

DRAFT RESOLUTION NOT ADOPTED



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

Agenda Date: December 2, 2010
Agenda Item No. 1(c)

MEMORANDUM

TO: Montgomery County Planning Board

FROM: Joshua Sloan, Coordinator *JLS*

VIA: Rose Krasnow, Chief of Development Review Division *RK*

DATE: October 27, 2010

Re: Correction to Site Plan No. 82003007A, Century Technology Campus

Attached please find a redlined version of the resolution for Site Plan No. 2003007A, Century Technology Campus, which corrects two errors. The resolution was mailed out to all parties of record on January 20, 2010. Both changes are to the data table in the resolution.

First, the number of proposed parking spaces was indicated in the approved resolution as 1840. This did not correctly reflect the actual count of spaces on the drawings that were under review and subject to approval. The correct number is 1839, which meets the requirements of the ordinance.

Second, the proposed arterial road setback indicated on the data table in the approved resolution is 35 feet. This did not correctly reflect the layout and design of the building on the drawings under review and subject to approval. The correct arterial road setback is 25 feet, which meets the minimum allowed by the ordinance.

Staff is requesting that the Planning Board approve the corrections to the resolution so that replacement pages may be mailed out to all parties of record to reflect the redlined modifications to the data table.



MCPB No. ~~09-157~~ 10-153
Site Plan No. 82003007A
Project Name: Century Technology Campus
Date of Hearing: December 17, 2009

MONTGOMERY COUNTY PLANNING BOARD

CORRECTED RESOLUTION

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

WHEREAS, on August 11, 2009, New Tower Trust Company c/o Trammel Crow Company ("Applicant"), filed an application for approval of a site plan for the Creation of one recorded parcel for a maximum total of 510,702 gross square feet of general office use and 21,000 square feet of accessory storage uses, on approximately 51.8 acres in the I-3 Zone; located on Century Boulevard, at the intersection of Cloverleaf Center Drive ("Property" or "Subject Property"); and

WHEREAS, Applicant's site plan application was designated Site Plan No. 82003007A, Century Technology Campus (the "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated December 7, 2009, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Staff and the staff of other governmental agencies, on December 17, 2009, the Planning Board held a public hearing on the Application (the "Hearing"); and

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

WHEREAS, on December 17, 2009, the Planning Board approved the Application subject to conditions on the motion of Commissioner Alfandre; seconded by Commissioner Wells-Harley; with a vote of 3-0, Commissioners Alfandre, Hanson, and Wells-Harley voting in favor with Commissioner Presley being absent.

Approved as to
Legal Sufficiency:


M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 82003007A for maximum total of 510,702 gross square feet of general office use and 21,000 square feet of accessory storage uses, on approximately 51.8 acres in the I-3 Zone, subject to the following conditions:

1. Preliminary Plan Conformance

The proposed development must comply with the conditions of the approved Resolution for Preliminary Plan 12002095A, unless amended and approved by the Planning Board.

2. LEED Certification

The Applicant must achieve a LEED (Leadership in Energy and Environmental Design) Certified Rating Certification, or county-approved equivalent, for the core and shell of each of the three proposed buildings. The Applicant must make good faith efforts to achieve a LEED Silver rating. Before the issuance of any building permit, 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 any building permit the Applicant must provide to staff a written report 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.

3. Site and Landscape Plans

- a. Revise streetscape treatment along internal streets to match modified layout shown on submitted site plans.
- b. Provide shade trees at regular intervals along all internal sidewalks from Century Boulevard to the existing and proposed building.
- c. Provide continuous sidewalk connections along the parking lot north of Cloverleaf Center Drive from Century Boulevard to Building #6.
- d. Show Building E's south entrance facing Century Boulevard on all drawings. Further define the south entrance with architectural elements that read more clearly as a building entrance along Century Boulevard, in accordance with the illustrative drawings submitted with the site plan application.
- e. Provide landscape treatment within the I-270 right-of-way, if approved by Maryland State Highway Administration, to buffer the views of parking seen from I-270.
- f. Provide additional screening with plantings between the large, central parking lot and Century Boulevard, as required by Staff.

- g. Coordinate with site plan Staff to comply with preliminary plan condition to provide an alternative layout of utilities away from the Century Boulevard right-of-way prior to certified site plan.
- h. Provide an alternative plant list for substitutions of plant material due to availability.

4. Parking

Remove the 70-space proposed lot in the southeast corner of the site.

5. Forest Conservation

- a. Applicant to plat revised Category I Forest Conservation Easements prior to any clearing or grading occurring on site.
- b. Applicant to install all of the afforestation/reforestation planting material within the first planting season following the release of the first sediment control permit.
- c. Applicant to submit and obtain approval of the forest conservation financial security instrument prior to any clearing or grading occurring on site.

6. Lighting

- a. All newly proposed down-lighting fixtures must be changed, if necessary, to full or partial cut-off fixtures, as required by Staff.
- b. Deflectors must be installed on all newly proposed up-lighting fixtures causing potential glare or excess illumination, as required by Staff.
- c. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for commercial development.
- d. Illumination levels from on-site lighting shall not exceed 0.5 footcandles (fc) at any property line abutting county road rights-of-way.
- e. The height of the light poles, including the mounting base, shall not exceed the height shown in the Certified Site Plan.

7. Development Program

The Applicant must construct the proposed development in accordance with Development Program. A Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of the Certified Site Plan. The Development Program shall include a phasing schedule as follows:

- a. Sidewalk and required related improvements to the Century Boulevard right-of-way that are shown on the site plan must be completed in conjunction with construction of the last building.
- b. Site lighting and outdoor hardscaping associated with each building or parking area must be completed before issuance of any use and occupancy permits for that building.

- c. All on-site landscaping associated with each building or parking area must be completed within six months of the issuance of any use and occupancy permits for that building.
- d. On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities associated with each building or parking area must be installed prior to release of any building occupancy permit for that building.
- e. Except for the demolition of existing structures, 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.
- f. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, afforestation, trip mitigation, and other features.

8. Clearing and Grading

Except for the demolition of existing structures, the Applicant must ensure that there is no clearing or grading of the subject site prior to M-NCPPC approval of the Certified Site Plan

9. Maintenance

The Applicant is responsible for maintenance of on-site landscaping and green space.

10. Performance Bond and Agreement

The Applicant is subject to the following provisions for surety as described in Section 59-D-3.5 of the Montgomery County Zoning Ordinance and Site Plan approval:

- a. The Applicant must provide a cost estimate from the landscape architect or landscape contractor indicating the installed costs of site plan elements such as but not limited to landscaping, lighting, recreation facilities, special paving, art work and site furnishings. The cost estimate should include a 10% inflation factor for the site plan elements to account for changes in price and materials and modifications to the approved plans.
- b. The Applicant must submit a Performance Bond or other satisfactory form of surety as approved by M-NCPPC to cover the installed costs of site plan elements such as, but not limited to, landscaping, lighting, recreation facilities, special paving, art work, and site furnishings as shown and described in the cost estimate.
- c. The Applicant must execute an agreement for site plan elements in conjunction with the performance bond indicating the Applicant's agreement to install, construct and maintain the site plan elements.

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- d. The Bond and agreement must be submitted and accepted prior to the release of the first building permit.

11. Certified Site Plan

Prior to Certified Site Plan approval, the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Minor corrections and clarifications to site details and labeling;
- b. Changes addressing conditions 3-6 above;
- c. Change references on data table from "must meet minimum" to numbers and other minor corrections and modifications;
- d. Insert a note that, "If required by DPS, the access driveway at Century Boulevard may be widened to the north for a two-lane egress".
- e. Development Program, Inspection Schedule, Approved Forest Conservation Plan, and Site Plan Resolution.
- f. Any required changes to the layout, site landscape, surrounding hardscape, or architecture of Building E.

BE IT FURTHER RESOLVED, that all site development elements as shown on the Century Technology Campus drawings stamped by the M-NCPPC on November 24, 2009, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff, which the Planning Board hereby adopts and incorporates by reference, and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

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.*

This project has neither a development or diagrammatic plan nor a schematic development plan.

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 Site Plan meets all of the requirements of the I-3 zone as demonstrated in the project Data Table below. The building height, density, and setbacks conform to the limits of the zone. The requirements for green area and internal parking facility landscaping exceed the minimum standards. This proposal, while conforming to the requirements of the existing I-3 zone, will soon be subject to

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the requirements of the TMX-2 zone. At that time, subsequent applications will be reviewed under different development standards and this proposal has been analyzed to ensure that the building layout and site design will not conflict with those standards.

Development Standard	Permitted/ Required	Approved and Binding on the Applicant
Gross tract area (sf.)	N/A	2,430,950
Max. building height ¹ (feet)	100	100
Max. building height (stories)	N/A	7
Min. green area (% of gross tract area)	35	54
Max. off-street parking area (% of gross tract area)	45	36
Max. density of development (FAR)	0.5	0.22
Max. density of development (sf.)	1,127,296	510,702 office 21,000 accessory
Min. building setbacks (ft.)		
Adjacent I-1 lot	25	25
Adjacent I-3 lot	20	20
Interstate 270	200	200
Arterial	25	<u>35</u> <u>25</u>
Transitway	25	25
Between buildings on the same lot	30	30
Min. parking lot setbacks (ft.)		
Adjacent to I-1 lot	25	25 ²
Adjacent I-3 lot	20	20
Interstate 270	100	100
Arterial	35	35
Transitway	25	25 ³

¹ As measured from the average elevation of finished ground surface along the front of the building.

² Applies only to proposed parking and maneuvering areas, not to an existing parking lot.

³ Ibid.

Min. parking (spaces)	1533	1840 1839
Min. parking lot internal landscaping (% of parking lot area)	5	7

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

a. Locations of buildings and structures

The proposed buildings are located according to a phasing plan that will, at full build-out, create an adequately vibrant, efficient, and safe mixed-use area for this sector of Germantown. In the interim, the buildings will provide focal elements along I-270 and begin to form a street wall along Century Boulevard. The use of structures – terraces, steps, and walls – at a proper proportion along Century Boulevard mitigates the setback from the street and serves to accommodate the large grade change while providing pedestrian access to the site.

b. Open Spaces

Open space in this site plan is limited to the existing natural areas and small forecourts near each of the buildings. The later phases will fill in development and replace parking lots with buildings, plazas, and greens. These areas will provide efficient seating and aesthetically pleasing open space to adequately serve employees. These areas are safely lit and visible. The foreseen additional development at this site will provide greater opportunities and expectations for higher-quality open space.

c. Landscaping and Lighting

The proposed landscaping on the site consists of three distinct types. First, there is a large natural area around the wetland and forest conservation areas as well as green space around the stormwater facilities and between the development and I-270. Second, there are numerous street trees and trees within the parking lot. And third, there are several landscaped beds and planters around the buildings and at key entrances as well as around the proposed bus shelter. Additional screening is required between parking areas and I-270 and Century Boulevard as enumerated in the conditions of approval. With these conditions, the landscaping is adequate, safe, and efficient.

The lighting plan consists of contemporary-style street lights mounted at 17-foot heights, parking lot lights at 20 to 32.5 feet and accent lights around key site elements. The lighting plan conforms to IESNA standards for site lighting and will provide adequate, safe, and efficient site illumination.

d. Recreation Facilities

This site plan does not have a residential component and is not required to provide recreation facilities.

e. Pedestrian and Vehicular Circulation Systems

The plan will modify portions of the sidewalk along Century Boulevard, but because the final design of the streetscape along this road has not been finalized, it is not recommended that this site construct extensive improvements within or along this right-of-way. Sidewalk connections from Century Boulevard into the site and the circulation system between parking areas, the bus stop, and buildings are important and, as conditioned, provide safe, adequate, and efficient pedestrian access.

Vehicular access will be provided from opposite ends of the site along Century Boulevard, which remains unchanged from the current configuration. Internal streets are being developed according to a future phasing plan and will provide the framework for an urban grid of streets that will only further enhance the safety, efficiency, and adequacy of the vehicular circulation system.

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

The proposed buildings begin to create a street wall along Century Boulevard and successfully create signature development visible from I-270. In the future, taller buildings and stronger street relationships will effectively play off this initial phase of development. The proposed buildings, structures, and uses are compatible with the constructed and planned development in this area of Germantown in terms of massing, scale, detailing, and layout. And as part of a phased multi-use, transit-oriented development, they also fit well with the objectives of the pending adopted Sector Plan.

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 revised FFCP proposes to remove 0.8 acres of the existing 3.74 acres of on-site forest. This would result in the retention of 2.94 acres of forest versus the

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previously approved 3.05 acres. This results in a total reforestation/afforestation requirement of 5.19 acres for the current submittal. The Applicant proposes to address this requirement by planting 5.40 acres of forest on-site and by using 0.32 acres of installed street trees for landscape credit.

MCDPS approved the proposed storm water management concept on July 22, 2009. The stormwater management concept consists of on-site channel protection measures via two dry ponds; on-site water quality control via two sand filters, a volume based stormfilter, two hydrodynamic devices, numerous micro-bioretenion facilities; on-site recharge is provided.

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 Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this 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

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Resolution, 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.

JCS