



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

Staff Report: Site Plan Amendment 82006017E, North Bethesda Market

CONSENT ITEM #: _____

MCPB HEARING

DATE: July 28, 2011

REPORT DATE: July 15, 2011

TO: Montgomery County Planning Board

VIA: Glenn Kreger, Acting Chief
Shahriar Etemadi, Supervisor
Area 2 Division

FROM: Joshua Sloan, Coordinator
Area 2 Division
301.495.4597
Joshua.Sloan@mncppc.org

APPLICATION

DESCRIPTION: Site plan amendment to convert second floor retail area to 14 dwelling units; adjust passive/active recreation space, public use space, and café seating areas; and make minor site modifications. Site is 4.30 acres in the CR zone, located on Rockville Pike approximately 460 feet south of Nicholson Lane in the White Flint Sector Plan area.

APPLICANT: White Flint Crossing I, LLC

FILING DATE: June 6, 2011

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

EXECUTIVE

SUMMARY: Due to problems leasing second-floor retail space on site, the Applicant has determined that the space is better suited for 14 residential units. In concert with this change and now that some restaurants have been opened, the Applicant is also requesting adjustments to the open space program to conform to the requirements for passive/active recreation space and public use space, while providing outdoor café seating area. A few minor site modifications and architectural elevations changes are also requested.

Approval signatures

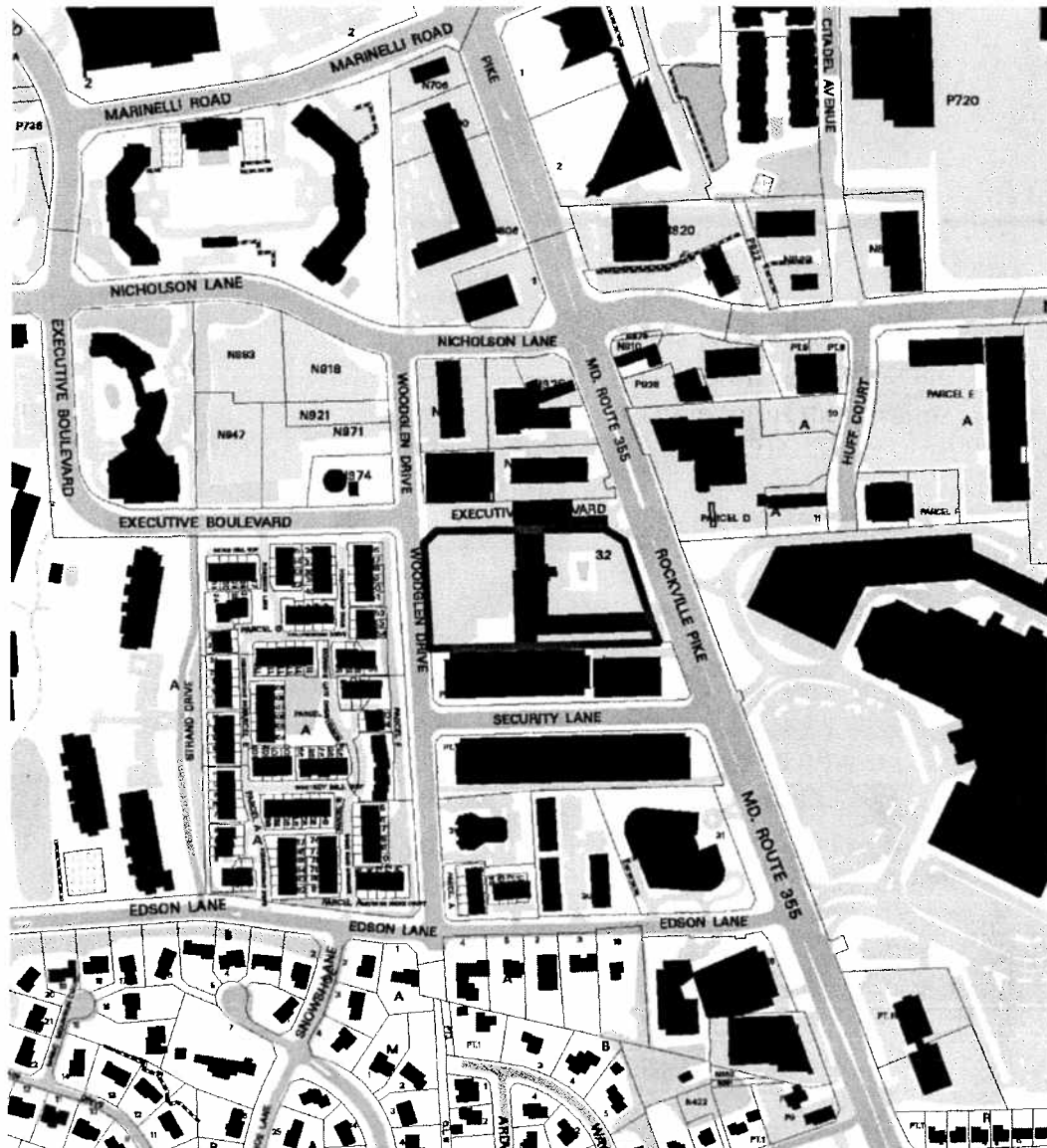
8787 Georgia Avenue, Silver Spring, Maryland 20910
301.495.4600

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SITE DESCRIPTION

Vicinity & Analysis

The subject site is located on the west side of Rockville Pike (MD 355), directly across from White Flint Mall, within 1,500 feet of the White Flint Metro Station in North Bethesda. The adjacent property to the south is owned by an affiliate of the Applicant and is developed with two office buildings, Rockwall I and II, seven and eight stories in height respectively, and a four-story parking structure. The confronting property to the north is also owned by the Applicant and is developed with four, four-story commercial buildings and a surface parking lot. Rockville Pike (MD 355) forms the eastern property line and Woodglen Drive forms the western border of the site. The subject site is currently improved per Site Plan 82006017D. There are no known rare, threatened, or endangered species on site. There are no known historic properties or features on site.



Vicinity Map (does not reflect existing conditions on site)

AMENDMENT DESCRIPTION

Previous Approvals

Preliminary Plan

Preliminary Plan 120060310 was approved for the creation of one lot for up to 440 multi-family dwelling units, including 15% MPDUs, and up to 223,000 square feet of commercial development September 28, 2006.

Preliminary plan amendment 12006031A was approved for the realignment of Executive Boulevard on June 4, 2007.

Site Plan

Site plan 820060170 was approved, with conditions, for 440 multi-family dwelling units, including 15% MPDUs, and up to 223,000 square feet of commercial development on 5.91 gross acres in the TS-M zone on September 28, 2006.

Site plan amendments 82006017A – 82006017D were approved over the past several years for various minor site modifications.

- 82006017A was approved on May 25, 2007 for the following modifications: realignment of Executive Boulevard; inclusion of Rockwall I & II buildings in shared parking analysis; decrease in dwelling units and associated changes; increase in floors in building B with no change in height; adjustments to the service lane and loading dock; and minor site and architectural clarifications and design adjustments.
- 82006017B was approved on September 18, 2008 for numerous minor modifications to paving, landscaping, drainage, seating, artwork and water feature, lighting, and amenity designs and details.
- 82006017C was approved on September 24, 2009 for numerous minor modifications to rights-of-way, architectural elevations, paving, landscaping, drainage, seating, lighting, and amenity designs and details.
- 82006017D was approved on March 3, 2011 for numerous minor modifications to rights-of-way, architectural elevations, paving, landscaping, drainage, seating, lighting, and amenity designs and details.

Conformance to Conditions of Approval

The proposed development must comply with the conditions of approval for Site Plan 820060170 as amended by site plan amendment 82006017A (site plan amendments 82006017B through this amendment contain no additional conditions) as enumerated in the Planning Board Resolutions dated September 28, 2006 and May 25, 2007, respectively.

Description of Amendment[s]

The Applicant requests the following modifications to the Site Plan:

1. Replacement of second-floor retail space to 14 units;
2. Adjustments to residential amenity space, public use space, and café seating areas;

3. Architectural modifications to reflect change of use;
4. Update of data table to reflect changes;
 - a. Dwelling units will change from 397 to 411, including 2 additional MPDUs (less than the 440 units allowed by Resolution);
 - b. Required parking will change to 1,777 (1,793 spaces are provided);
 - c. Residential recreation space, public use space, and café seating areas will be adjusted with no change in the approved total amounts; and
5. Minor landscape and site detail changes.

PUBLIC NOTICE

A notice regarding the subject amendment was sent to all parties of record by the Applicant on June 21, 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. In fact, the number of trips during peak hours will decrease and the outdoor areas will better accommodate the use of the public open spaces. Staff recommends approval of Site Plan Amendment 82006017E.

APPENDICES

- A. Draft Planning Board Resolution



DRAFT RESOLUTION NOT ADOPTED

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

MCPB No. 11-66
Site Plan No. 82006017E
Project Name: North Bethesda Market
Hearing Date: July 28, 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 September 28, 2006, Site Plan No. 820060170 was approved, with conditions, for 440 multi-family dwelling units, including 15% MPDUs, and up to 223,000 square feet of commercial development on 5.91 acres in the TS-M zone; and

WHEREAS, on May 25, 2007, Site Plan Amendment No. 82006017A was approved for the following modifications: realignment of Executive Boulevard; inclusion of Rockwall I & II buildings in shared parking analysis; decrease in dwelling units and associated changes; increase in floors in building B with no change in height; adjustments to the service lane and loading dock; and minor site and architectural clarifications and design adjustments; and

WHEREAS, on September 18, 2008, Site Plan Amendment No. 82006017B was approved for numerous minor modifications to paving, landscaping, drainage, seating, artwork and water feature, lighting, and amenity designs and details; and

WHEREAS, on September 24, 2009, Site Plan Amendment No. 82006017C was approved for numerous minor modifications to rights-of-way, architectural elevations, paving, landscaping, drainage, seating, lighting, and amenity designs and details; and

WHEREAS, on March 3, 2011, Site Plan Amendment No. 82006017D was approved for numerous minor modifications to rights-of-way, architectural elevations, paving, landscaping, drainage, seating, lighting, and amenity designs and details; and

WHEREAS, on June 6, 2011, White Flint Crossing I, LLC ("Applicant"), filed a site plan amendment application designated Site Plan No. 82006017E ("Amendment") for approval of the following modifications:

Approved as to
Legal Sufficiency

Christina Sontag 7/18/11

3757 Georgia Avenue, N.W. • MNCPPC Legal Department • Chairman's Office: 301.495.1605 • Fax: 301.495.1320

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DRAFT RESOLUTION NOT ADOPTED

1. Replacement of second-floor retail space to 14 units;
2. Adjustments to residential amenity space, public use space, and café seating areas;
3. Architectural modifications to reflect change of use;
4. Update of data table to reflect changes;
 - a. Dwelling units will change from 397 to 411, including 2 additional MPDUs (under the 440 allowed by Resolution);
 - b. Required parking will change to 1,777 (1,793 spaces are provided);
 - c. Residential recreation space, public use space, and café seating areas will be adjusted with no change in the approved total amounts; and
5. Minor landscape and site detail changes.

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 July 15, 2011 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on July 28, 2011, 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. 82006017E; 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 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

DRAFT RESOLUTION NOT ADOPTED

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.