



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

Agenda Date: March 3, 2011  
Agenda Item 1C

MEMORANDUM

TO: Montgomery County Planning Board

FROM: Molline Smith, Senior Planner *MCS*

VIA: John Carter, Chief of Area3 Site Plan Review *JC*  
Callum Murray, Supervisor

DATE: February 24, 2011

Re: Correction to the Staff Report of Site Plan No. 82001009C, Milestone Business Park

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Attached please find the revised Staff Report for Site Plan No. 82001009C (Milestone Business Park), which would further amend the conditions of approval within the resolution. The attached resolution incorporates new conditions (7 & 8) that were not specifically discussed at the public hearing; however, are standard conditions related to the development phasing and certified site plan process. The resolution has not yet been mailed out to all parties of record.

Page 4 makes minor changes to the text to clarify the construction of the associated parking facilities on parcels I and P in Phase IV.

Page 5 corrects the densities that will be constructed in Phase IV and the number of parking spaces proposed.

Page 7 corrects the second paragraph "...to minimize impervious surface..."

Pages 8 & 9 corrects the Project Data Table for the I-3 zone.

Pages 9-11 revise the conditions of approval. Condition 7f was specifically added to accommodate the future construction of the ICC and the associated parking facilities. Conditions 7 and 8 are standard conditions that were inadvertently left out of the original staff report.



## DRAFT RESOLUTION NOT ADOPTED

### MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 11-17  
Site Plan No. 82001009C  
Project Name: Milestone Business Park  
Hearing Date: February 17, 2011

### 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 April 24, 2003, the Planning Board approved the Corrected Preliminary Plan amendment No. 11987271A (MCPB Resolution mailed May 30, 2003) to extend the Adequate Public Facilities (APF) review for five (5) years beyond the expiration date for the remaining 627,250 square feet approved under the original Preliminary Plan No. 119872710. The original Preliminary Plan approved the creation of three (3) lots on 42 acres of land zoned I-3;

WHEREAS, on February 3, 2011 the Planning Board held a hearing approving the Preliminary Plan amendment No. 11987271B; which grants a new 7 year validity period for the APF review that permits the peak-hour vehicle trips associated with the remaining 427,250 square feet;

WHEREAS, on July 21, 1999, the Planning Board approved the Site Plan No. 819990230 for 370,000 gross square feet of commercial office space;

WHEREAS, on January 17, 2001, The Planning Board approved the Site Plan No. 820010090 for 822,700 gross square feet of office, 22,050 gross square feet of retail, 25,000 gross square feet of restaurant, and 5,000 gross square feet of day care uses;

WHEREAS, on April 12, 2007, The Planning Board approved the Consent Site Plan amendment No. 82001009A) to modify the development phasing; 2) adjust the net site area, building and green space square footages; 3) reduce parking counts; and 4) revise the loading, SWM, lighting and landscape areas;

WHEREAS, on December 12, 2008, the Administrative Site Plan amendment was approved by the Planning Director (Memorandum dated November 24, 2008) for

Approved as to  
Legal Sufficiency:

*Christina Sorensen* 2/24/11

8787 Georgia Avenue, Suite 100, Silver Spring, MD 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

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



## DRAFT RESOLUTION NOT ADOPTED

minor revisions to the lighting and landscape plans, SWM easement locations, and grading;

WHEREAS, on January 13, 2011, Milestone Industrial L.C. c/o TC Mid-Atlantic Development, Inc. ("Applicant"), filed a site plan amendment application designated Site Plan No. 82001009C ("Amendment") for approval of the following modifications:

1. Reallocation of the density for Building 5, parcel J;
2. Modification to the development programming to add another phase;
3. Construction of Building 5 and the associated parking facilities;
4. Revisions to the previously approved SWM concept, lighting and landscape plans; and
5. The request of a parking waiver for the parking dimensions on standards parking spaces that directly abut green space areas.

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 February 7, 2011, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on February 17, 2011, Staff presented the Amendment to the Planning Board at a public hearing on the Amendment (the "Hearing") where the Planning Board heard testimony and received evidence submitted for the record on the Amendment; and

WHEREAS, on February 17, 2011, the Planning Board approved the Amendment subject to conditions on the motion of Commissioner Dreyfuss, seconded by Commissioner Presley, with a vote of 4-0, Commissioners Carrier, Dreyfuss, Presley and Wells-Harley voting in favor. Commissioner Alfandre was not in attendance for this hearing.

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. 82001009C, subject to the following conditions:

1. Preliminary Plan Conformance

The proposed development must comply with the conditions of approval for the limited preliminary plan 11987271B as listed in the Planning Board Resolution unless amended. This includes but is not limited to all references to the APF requirements, density, rights-of-way, dedications, easements, transportation conditions, and DPWT conditions.

2. Site Plan Conformance

The proposed development must comply with the conditions of approval for the previous site plan approvals as listed in the Planning Board Resolution(s) unless amended.

3. Stormwater Management

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

4. Transportation & Circulation

The applicant must enter into a Traffic Mitigation Agreement (TMAg) with MCDOT and M-NCPPC to satisfy the I-3 up to 10% trip reduction requirement at the time of certified site plan review.

5. Site Design

- a. Wheel stops must be installed within all parking spaces directly adjacent to pedestrian sidewalks.
- b. The north side of the proposed parking garage must be completely buffered with dense evergreen trees from major views toward the residential units.

6. Lighting

- a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for commercial development.
- b. All onsite 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. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
- e. The maximum height of the light poles shall not exceed 23 feet including the mounting base. The light poles proposed on the top level of the parking garage must have a "pyramid effect" with the tallest light poles within the center of the parking facility. The light poles proposed along the perimeter of the parking facility shall not exceed 12 feet from the parking surface level to ensure no glare or excessive illumination abutting the residential properties.

7. Development Program

The Applicant must construct the proposed development in accordance with a development program that will be reviewed and approved prior to the approval of



the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities must be installed prior to release of any building occupancy permit.
- b. Clearing and grading must correspond to the construction phasing to minimize soil erosion.
- c. The development program must provide phasing for installation of on-site landscaping and lighting.
- d. Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
- e. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, trip mitigation, and other features.
- f. The Applicant must construct the 179 parking spaces identified for the Corridor City Transitway (CCT) prior to the opening of the transit station or during Phase IV of the site plan phasing program; whichever comes first.

8. 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 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. Modify data table to reflect development standards enumerated in the Staff Report.
- d. Ensure consistency off all details and layout between Site Plan and landscape plan.

BE IT FURTHER RESOLVED, that the Planning Board adopts the Staff's recommendation and analysis set forth in the revised Staff Report and FINDS that the Amendment is consistent with the provisions of § 59-D-3.7 of the Zoning Ordinance and that the Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in connection with the originally approved site plan; and

BE IT FURTHER RESOLVED that all site development elements as shown on Milestone Business Park drawings stamped by the M-NCPPC on January 25, 2011 and within the revised development program and standards listed below, shall be required, except as modified by the above conditions of approval;

**DRAFT RESOLUTION NOT ADOPTED**

<b>New Development Program</b>	<b>Previously Approved (sf.)</b>	<b>Proposed (sf.)</b>
Phase III: Building 5, Parcel J	200,550 sf.	175,000 sf.
Office	180,000 sf.	175,000 sf.
Restaurant	12,500 sf.	0
Retail	8,050 sf.	0
Parking Facilities for Parcel J		
Surface Parking	625 spaces	276 spaces
Garage Parking	724 spaces	459 spaces
Motorcycle	20 spaces	N/A
Bike Spaces	20 spaces	20 spaces
Total Parking (to be constructed)	N/A	743 spaces
Phase IV: Building 3, Parcel L	226,700 sf.	252,250 sf.
Office	202,200 sf.	227,750 sf.
Restaurant	12,500 sf.	12,500 sf.
Retail	7,000 sf.	7,000 sf.
Day Care	5,000 sf.	5,000 sf.
Total Net Parking (to be constructed)	N/A	559 spaces
Total No. of Parking Spaces (for the entire project)	3,408 spaces	3,220 spaces



*Project Data Table for the I-3 Zone*

<b>Development Standard</b>	<b>Permitted</b>	<b>Proposed for Approval</b>
<b>Building Height (feet)</b>	100 feet	100 feet
<b>Building Setbacks (feet)</b>		
An existing or planned limited access freeway	200 feet	250 feet
A major highway in the I-3 zone	100 feet	230 feet
An arterial road, local street, or private street within the I-3 or R&D zones.	25 feet	70 feet
An arterial road that separates the zone from a commercial or industrial zone.	25 feet	500 feet
A transitway	25 feet	25 feet
<b>Parking/ Loading Setbacks (feet)</b>		
An existing or planned limited access freeway	100 feet	100 feet
A major highway in the I-3 zone	100 feet	100 feet
An arterial road, local street, or private street within the I-3 or R&D zones.	35 feet	35 feet
An arterial road that separates the zone from a commercial or industrial zone.	35 feet	350 feet
A transitway	25 feet	25 feet
<b>Internal Parking Lot Green Space (% of lot) for phase III</b>	5%	8.08 %
<b>Impervious Area (%/ac) for phase III</b>	N/A	54.6% (4.53 ac.)
<b>Total No. of Parking Spaces</b>	3,408 spaces	3,220 spaces

## DRAFT RESOLUTION NOT ADOPTED

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 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 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.





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

**Staff Report: Limited Site Plan Amendment 82001009C, Milestone Business Park**

ITEM #: \_\_\_\_\_

**MCPB HEARING**

**DATE:** February 17, 2011

**REPORT DATE:** February 7, 2011

**TO:** Montgomery County Planning Board

**VIA:** John Carter, Chief

**FROM:** Molline Smith, Senior Planner  
Area 3 – Site Plan Review  
301.495.4573  
Molline.Smith@montgomeryplanning.org



**APPLICATION DESCRIPTION:** The site is located on the east side of Interstate 270 between Ridge Road and Dorsey Mill Road within the Germantown Master Plan area. The Applicant is proposing to 1) reallocate some of the density for Building 5 on parcel J to parcel L; 2) modify the development programming to add another phase; 3) construct Building 5 and associated parking facilities; and 4) revise the previously approved SWM concept, lighting and landscape plans. The Applicant is also requesting a waiver for the standard parking dimensions in accordance with section 59E-2.22 (b) of the Montgomery County Zoning Ordinance.

**APPLICANT:** Milestone Industrial L.C. c/o TC Mid-Atlantic Development, Inc.

**FILING DATE:** January 13, 2011

**RECOMMENDATION:** Approval of the site plan amendment with conditions.

**EXECUTIVE SUMMARY:** The subject site was recently rezoned TMX-2 under the Germantown Employment Area Sector Plan (adopted in 2009), but will develop under the I-3 zone standards. However the project will still meet the development standards established for both the I-3 zone and the TMX-2 zone. Buildings 1, 2 and 4 of phases I and II of the original approval have been constructed. The recently approved APF extension (11987271B) permits the new construction of the next phase(s). The construction of Building 5 and the associated

Approval signatures

parking facilities proposed in the next phase of development is the main purpose for this amendment. The parking waiver was necessary to permit spaces previously approved with the 2001 site plan and to accommodate impervious and new ESD standards.

**SITE DESCRIPTION & ANALYSIS**

The total property is 44.7 acres of land that was recently re-zoned from the I-3 zone to the TMX-2 zone as part of the Germantown Employment Area Sector Plan. The property is located in the northeast quadrant of the intersection of Ridge Road and Interstate 270 (I-270). The property is surrounded by residential dwellings in the R-30 zone and office uses in the R&D zone to the north. The land was subdivided into six parcels (F, J, K, L, O and P) which currently contain Buildings 1, 2 and 4 with associated surface parking facilities (phases I & II of the development program). The existing uses currently constructed consist of a combination of 410,000 square feet of office use and 70,000 square feet of light industrial use.



*Aerial Map*



Buildings 3 and 5 (office, restaurant and retail) on parcels L and J were programmed to be developed in phase III. The park and ride spaces are also included in order to accommodate the future construction of the new Transitway proposed along Dorsey Mill Road.

## **AMENDMENT DESCRIPTION**

### **Previous Approvals**

#### *Preliminary Plan*

This plan is subject to the conditions of Preliminary Plan 119872710, which was approved on July 11, 1996 (MCPB Resolution mailed July 22, 1996) for 6 lots on 29.05 acres of land zoned I-3.

Amendment A of the Preliminary Plan was approved April 24, 2003 (MCPB Resolution mailed May 30, 2003) to extend the Adequate Public Facilities (APF) review for five (5) years beyond the expiration date for the remaining 627,250 square feet.

Amendment B of the Preliminary Plan was approved by the Planning Board on February 3, 2011 and granted a new validity period for the APF review that will permit the peak-hour vehicular trips associated with the remaining 427,250 square feet. The approval extends the validity period for 7 years.

#### *Site Plan*

Site Plan 819990230 was approved on July 1, 1999 (MCPB Resolution dated July 21, 1999) for 370,000 square feet of commercial office space.

Site Plan 820010090 was approved January 11, 2001 (MCPB Resolution date January 17, 2001) for 822,700 gross square feet of office, 22,050 gross square feet of retail, 25,000 gross square feet of restaurant and 5,000 gross square feet of day care uses on 44.7 acres zoned I-3.

Consent Amendment A of the Site Plan was approved April 12, 2007 (MCPB Resolution dated May 10, 2007) for minor modifications to the development phasing; adjustments to the net site area, building and green space square footages; reduction to the parking counts; and revisions to the loading, SWM, lighting and landscape plans.

Administrative Amendment B of the Site Plan was approved December 12, 2008 (Memorandum dated November 24, 2008) was approved for minor revisions to the lighting and landscape plans, SWM easement locations, and grading.

### **Description of Amendment[s]**

The Applicant requests the following modifications to the Site Plan:

- I. Modifications to the development programming to add another phase. Pursuant to the Site Plan amendment (82001009A) the property was approved for the construction of five (5) buildings under the I-3 zone. The development program specified that Building 1 (130,000 square feet) and Building 2 (188,000 square

feet) would be developed on parcels K and O in phase I as office and light industrial uses. Building 4 (162,000 square feet) would be developed on parcel P in phase II as an office use. Building 3 (226,700 square feet) and Building 5 (200,550 square feet) would be developed on parcels L and J as office, restaurant, and retail uses. Buildings 1, 2, and 4 of phases I and II have been completed; however the APF validity period expired in May 2008. The limited preliminary plan amendment (11987271B) recently renewed a 7-year validity period to permit the construction of the remaining 427,250 square feet. An additional phase is being proposed mainly to accommodate the leasing needs of a Fortune 50 Company; which in turn would generate employment opportunities for the surrounding communities (in accordance with the recommendations of the Sector Plan). The light industrial products; which this company will manufacture will meet the standards permitted within the I-3 and TMX-2 zones. Building 5 and its associated parking facilities will be constructed on parcel J within phase III; while Building 3 and ~~the~~ its associated parking facilities (including the 179 park and ride spaces) will be constructed on parcels ~~J~~L and ~~P~~L in phase IV.

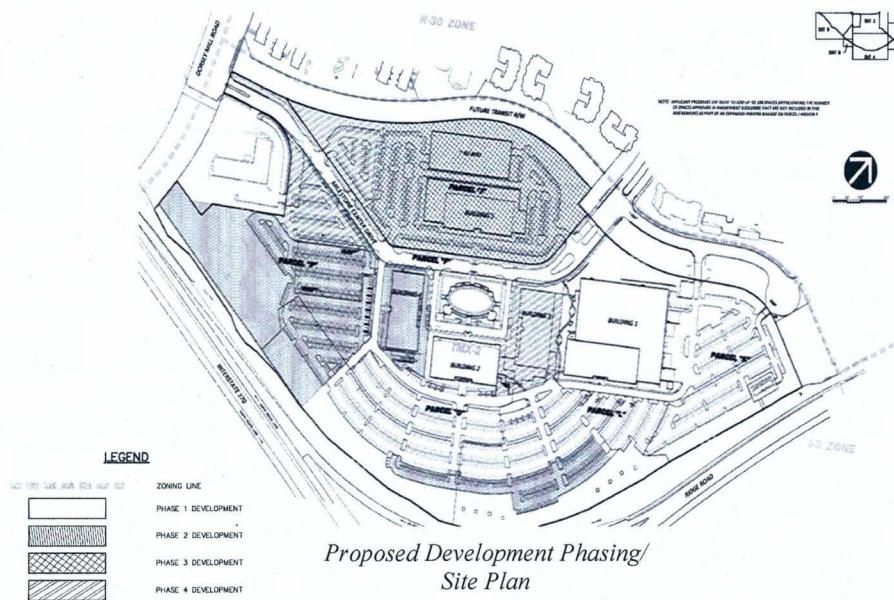
- II. The reallocation of some of the density previously approved for Building 5 on Parcel J. The original site plan proposed 180,000 square feet of office space, 12,500 square feet of restaurant space, and 8,050 square feet of retail space. In accordance with the previous approval the 0.47 FAR will remain the same; however the restaurant and retail uses will be reallocated to the newly proposed phase IV.

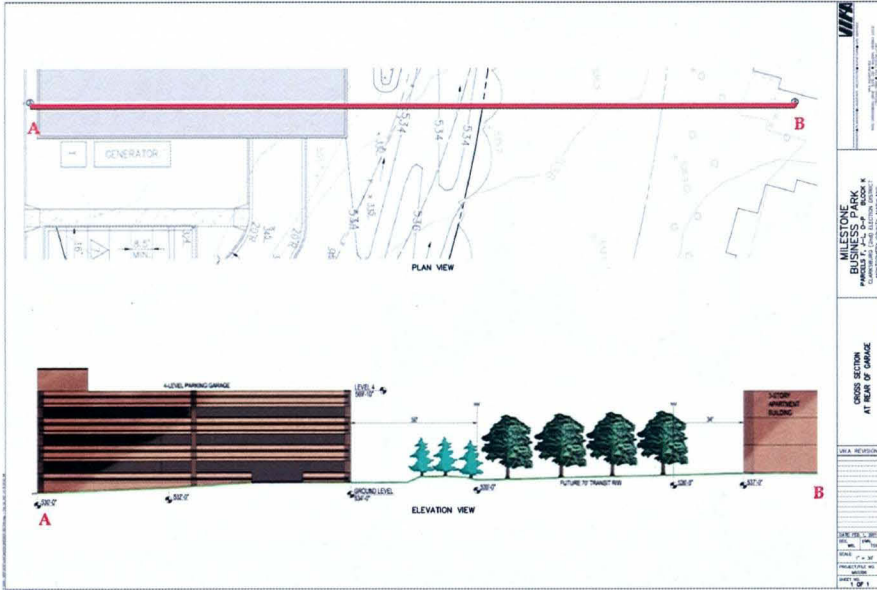
New Development Program	Previously Approved (sf.)	Proposed (sf.)
Phase III: Building 5, Parcel J	200,550 sf.	175,000 sf.
Office	180,000 sf.	175,000 sf.
Restaurant	12,500 sf.	0
Retail	8,050 sf.	0
Parking Facilities for Parcel J		
Surface Parking	625 spaces	276 spaces
Garage Parking	724 spaces	459 spaces
Motorcycle	20 spaces	N/A
Bike Spaces	20 spaces	20 spaces
Total Parking (to be constructed)	N/A	743 spaces



Phase IV: Building 3, Parcel L	226,700 sf.	252,250 sf.
Office	202,200 sf.	<del>207,200</del> 227,750 sf.
Restaurant	12,500 sf.	<del>25,000</del> 12,500 sf.
Retail	7,000 sf.	<del>15,050</del> 7,000 sf.
Day Care	5,000 sf.	5,000 sf.
Total <u>Net</u> Parking (to be constructed)	N/A	<del>581</del> 559 spaces
Total No. of Parking Spaces (for the entire project)	3,408 spaces	3,220 spaces

III. The construction of Phase III, Building 5 and associated parking facilities. The total density to be transferred to phase IV is 25,550 square feet; which will include the square footage permitted for the retail and restaurant uses. The construction of Building 5 will consist of office and light industrial uses only. The structural modifications to Building 5 include a reduction to the height by 1-story and to the area by 5,000 square feet. The structural modifications proposed for the parking garage included a reduction to the width of the building footprint by 76,013 square feet and an increase to the total height by 2-levels.





*Rendered Cross Section*



*Rendered North Elevation (Parking Garage)*

- IV. Revisions to the previously approved SWM concept, lighting and landscape plans. The proposed parking layout is designed to better accommodate the placement of the new building footprints. The total parking spaces for the entire property have been reduced by 188 spaces; thereby increasing the internal green space within the parking facilities by 7,931 square feet (0.18 acres). The surface and structured parking facilities are buffered with evergreen plantings from the residential units to the north. The proposed locations of plant material, lighting fixtures and SWM



facilities are intended to adequately enhance the major views and support the typical functions of the site.

- V. Support of a waiver for the standard parking dimensions directly adjacent to green space areas. The amended site plan proposes approximately 186 parking spaces that are a minimum of 16 feet by 8.5 feet around the perimeter of the lot; and approximately 52 parking spaces that abut 7 foot pedestrian sidewalks. The basis for this request is to minimize the **imp**ervious surfaces for more efficient SWM facilities and to accommodate the parking needs of their tenant. The structured parking facility and the interior parking spaces meet the current standard dimensions for perpendicular parking spaces (18 feet by 8.5 feet); in accordance with the Montgomery County Zoning Ordinance (section 59E 2.22b).

The applicant is requesting a waiver of the parking standards pursuant to Sec. 59-E-4.5 of the zoning ordinance, specifically to permit the reduction of a standard size parking space from 8.5 x 18 to 8.5 x 16. The justification for the reduced sizes primarily relates to the need for increased green space to accommodate current ESD practices and prior approvals. The ordinance permits the Planning Board to “waive any requirement in this Article not necessary to accomplish the objectives in Section 59-E-4.2, and in conjunction with reductions may adopt reasonable requirements above the minimum standards.” The Parking Facilities Plan must accomplish the following objectives as stated in Sec. 59-E-4.2:

- (a) The protection of the health, safety and welfare of those who use any adjoining land or public road that abuts a parking facility. Such protection shall include, but shall not be limited to, the reasonable control of noise, glare or reflection from automobiles, automobile lights, parking lot lighting and automobile fumes by use of perimeter landscaping, planting, walls, fences or other natural features or improvements.
- (b) The safety of pedestrians and motorists within a parking facility.
- (c) The optimum safe circulation of traffic within the parking facility and the proper location of entrances and exits to public roads so as to reduce or prevent congestion.
- (d) The provision of appropriate lighting, if the parking is to be used after dark.

As conditioned, the applicant satisfies the objectives of the parking facilities plan since the reduced length of the standard spaces still allow the necessary width for the drive aisles, provide for adequate screening and landscaping and permit a safe passageway for pedestrians. The circulation of traffic is adequate and safe for the existing and proposed vehicular and pedestrian traffic. Staff supports this waiver only for the parking spaces directly adjacent to green space areas where the vehicle has the ability to overlap the curb by 2 feet and should not obstruct the vehicular circulation within the drive isles. However, this waiver should not apply to parking spaces directly adjacent to pedestrian sidewalks.

**Development Standards**

The subject site is currently zoned TMX-2; however the applicant has chosen to apply the development standards for the underlying I-3 zone. If the applicant chooses to increase their density, then the development standards and procedures of the TMX-2 zone will apply. The purpose of the TMX-2 zone is to provide mixed use, transit and pedestrian oriented centers that include housing, commercial, biotechnology research and development uses. These zones are intended to foster development by permitting an increase in density and height when such an increase conforms to master plan recommendations.

The purpose of the I-3 zone is to provide a medium-density, industrial zone for park-like development of high-technology industries, research and development facilities, corporate and business offices and uses that have similar locations, site development, and use requirements. The I-3 zone is intended for locations within the county that can be served by transit, in order to ensure high quality industrial/employment development. The proposed development meets the purpose and requirements of each of the zones. Only the standards that are affected by the proposed amendment are listed; a comprehensive modified data table is included on the certified site plan.

*Project Data Table for the I-3 Zone*

<b>Development Standard</b>	<b>Previously Approved</b>	<b>Proposed for Approval</b>
	<del>Permitted</del>	
<b>Building Height (feet)</b>	<del>6-stories</del> 100 feet	5-stories 100 feet
<b>Building Setbacks (feet)</b>		
An existing or planned limited access freeway	200 feet	250 feet
A major highway in the I-3 zone	100 feet	230 feet
An arterial road, local street, or private street within the I-3 or R&D zones.	25 feet	70 feet
An arterial road that separates the zone from a commercial or industrial zone.	25 feet	500 feet
A transitway	25 feet	25 feet
<b>Parking/ Loading Setbacks (feet)</b>		
An existing or planned limited access freeway	100 feet	100 feet
A major highway in the I-3 zone	100 feet	100 feet
An arterial road, local street, or private street within the I-3 or R&D zones.	35 feet	35 feet
An arterial road that separates the		



zone from a commercial of industrial zone.	35 feet	350 feet
A transitway	25 feet	25 feet
<b>Internal Parking Lot Green Space (% of lot) <u>for Phase III</u></b>	5%	8.08 %
<b>Impervious Area (%/ac) <u>for Phase III</u></b>	N/A	54.6% (4.53 ac.)
<b>Total No. of Parking Spaces</b>	3,408 spaces	3,220 spaces

**RECOMMENDATION AND CONDITIONS**

The proposed modifications to the site plan do not alter the overall design character of the development in relation to the original approval, and the site remains compatible with existing and proposed development adjacent to the site. These modifications do not impact the efficiency, adequacy, or safety of the site with respect to vehicular and pedestrian circulation, open space, landscaping, or lighting.

Staff recommends approval of site plan 82001009C, Milestone Business Park, for the amendments delineated above and the requested waiver to the parking dimensions specified under Sec. 59-E-4.5, near perimeter green areas. All site development elements shown on the site and landscape plans stamped “Received” by the M-NCPPC on January 25, 2011 are required except as modified by the following conditions.

**Conformance with Previous Approvals and Conditions**

1. Preliminary Plan Conformance  
The proposed development must comply with the conditions of approval for the limited preliminary plan 11987271B as listed in the Planning Board Resolution unless amended. This includes but is not limited to all references to the APF requirements, density, rights-of-way, dedications, easements, transportation conditions, and DPWT conditions.
2. Site Plan Conformance  
The proposed development must comply with the conditions of approval for the previous site plan approvals as listed in the Planning Board Resolution(s) unless amended.
3. Stormwater Management  
The proposed development is subject to the Stormwater Management Concept approval conditions unless amended and approved by the Montgomery County Department of Permitting Services.
4. Transportation & Circulation  
The applicant must enter into a Traffic Mitigation Agreement (TMAg) with MCDOT and M-NCPPC to satisfy the I-3 up to 10% trip reduction requirement at the time of certified site plan review.

5. Site Design

a. Wheel stops must be installed within all parking spaces directly adjacent to pedestrian sidewalks.

~~a-b.~~ The north side of the proposed parking garage must be completely buffered with dense evergreen trees from major views toward the residential units.

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6. Lighting

a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for commercial development.

b. All onsite 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. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.

e. The maximum height of the light poles shall not exceed 23 feet including the mounting base. The light poles proposed on the top level of the parking garage must have a "pyramid effect" with the tallest light poles within the center of the parking facility. The light poles proposed along the perimeter of the parking facility shall not exceed 12 feet from the parking surface level to ensure no glare or excessive illumination abutting the residential properties.

7. Development Program

The Applicant must construct the proposed development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

a. On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities must be installed prior to release of any building occupancy permit.

b. Clearing and grading must correspond to the construction phasing to minimize soil erosion.

c. The development program must provide phasing for installation of on-site landscaping and lighting.

d. Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.

e. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, trip mitigation, and other features.

f. The Applicant must construct the 179 parking spaces identified for the Corridor City Transitway (CCT) prior to the opening of the transit station or during Phase IV of the site plan phasing program; whichever comes first.



8. 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 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. Modify data table to reflect development standards enumerated in the Staff Report.
- d. Ensure consistency off all details and layout between Site Plan and landscape plan.

**PUBLIC NOTICE**

A notice regarding the subject amendment was sent to all parties of record by the Applicant on January 14, 2011. 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 82001009C.

**APPENDICES**

- A. Letter of Explanation (dated December 15, 2010)
- B. Waiver Request Letter
- C. Submitted Plans