



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

Staff Report: Site Plan Amendment 81995036D, Montrose Crossing

CONSENT ITEM #: _____

MCPB HEARING

DATE: September 16, 2010

REPORT DATE: September 3, 2010

TO: Montgomery County Planning Board

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

FROM: Molline Smith, Senior Planner *MS*
Development Review Division
301.495.4573
Molline.smith@mncppc-mc.org



APPLICATION DESCRIPTION: The subject site is zoned RMX-3C (Residential-Mixed Use Development, Regional Center, Commercial), and is located in the northeast quadrant of a larger property that is in close proximity to the intersection of Randolph Road and Rockville Pike in Rockville MD. The Applicant is proposing 1) the reduction of the original Levitz building footprint from 158,732 square feet to 88,000 square feet; 2) the site plan to reflect the street dedication and road construction plans for Nebel Street Extended designed by the Montgomery County Department of Transportation; 3) modification of the existing parking configuration; and 4) modification of the existing Landscape Plan to include additional plantings, landscaped islands and more green space needed as a result of the revised parking configuration..

APPLICANT: BVS Montrose, LLC.

FILING DATE: August 13, 2010

RECOMMENDATION: Approval of the site plan amendment and adoption of the draft resolution.

EXECUTIVE SUMMARY: The Nebel Street Extended road construction plans were designed by Montgomery County Department of Transportation and approved under Mandatory Referral #03803. As part of this process a forest conservation plan was approved for these improvements. The road construction for Nebel Street Extended has begun and should be close to completion by Summer of 2011. As a result additional access will be provided to this portion of the site. In response, the applicant proposes the removal of the former Levitz Furniture store, reduction in the overall building footprint, and the addition of two new big box type stores.

SITE DESCRIPTION

Vicinity

The Montrose Shopping Center is located in the northeast quadrant of the intersection of Randolph Road and Rockville Pike (MD 355). The existing building (formally known as the Levitz Building) is located on the southeast corner of the site, approximately ¼ mile from the street intersection and close to the train tracks. To the north of the subject site Bou Avenue transitions into the new alignment of Nebel Street Extended, which will connect into Randolph Road along the eastern side of the property. The vehicles entering and exiting the site will have two access points off of Randolph Road and Rockville Pike.



Vicinity Map

Other surrounding uses in close proximity of the site and/or within the Montrose Shopping Center include Target, Giant Foods, Sports Authority, Marshalls, Chevy Chase Bank, Barnes and Noble, several other retail stores, and the Montrose School.



Aerial Photo

Site Analysis & Proposal

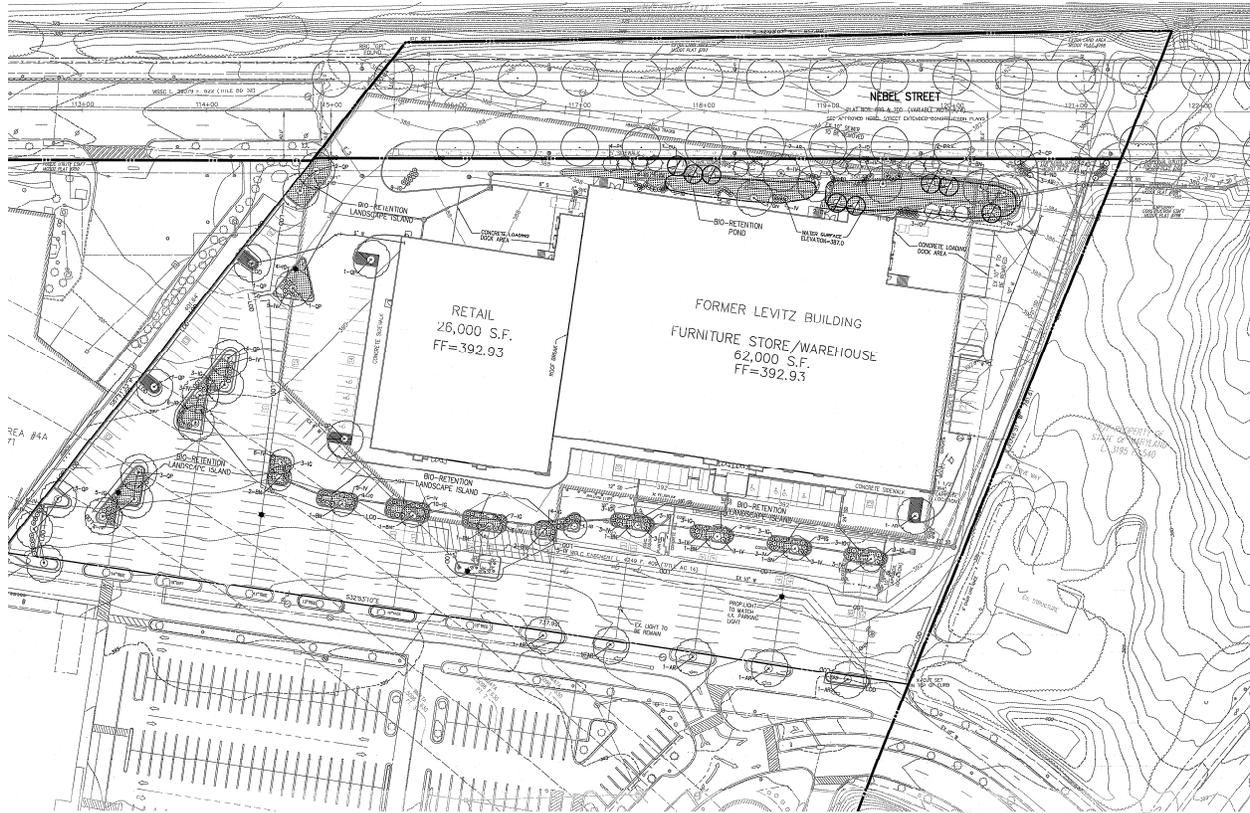
The subject site is a part of a larger mixed use development; which was originally approved for 2,400 square feet of office space, 20,377 square feet of restaurant space, and 426,048 square feet of commercial retail built in three different construction phases. The original commercial/retail calculations for the overall development included the former Levitz warehouse building. This amendment proposes to reduce the existing building square footage by 70,732 square feet¹ in order to accommodate the new alignment of Nebel Street Extended. The newly constructed building will include 66,000 square feet for Bob's Furniture and 26,000 square feet for a pet store. The overall building footprint and coverage will be reduced in size, thereby allowing space for the new alignment and adequate vehicular circulation throughout the entire property. The existing parking facilities will also be reconfigured to provide loading spaces and new bio-retention facilities toward the rear; however the total number of parking spaces is equivalent to the previous approvals.²

Additional plantings, landscaped islands and green spaces are provided to serve a dual function throughout the site. The proposed plantings will not only enhance the overall design aesthetic of the parking facilities, but will also treat the stormwater runoff prior to going into the larger

¹ The existing Levitz building is 158,732 square feet. The new building will be 88,000 square feet; which will reduce the overall building square footage in the development to 681,867 square feet.

² Out of the total 310 parking spaces provided 156 (including 8 handicap spaces) will be relocated closer to the building façade.

storage facilities. The loading docks are located along the rear of the building directly adjacent to Nebel Street to eliminate potential circulation conflicts between public and private activities. Proposed planting along this edge will buffer the daily private activities from Nebel Street.



Landscape Plan

The proposed land uses still meet the previously approved general retail component, and the reduction in the overall building square footage equates to fewer weekday peak hour trips. Therefore the transportation related Adequate Public Facilities (APF) requirements will not adversely affect the transportation infrastructure within the local area. Furthermore, the Nebel Street Extended Roadway Improvements, as shown on the revised Site Plan, does not conflict with the project plans for the Montgomery County Department of Transportation (MCDOT) Capital Improvements Program.

The stormwater management concept for the redevelopment of this project conforms to the new ESD maximum standards; which includes micro-bioretenion and enhanced filters. ESD will be supplemented with underground proprietary filters and a recharge/ infiltration trench. There are no known rare, threatened, or endangered species on site. There are no known historic properties or features on site.

AMENDMENT DESCRIPTION

Conformance to Conditions of Approval

The proposed development must comply with the conditions of the previous approvals and with Site Plan 81995036C as enumerated in the Planning Board Resolution dated September 3, 2010 except as modified herein.

Description of Amendment[s]

The Applicant requests the following modifications to the Site Plan:

- 1) Reduction of the original Levitz building footprint from 158,732 square feet to 88,000 square feet;
- 2) Reflection of the street dedication and road construction plans for Nebel Street Extended, as designed by Montgomery County Department of Transportation;
- 3) Modification of the existing parking configuration; and
- 4) Modification of the existing Landscape Plan to include additional plantings, landscaped islands and more green space in response to the revised parking configuration.

PUBLIC NOTICE

A notice regarding the subject amendment was sent to all parties of record by the Applicant on August 17, 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

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. Further, these modifications will not affect the compatibility of the development with respect to the surrounding neighborhood. Staff recommends approval of Site Plan Amendment 81995036D.

APPENDICES

- A. Draft Planning Board Resolution
- B. Previous Approvals
- C. Stormwater Management Approval Letter (dated August 25, 2010)

APPENDIX A: Draft Planning Board Resolution



MCPB No. 10-128
Site Plan No. 81995036D
Project Name: Montrose Crossing
Hearing Date: September 16, 2010

RESOLUTION

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

WHEREAS, on August 13, 2010, BVS Montrose, LLC. (“Applicant”), filed a site plan amendment application designated Site Plan No. 81995036D (“Amendment”) for approval of the following modifications:

1. Reduction of the original Levitz building footprint from 158,732 square feet to 88,000 square feet;
2. Reflect the street dedication and road construction plans for Nebel Street extended designed by Montgomery County Department of Transportation;
3. Modify the existing parking configuration;
4. Modify the existing Landscape Plan to reflect the revised parking configuration including additional plantings, landscaped islands and green space.

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 September 3, 2010 setting forth its analysis and recommendation for approval of the Amendment (“Staff Report”); and

WHEREAS, on September 16, 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 recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 81995036D;

Approved as to
Legal Sufficiency: _____
M-NCPPC Legal Department

BE IT FURTHER RESOLVED, that this Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in connections with the originally approved site plan; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board and 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, _____, 200.., in Silver Spring, Maryland.

APPENDIX B: Previous Approvals

Previous Approvals

Date Approved	Action
	The original Flagship Center consisted of 388,255 gross square feet of general retail uses. In 1994, a front enclosure was added to the existing Giant Supermarket of 3,391 gross square feet increasing the total gross square footage to 391,646.
unknown	Preliminary Plan #1-60252 Approved by the Planning Board
February 2, 1995	Project Plan #919940030 for Montrose Crossing (renamed from the Flagship Center) approved for a net increase of 7,556 gross square feet of general retail uses. The net increase was equivalent to an addition of 14,355 gross square feet and removal of 6,789 gross square feet (or a total of 399,212 gross square feet). The property was zoned RMX-2.
March 2, 1995	Site Plan #819950180, Montrose Crossing Phase IA was approved for a net increase of 7,566 gross square feet of general retail uses. The net increase was equivalent to an addition of 14,355 gross square feet and removal of 6,789 gross square feet (or a total of 399,212 gross square feet).
June 29, 1995	Site Plan #819950360, Montrose Crossing Phase IB and II was approved for a net increase of 74,344 gross square feet of general retail uses. The net increase was equivalent to an addition of 115,684 gross square feet and removal of 41,340 gross square feet (or a total of 462,599 gross square feet).
August 15, 1995	Site Plan Amendment #81995036A, Montrose Crossing Phase IB and II was approved for 2,400 square feet of restaurant use, and 426,048 square feet of commercial retail uses, subject to conditions.
August 15, 1995	Site Plan Amendment #81995036B, Montrose Crossing Phase IB and II was approved for 2,400 square feet of restaurant use, and 426,048 square feet of commercial retail uses, subject to conditions.

APPENDIX C: Stormwater Management Approval Letter



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid
Director

August 25, 2010

Jeffery Amateau
Vika, Inc.
20251 Century Boulevard, Suite 400
Germantown, MD 20874

Re: Stormwater Management **CONCEPT**
Request for Montrose Crossing
~~Preliminary Plan #: 1-60252A-R~~
SM File #: 238147
Tract Size/Zone: 2.67 Ac./RMX-30
Total Concept Area: 2.67 Ac.
Parcel(s): N969
Watershed: Lower Rock Creek

Dear Mr. Amateau:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept for this redevelopment project consists of providing ESD to the maximum extent possible. This includes micro-bioretenion and enhanced filters. ESD will be supplemented with underground proprietary filters and a recharge/infiltration trench.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Each underground proprietary filter must have its own flow splitter.
6. Provide pretreatment for the proprietary filters.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:adr CN238147 Montrose Crossing.DWK

cc: C. Conlon
M. Pfefferle
SM File # 238147

QN -Onsite; Acres: 2.67
QL - Onsite; Acres: 2.67
Recharge is provided