1,550	Morning	759	1,301	1,332
		Evening	885	1,317	1,373
Westlake Drive & Tuckerman Lane	Potomac 1,450	Morning	936	1,008	1,008
		Evening	1,111	1,268	1,272
Westlake Drive & Democracy Boulevard	Potomac 1,450	Morning	713	975	1,003
		Evening	999	1,162	1,180
Fernwood Drive & Rock Spring Drive	North Bethesda 1,550	Morning	571	810	875
		Evening	624	886	938
Rockledge Drive & Rock Spring Drive	North Bethesda 1,550	Morning	652	888	915
		Evening	685	1,025	1,063
Rockledge Drive & Rock Forest Drive	North Bethesda 1,550	Morning	691	1,179	1,183
		Evening	785	1,540	1,545

The CLV values at all studied intersections are less than their congestion standard and, thus, the LATR test is satisfied.

Policy Area Mobility Review

The Policy Area Mobility Review (PAMR) test under the *Growth Policy* must be satisfied because this site is located within the Potomac Policy Area. The Applicant must mitigate 90 (or 45% of the 200) new site-generated peak-hour trips within the weekday evening peak hours by providing the pedestrian improvements shown in the table below that improves the connection between Westfield Montgomery Mall and the Transit Center and the office buildings in the adjacent Rock Spring Park.

Intersection	Dual Handicapped Ramps	Accessible Pedestrian Signal Pushbuttons	Pedestrian Crosswalks & Stop Bars	Pedestrian Countdown Signal Heads	Trips Mitigated
Rockledge Drive & Rock Spring Drive	Set of 2 in all 4 corners mitigates 24 trips (or 8 ramps x 3 per ramp)	Pushbuttons in all 4 corners mitigates 8 trips (or 4 corners x 2 per pushbutton)	Not Needed	Not Needed	32
Rockledge Drive-Marriott's driveway & Fernwood Road	Set of 2 in all 4 corners mitigates 24 trips (or 8 ramps x 3 per ramp)	Pushbuttons in all 4 corners mitigates 8 trips (or 4 corners x 2 per pushbutton)	On each intersection leg (associated with the handicapped ramp)	In the southeast corner mitigates 2 trips	34
Rock Spring Drive- Marriott's driveway & Fernwood Road	Set of 2 in all 4 corners mitigates 24 trips (or 8 ramps x 3 per ramp)	Pushbuttons in all 4 corners mitigates 8 trips (or 4 corners x 2 per pushbutton)	Not Needed	Not Needed	32
Trips Mitigated	72	24	0	2	90

EA:tc
Attachments

- cc: Sande Brecher
Bill Barron
Wes Guckert/Glenn Cook
Peggy Schwartz
Barbara Sears
Fiona Thomas

mmo to Hisel-McCoy re 820090140 Ourisman Ford at Mont Mall.doc



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

MEMORANDUM

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

VIA: Stephen D. Federline, Master Planner, Environmental Planning Division *SD*

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

SUBJECT: Site Plan No. 820090140 – Ourisman Ford Montgomery Mall

DATE: September 4, 2009

RECOMMENDATION

Environmental Planning staff has reviewed the above referenced site plan. Staff recommends **approval** of the site plan, including the final forest conservation plan (FFCP) with conditions as follow:

1. The applicant must satisfy all conditions of the final forest conservation plan prior to Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permit(s), as appropriate.
 - a. Submission of the final forest conservation plan consistent with Section 109.B. of the forest conservation regulations.
 - b. Worksheet must be revised to include only native trees, and trees outside public rights of way for credits towards meeting forest conservation requirements.
2. The applicant must commit to investigate design options and propose noise mitigation measures to meet performance criteria identified in the "Conclusions" section of the Polysonics Corp. technical noise study entitled "Traffic Noise Testing – Ourisman Site – Montgomery Mall" dated June 11, 2009. Details showing noise appropriate site design and mitigation must be confirmed prior to certified site plan approval
 - a. Certification from an acoustical engineer that the building shell for residential dwelling units to be constructed within the projected 65 dBA Ldn noise contour is designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. The certification shall be provided to M-NCPPC Environmental Planning staff for concurrence prior to issuance of building permits.
 - b. The builder shall provide a signed commitment to construct the impacted units in accord with the acoustical design specifications. Any changes to the building shell construction that may affect acoustical performance after issuance of building permit shall be approved by an acoustical engineer and M-NCPPC Environmental Planning staff prior to their implementation.

Proposal/Background

The Ourisman Ford Auto Store at Montgomery Mall is currently located on the north side of Westlake Terrace, the west side of the I-270 southbound spur, and the east side of Motor City Drive, in Rockville. The site contains 4.08 acres and is zoned C-2. The proposal is for redevelopment of the site for construction of three, six-story buildings each with ground-level retail and the remaining five-levels for residential.

Environmental Guidelines

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) in 420080560 was approved on October 1, 2007. The site is in the Cabin John watershed, designated as Use I/I-P waters. There are no environmental sensitive features on-site including no areas of forest, or individual specimen or champion trees.

Forest Conservation

This property is subject to Chapter 22A Montgomery County Forest Conservation Law. A final forest conservation plan (FFCP) date stamped received by the Environmental Planning Division on March 18, 2009, has been submitted for approval. The plan shows no existing forest and/or specimen and champion trees on-site. The FFCP shows the site's forest conservation requirement of 0.67 acres to be met partially with afforestation tree planting credit of 0.29 acres and the remaining 0.38 acres by in-lieu payment. Proposed shade trees along Motor City Drive inside the public right-of-way and use of non-native trees onsite will not be credited towards meeting the site's requirement.

Noise

Based on the site's location nearby the southbound lanes of the I-270 spur, traffic noise impacts are anticipated. A Traffic Noise Testing prepared on June 11, 2009 by Polysonics Corp., was submitted on August 19, 2009.

Four outdoor recreation areas are proposed between the southbound I-270 southbound spur and the building nearest I-270. These include an in-ground swimming pool with walk-out access exclusively to/from the building nearest the I-270 spur. The pool will be enclosed by a six-foot high concrete wall along the site's north property line. From the east side of the pool an interconnected sidewalk extends to a patio fire pit. The sidewalk continues south to an outdoor putting green where to the south of the putting green are two benches at the end of the sidewalk.

Three conclusions in the noise analysis address mitigation of projected noise levels from the I-270 spur affecting the nearest building and the outdoor recreation spaces. Interior mitigation shall be provided via the façade of the six-story residential building nearest to I-270. These conclusions state acceptable outdoor recreation space noise levels (65 dBA Ldn) will be mitigated by installation of a berm or barrier at the site's east property line. The noise analysis does not stipulate the length of the berm or barrier in linear feet; the details of length shall be determined at certified site plan. The residential level building façade facing I-270 will be impacted by traffic noise levels as high as 67 dBA Ldn. Required interior noise levels (45 dBA Ldn) for the nearest building in relation to I-270

will be achieved with a combination of building materials to mitigate the interior noise including windows and doors which are rated at approximately 34 STC in the impacted areas and walls which are rated at 56 STC. The certified site plan and FFCP must be revised to show the proposed location of the berm or barrier to mitigate outdoor recreation space noise levels.

Stormwater Management

County DPS has issued concept stormwater management plan approval on January 26, 2009. The proposed method includes on-site detention and required review of the landscape plan as part of the Sediment Control/Stormwater Management Plan.

SDF:LS

September 1, 2009

MEMORANDUM

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

VIA: Glenn Kreger, Acting Chief
Community-Based Planning Division

FROM: Mary Beth O'Quinn AAIA, AICP Planner Coordinator
Urban Design Division

SUBJECT: Ourisman Ford Development
Site Plan Review

RECOMMENDATION: The Urban Design recommends approval of the Site Plan with the considerations subject to additional conditions relevant to specific site plan elements.

Urban Design

Urban Design review focused on the proposed development in relation to its visual and physical context: the surrounding residential neighborhoods to the west, the adjacent regional-scale mall (Montgomery Mall) to the south, commercial properties to the north and the adjoining I-270 right-of-way to the east. Staff, in the course of the review, recommended further attention to pedestrian accessibility, ADA accommodations, and the visual perspectives from the transitional areas between the public rights-of-way and the subject lot(s).

The applicant's drawing revisions reflect improvements to pedestrian accessibility to the building retail/commercial entrances from the public sidewalk. Visual amenity is also improved substantially by the better reconciliation between the street grade and the finished floor levels of the commercial space.

Recommendations

Staff recommends the further attention to enhance the improvements incorporated in the most recent revisions:

1. For the approximately 2-foot difference between the finished floor level and the plaza level at the southwest building corner: Utilize high quality stone (granite) for the

continuous sill wrapping the corner (60'+/- south facade/60' +/- west facade) and plaza ground paving of same material to unify the facade/ground appearance; provide a public bench or amenity of same stone material;

2. Provide photometric lighting levels for the south side of the building and for the recreational amenity area on the east and north sides of the building(s);
3. Provide a drawing elevation for the surface adjoining the recreational putting green on the east; show landscaping and planting;
4. Show noise attenuation for the exterior recreational spaces, including the pool area.
5. Provide facade design for roof top mechanical equipment and/or mechanical penthouse(s); Façade materials should be compatible with field materials for the primary facade modules.
6. Provide a drawing showing line-of-sight visibility of roof top equipment and lighting standards, & signage (from public streets and I-270 and ramps);