



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

Staff Report: Site Plan Amendment 82006031A, Montgomery Industrial Park– Lot 39

CONSENT ITEM #: MCPB No. 10-31

MCPB HEARING DATE: April 22, 2010

REPORT DATE: April 9, 2010

TO: Montgomery County Planning Board

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

FROM: Joshua Kaye, Senior Planner *JK*
Development Review Division
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APPLICATION DESCRIPTION: Amendment to modify site plan elements necessitated by one of the following: (1) site conditions discovered in the course of preparing the Property for development; (2) revisions to the building permit plans required by the Department of Permitting Services; or (3) operational considerations. Property is 1.69 acres in the I-1 zone; located on Broadbirch Drive; in the Fairland Master Plan area.

APPLICANT: Springwood Holdings, LLC.

FILING DATE: February 4, 2010

RECOMMENDATION: Approval of site plan amendment and adoption of draft resolution No. 10-31.

EXECUTIVE SUMMARY: The Applicant desires to add, eliminate, and/or modify certain plan elements that were approved as part of the original site plan including stormdrains, landscaping, hardscapes, sidewalk and drive configurations, parking layout, signage, building components and architectural changes. The maximum permitted floor area remains the same; however, the building height is proposed to be increased by 1.83 feet to a maximum of 52.45 feet. The increase in building height is still below the previously approved maximum height of 55 feet set forth in the original opinion. No setbacks or other development standards are being amended.

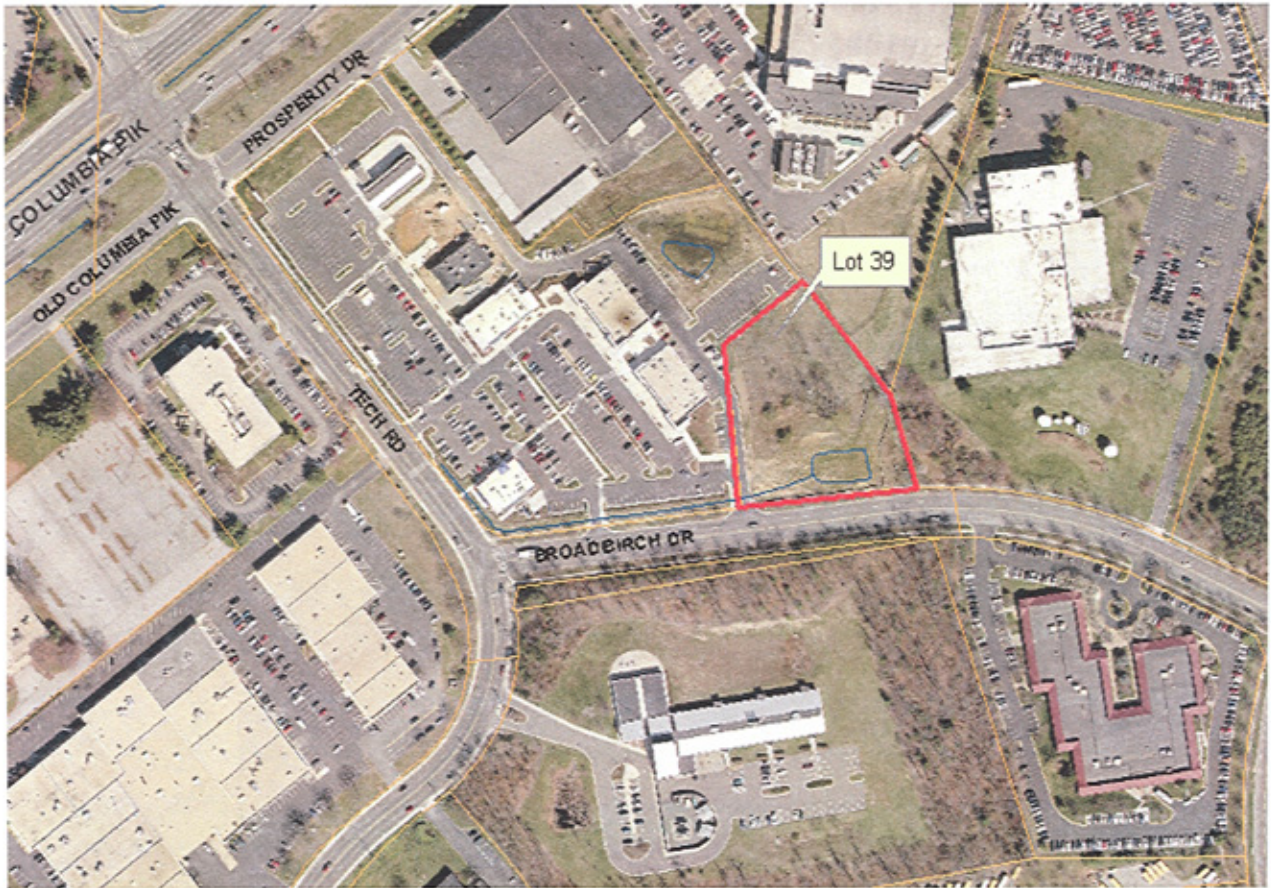
SITE DESCRIPTION:

Vicinity

The subject property is located at 2200 Broadbirch Drive in Silver Spring. The property is within the larger Montgomery Industrial Park, which is part of the US29/Cherry Hill Road Employment Area as designated in the 1997 *Approved and adopted Fairland Master Plan*. This employment area encompasses more than 500 acres of industrial and commercial land.

The lot was formally part of Parcel CCC in a subdivision known as West Farm Technology Park, originally approved in 1980. The subject property and all the land surrounding the subject property are in the I-1 Zone. The adjoining property to the north and west of the site is a restaurant and retail development. The property to the east is owned by Gannett Company and contains an office building and satellite facilities. Across the street from the subject property is a WSSC laboratory facility.

The site is situated on the north side of Broadbirch Drive, approximately 450 feet east of the intersection of Broadbirch Drive and Tech Road, and about 800 feet east of the intersection of Tech Road and US 29. Broadbirch Drive is a two-way street with four lanes of traffic. There are 4-foot wide sidewalks and 8-foot wide tree panels with street trees on both sides of the street.



Vicinity Map

SITE ANALYSIS:

The subject site is currently improved per Site Plan 820060310 with a 104 room, approximately 67,850 square feet Hilton Garden Inn under construction. There is a wetland area with associated buffer straddling the property boundaries where Lots 18 and 39 and Gannett Property converge. No other environmental features or rare, threatened, or endangered species exist on the property. There are no known historic properties or features on site.

PROJECT DESCRIPTION: Prior Approvals

Preliminary Plan

The subject site was first approved as part of Preliminary Plan 1-80020 and reapproved as part of Preliminary Plan 1-91038 on July 18, 1991 and was part of a recorded lot, Parcel CCC. Under the provisions of minor subdivision, the Planning Board approved the subject property in its entirety as a lot, (Plat Application 2-05030) on September 9, 2004, and the property was recorded in its entirety as Lot 39, June 3, 2005, Plat 23171, MNCPPC No. 624-46. The proposed site conforms to the conditions of the approved Preliminary Plan.

Special Exception

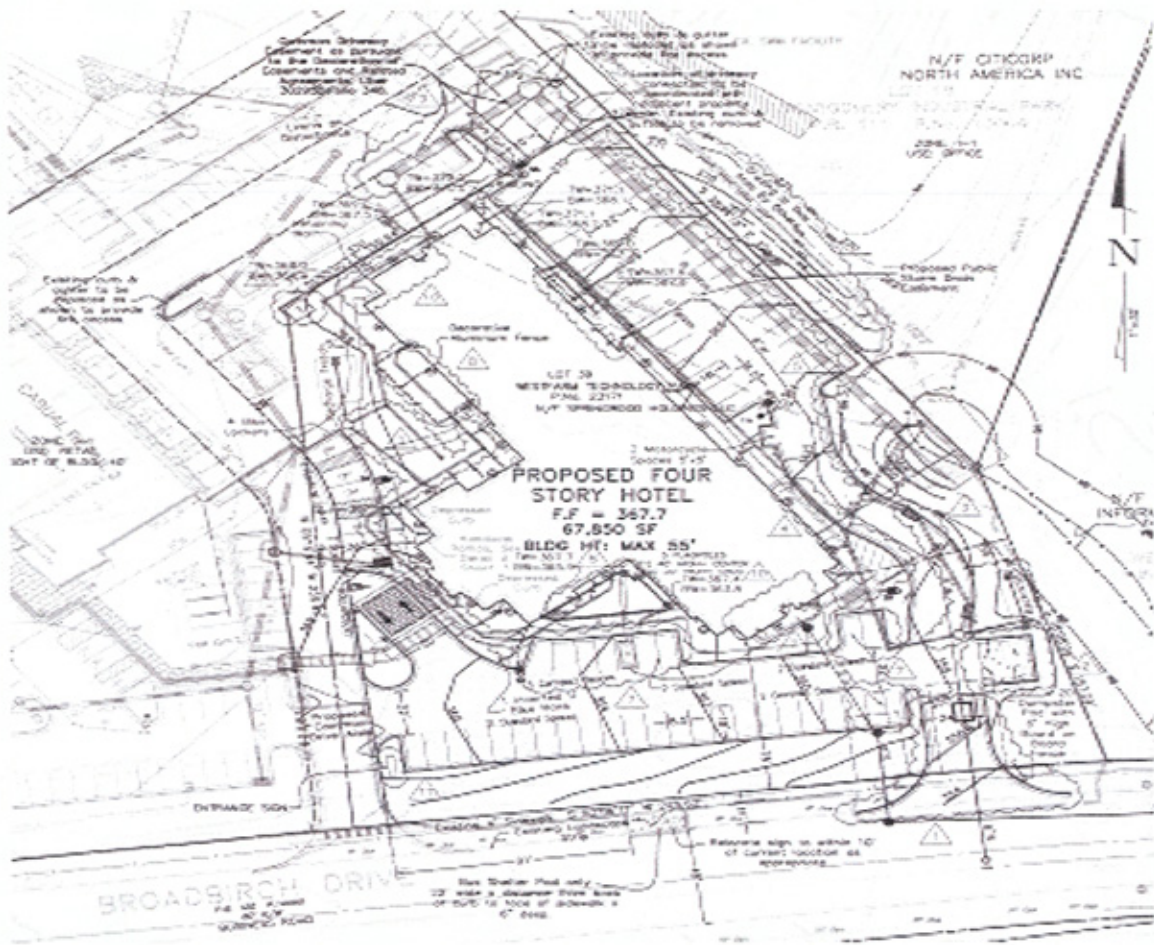
The Board of Appeals approved a request for special exception, Case No. S-2656, on April 5, 2006, for a 104 room hotel and 67,850 square feet. An administrative modification was approved by the Board of Appeals January 27, 2010 for construction related and building related changes.

Site Plan

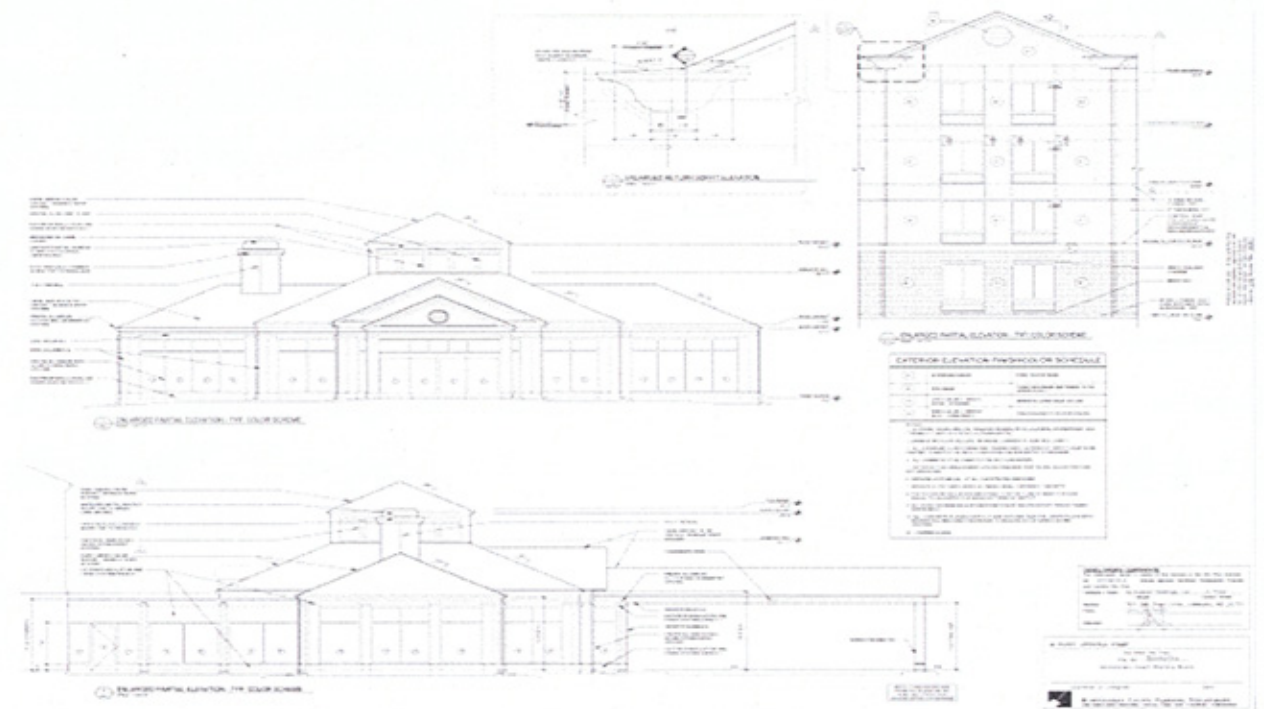
Site Plan 8-060310 was approved on September 14, 2006 for a 104-room hotel on the Property.

CONFORMANCE TO CONDITIONS OF APPROVAL:

The proposed development must comply with the conditions of approval for Site Plan 820060310, except as modified herein.



SITE PLAN



ELEVATION DRAWINGS

DESCRIPTION OF CURRENT AMENDMENT:

The Applicant requests the following modifications to the Site Plan:

1. Addition of bollards, flagpole, patio, lead-walk, and brick pavers.
2. Substitute fencing and bike racks.
3. Remove retaining wall along the eastern property line.
4. Modify driveway entrance configuration and grading to provide adequate cover on existing communication line.
5. Expand dumpster pad to accommodate grease interceptor and recycle bins.
6. Modify and add stormdrains.
7. Add building access ramp and loading area.
8. Add new retaining wall to accommodate new egress door.
9. Modify parking layout and remove two motorcycle parking spaces.
10. Modify landscaping.
11. Revise limit of disturbance.
12. Add door locations, monument sign, and transformer pad.
13. Update architectural elevations.

PUBLIC NOTICE:

A notice regarding the subject amendment was sent to all parties of record by the Applicant on January 26, 2010. The notice gave interested parties 15 days to review and comment on the amended site plan per Montgomery County Zoning Ordinance Section 59-D-3.7. Staff received no inquiries regarding the proposed amendment.

STAFF RECOMMENDATION:

Site conditions during development necessitated the need to make several alterations from the original approved site plan including the removal of the retaining wall and modification to the driveway entrance. Changes administered by the Department of Permitting Services while going through the sediment control and building permit review process also contributed to the amendment request. These modifications included accessibility, location of parking spaces and limit of disturbance changes to match all plans. Lastly, operational changes by the applicant were also addressed as part of the amendment.

The proposed modifications to the site plan will not alter the overall character or impact of the development with respect to the original findings of approval. The site plan, landscape plan and lighting plan are consistent and contain all the elements as described in the approved Special Exception. The proposed modifications are necessitated by architectural changes, building code enforcement additions, and operational considerations to the project. Further, these modifications will not affect the compatibility of the development with respect to the surrounding neighborhood. Staff recommends approval of Site Plan Amendment 82006031A.

APPENDICES:

- A. Draft Planning Board Resolution



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

MCPB No. 10-31

Site Plan No. 82006031A

Project Name: Montgomery Industrial Park, Lot 39- Hilton Garden Inn

Hearing Date: April 22, 2010

RESOLUTION

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

WHEREAS, on June 15, 2006, the Planning Board approved with conditions, Site Plan No. 820060310 (Resolution No. 06-22, mailed October 3, 2006) for the development of a 104 room hotel on 1.69 acres located on Broadbirch Drive in the I-1 and US 29/Cherry Hill Employment Area Overlay Zones; and

WHEREAS, due to site conditions discovered during development, which necessitated the need to make several alterations for the original approved site plan, on February 4, 2010, Springwood Holdings, LLC ("Applicant"), filed a site plan amendment application designated Site Plan No. 82006031A ("Amendment") for approval of the following modifications:

1. Modify driveway entrance configuration and grading.
2. Expand dumpster pad to accommodate grease interceptor and recycle bins.
3. Modify and add storm drains.
4. Add building access ramp and loading area.
5. Remove retaining wall along property line.
6. Add concrete wall to accommodate new egress door.
7. Modify parking layouts.
8. Modify landscaping.
9. Expand limit of disturbance.
10. Add new door locations.
11. Add new entrance monument.
12. Add transformer pad.
13. Update architectural elevations.
14. Add bollards, additional lead-walk, and expand brick pavers at entrance.

Approved as to
Legal Sufficiency:


M-NCPPC Legal Department

8787 Georgia Avenue, Silver Spring, Maryland 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated April 8, 2010, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on April 22, 2010, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing"); and

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves the Site Plan No. 82006031A; provided that the proposed development must comply with the conditions of approval for Site Plan 820060310, except as modified herein, and FINDS that:

1. Site conditions during development necessitated the need to make several alterations from the original approved site plan, and changes administered by the Department of Permitting Services while going through the sediment control and building permit review process also contributed to the need for this Amendment.
2. The modifications to the site plan will not alter the overall character or impact of the development with respect to the original findings of approval. The site plan, landscape plan and lighting plan are consistent and contain all the elements as described in the approved Special Exception. The proposed modifications are necessitated by architectural changes, building code enforcement additions, and operational considerations to the project. Further, these modifications will not affect the compatibility of the development with respect to the surrounding neighborhood.

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

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

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

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

* * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____ (list) voting in favor of the motion, with Commissioner(s) _____ (list) dissenting, Commissioner(s) _____ (list) abstaining, Commissioner(s) _____ (list) being absent or being temporarily absent, at its regular meeting held on Thursday, _____, 2010, in Silver Spring, Maryland.

JWK