



**Consent Item - Park Potomac: Site Plan Amendment No. 82004015K**

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Staff Report Date: 05/09/14

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**Description**

**Consent Item - Park Potomac: Site Plan Amendment No. 82004015K**

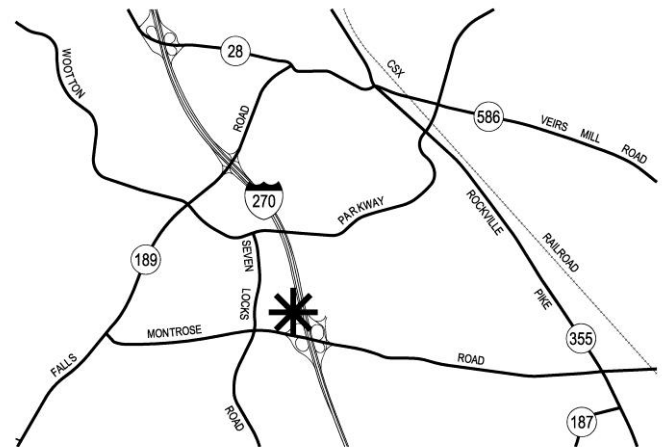
Request to enlarge the gross floor area of Building D by 13,000 square feet in exchange for a reduction to the gross floor area of Building B by 13,000 square feet; increase the required parking by 29 spaces, sidewalk improvements; and minor changes to the Landscape Plans. Located northwest of the intersection of Montrose Road and I-270, approximately 20.28 acres, I-3 Zone, Potomac Sub-region Master Plan

**Staff Recommendation:** Approval with conditions

**Applicant:** Fortune Parc Development Partnership

**Submittal Date:** February 28, 2014

**Review Basis:** Chapter 59, Section 59D-3.7 Amendment of the Site Plan.



**Summary**

The modifications proposed in this amendment are consistent with the previous approvals and are considered minor improvements to the site. The modifications will have a minimal effect on the overall design, layout, quality or intent of the approved site plan.

- This amendment will amend the gross floor area for Buildings D (increase by 13,000 sf.) and Building B (decreased by 13,000 sf.). As a result of the changes to the building area, the required parking will increase in POD B by 29 parking spaces. The streetscape along Park Potomac Avenue will be revised to include sidewalk improvements and changes to the handicap ramps. The revised Landscape Plan will reflect the changes to the streetscape and the addition of a green roof on Building D. There is no change proposed to the total required green area.
- The Planning Board's approval is required due to the increase in the building square footage of office/retail in Building D.
- As of the posting of this Staff Report, no community opposition has been received.

## RECOMMENDATION

Staff recommends approval of the Consent Site Plan Amendment No. 82004015K, Park Potomac with the following conditions. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans (officially accepted February 28, 2014) are required.

### Conformance with Previous Approvals

1. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan No. 120030290 listed in the Planning Board Resolution (dated July 25, 2003) and as amended by Preliminary Plan No. 12003029A listed in the Planning Board Resolution (dated April 30, 2008), unless amended.

2. Site Plan Conformance

The development must comply with the conditions of approval for Site Plan No. 820040150 as listed in the Planning Board Resolution (dated March 19, 2004), and as amended in the following amendments:

| Amendment No. | Approval Date      | Type of Approval        |
|---------------|--------------------|-------------------------|
| 82004015A     | January 12, 2007   | Planning Board Approval |
| 82004015B     | September 19 2007  | Planning Board Approval |
| 82004015C     | March 6, 2008      | Director Approval       |
| 82004015D     | June 16, 2008      | Director Approval       |
| 82004015E     | July 28, 2009      | Director Approval       |
| 82004015F     | October 26, 2009   | Planning Board Approval |
| 82004015G     | October 14, 2010   | Director Approval       |
| 82004015H     | January 13, 2012   | Director Approval       |
| 82004015I     | September 12, 2012 | Planning Board Approval |
| 82004015J     | August 2, 2013     | Director Approval       |

## SITE DESCRIPTION

### Vicinity

The property is approximately 22 acres in size and is located directly west of I-270, in the northeast quadrant of the Montrose Road and Seven Locks Road intersection (“Property” or “Subject Property”). The City of Rockville’s boundary line abuts the Property to the north and along the western frontage of Seven Locks Road. The Seven Locks Shopping Center, Potomac Woods East and Potomac Woods Park are all located directly adjacent to the Property (within the Rockville city limits). Park Potomac Avenue now connects into Fortune Terrace located to the north of the Property. The Willerburn Acres subdivision (residential development) is located toward the south, along the south side of Montrose Road within Potomac, MD.



Image 1: Vicinity Map



## Site Analysis

The gross tract area of the entire Park Potomac property consists of 54.84 acres of land zoned I-3 and OM. The Park Potomac property was divided into two different Site Plan applications (Nos. 820040120 and 820040150). The first Site Plan No. 820040120 was approved by the Planning Board on February 12, 2004 for the construction of 150 townhouse units (including 75 MPDUs). The townhouses are fully constructed and located west of the Subject Property. The Subject Property is located between the townhouse units and I-270 and provides a mixed-use development adjacent to I-270. After dedication of the roadways, the net lot area for Site Plan No. 820040150 is 20.28 acres of the land zoned I-3.



Image 2: Aerial Photo

## PROJECT DESCRIPTION

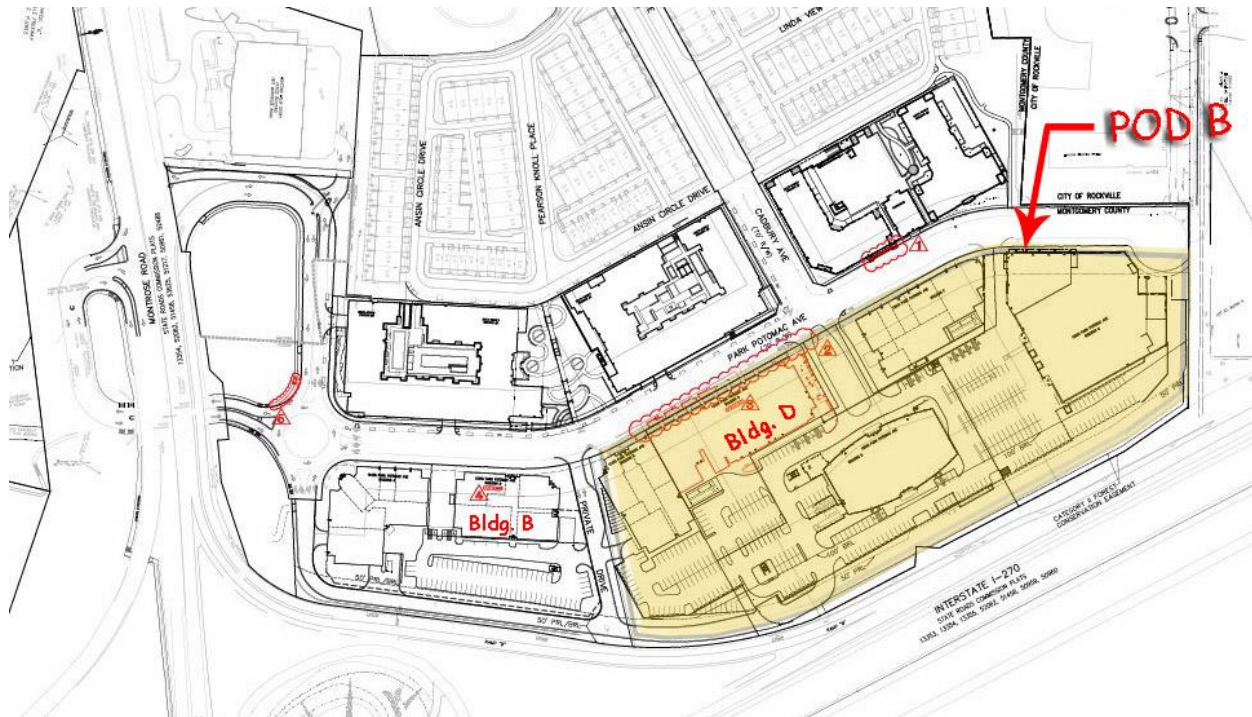


Image 3: Site Plan

### Description of Amendment

The Applicant requests the following modifications to the Site Plan:

- 1- Modify the gross floor area for Building D (increase by 13,000 sf) and Building B (decrease by 13,000 sf.);
- 2- Increase required parking calculations by 29 spaces within POD B;
- 3- Revise the streetscape along Park Potomac Avenue; and
- 4- Revise to the Landscape Plan.

The exchange of office space (13,000 sf.) from Building B to Building D will not change the approved gross square footage of non-residential uses (850,000 sf.) or the total square footage dedicated to office space (570,000 sf.). The building square footage for Building D will be increased to 130,000 sf., while Building B will be decreased to 48,000 sf. There are no changes proposed to the building heights of either Building B or D. The parking calculations will be increased by 29 spaces based on the increase of office space on POD B (i.e. Parcels FF, GG, HH, II and JJ).

Building D will continue to have street frontage along Park Potomac Avenue. The streetscape adjacent to the Building D courtyard and along Park Potomac Avenue will be improved with first floor retail, outdoor seating, landscape and lighting as per the approved plans. The original streetscape design has been slightly modified by this Site Plan amendment to better

accommodate the Americans with Disabilities Act (ADA) regulations and to address existing grading issues. Other streetscape modifications include the installation of an ADA ramp near the entrance to the Clubhouse of Building 1 and 2, and a sidewalk connection with a handicap ramp on Parcel H.

Revisions to the Landscape Plan include a green roof on Building D, foundation plantings around the proposed ADA ramp (near the Clubhouse), and modifications to the streetscape plantings.

## **FINDINGS AND ANALYSIS**

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.*

The Subject Property does not have an associated Project Plan and/or Special Exception, as the Property was developed in accordance with the I-3 optional method for mixed-use development.

2. *The site plan meets all of the requirements of the zone in which it is located.*

Office use is permitted in the I-3 Zone. This amendment fulfills the purposes of the zone and the previous approvals by providing mixed-use development with convenient access to transit. The commercial/ office uses are mixed with residential uses in order to maintain employment and an adequate live/work balance.

This amendment meets the development standards of the zone. The changes to the building square footage and parking calculations will not exceed the standard requirements for optional method of development, and are consistent with the previous approval. With respect to the building height, setbacks and green area requirements, these elements will remain the same.

The following data table indicates the modifications compared to the requirements of the Zoning Ordinance and the most recent approval.

*Project Data Table for the I-3 Zone*

| <b>Development Standard</b>             | <b>Permitted/Required by the Zoning Ordinance</b> | <b>Previously Approved by Site Plan No. 82004015J</b> | <b>Site Plan No. 82004015K</b> |
|---|---|---|--------------------------------|
| <b>Net Lot Area</b>                     | N/A   | 20.28 ac.   | 20.28 ac.                      |
| <b>Building Heights</b>                 |   |   |                                |
| Building B (Parcel EE)                  | 100 feet  | 80 feet   | 80 feet                        |
| Building D (Parcel GG)                  | 100 feet  | 100 feet  | 100 feet                       |
| <b>Gross Floor Area</b>                 |   |   |                                |
| Building B (Parcel EE)                  | N/A   | 61,000 sf.  | 48,000 sf.                     |
| Building D (Parcel GG)                  | N/A   | 117,000 sf.   | 130,000 sf. <sup>1</sup>       |
| <b>Parking Calculations<sup>2</sup></b> |   |   |                                |
| POD A: Building A & B                   | 585 spaces  | 594 spaces  | 585 spaces                     |
| POD B: Buildings C, D, E, F & G         | 1670 spaces                                       | 1632 spaces   | 1670 spaces                    |
| <i>Total</i>                            | <i>2255 spaces</i>                                | <i>2226 spaces</i>                                    | <i>2255 spaces</i>             |

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

The locations of Building D, open spaces, landscape, recreation facilities, and circulation systems are consistent with the previous approvals. Minor adjustments have been made to the building footprint, and the building remains in the same location.

The Applicant is currently working with MCDOT to locate a pedestrian crosswalk between Building 2 (condominium building) and the Building G (grocery store) along Park Potomac Avenue (Appendix B). In the past, the community has raised safety concerns with crossing at this location. Otherwise, pedestrian access from adjacent sidewalks adequately and efficiently integrates this site into the surrounding area. Safety will also be enhanced by the streetscape improvements (e.g. outdoor seating, lighting and landscape), which activate the street edge and slow vehicular traffic along Park Potomac Avenue. The vehicular circulation design efficiently directs traffic into and through the site with minimal impacts to pedestrian circulation.

<sup>1</sup> The gross floor area for Building D includes: 109,000 sf. of office space, 15,000 sf. of retail space and 6,000 sf. of restaurant/retail space.

<sup>2</sup> The parking calculations were revised based on the changes to the gross area of office space within their respective PODs. POD B will be increased by 29 spaces.





*Image 4 & 5: Park Potomac Avenue streetscape and Building D green roof.*

The placement of street trees and understory plantings along Park Potomac Avenue provides shade for outdoor seating areas, efficiently increases the overall tree canopy and provides a safe landscaped buffer for pedestrians. The green roof on Building D is a



visual attraction for upper floors and provides a natural heating/cooling system. The Applicant would like to reserve the right to make further changes without any reduction to the amount of green area. Therefore, the green area calculations will remain the same.

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

This amendment proposes no change to the type of use or building heights previously approved. The gross floor area for office space will remain the same (570,000 square feet). This amendment is compatible with the adjacent and confronting uses as well as pending development plans. The building structure is in scale with the nearby buildings and is located such that it will not adversely impact existing or proposed adjacent uses.

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.*

There are no changes proposed to the Final Forest Conservation Plan; which was originally approved with Preliminary Plan No. 120030290. This project was reviewed by the Department of Permitting Services (MCDPS), and an administrative stormwater waiver for grandfathering was granted in accordance with the provisions of Section 19-21A for the Montgomery County Code and based on the date of the preliminary project approval for the site as defined in the Code.

## **PUBLIC NOTICE**

A notice regarding the Site Plan amendment was sent to all parties of record by the Applicant on March 7, 2014. 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.

## **CONCLUSION**

This Site Plan amendment meets all the requirements of the I-3 zone, and it is consistent with the previous approvals. The equal exchange of office space from Building B to Building D, the streetscape improvements and minor revisions to the Landscape Plan are safe, adequate and efficient. These changes are compatible with the existing and adjacent development, and meet all applicable requirements of Chapter 22A and Chapter 19 regarding forest conservation and water resource protection.

## **APPENDIX**

- A. Draft Planning Board Resolution
- B. Previous Approvals

MCPB No. \_\_\_\_\_  
 Site Plan No. 82004015K  
 Project Name: Park Potomac  
 Hearing Date: May 22, 2014

## **RESOLUTION**

WHEREAS, under 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 March 19, 2004, the Planning Board approved Site Plan 820040150, to allow construction of 450 multi-family dwelling units (including 61 MPDUs), 830,000 square feet of office and 30,000 square feet of retail use on approximately 20.28 acres of I-3 zoned property located northwest of the intersection of Montrose Road and I-270 ("Property"), in the Potomac Sub-region Master Plan ("Master Plan") area; and

WHEREAS, on January 12, 2007, the Planning Board approved an amendment to the site plan, Site Plan 82004015A (MCPB Resolution No.06-42) for the substitution of two 4-story apartment buildings with one 10-story and one 8-story condominium building in the approximate same location and revisions to the parking configuration and tabulations; and

WHEREAS, on September 19, 2007, the Planning Board approved an amendment to the site plan, Site Plan 82004015B (MCPB Resolution No.07-159) for modifications to the allowable density, a redesign of the public amenities, streetscape, roadway alignment and parking configurations; and

WHEREAS, on October 26, 2009, the Planning Board approved an amendment to the site plan, Site Plan 82004015F (MCPB Resolution No.09-130) for modifications to the roadway connections, pedestrian walkways, bike rack locations plans for Condo Building No. 1 and

WHEREAS, the administrative memoranda for Site Plan Nos. 82004015C (approved March 6, 2008), 82004015D (approved June 16, 2008), 82004015E (approved July 28, 2009), 82004015G (approved October 14, 2010), 82004015H (approved January 13, 2012), and 82004015J (approved August 2, 2013) were minor modifications related to the building heights, public amenities, roadway alignments,

stormwater management facilities, parking tabulations, landscape and lighting photometrics; and

WHEREAS, on February 28, 2014, Fortune Parc Development Partnership, ("Applicant"), filed a site plan amendment application, which was designated Site Plan No. 82004015K ("Amendment"), for approval of the following modifications:

1. Increase the office space in Building D by 13,000 square feet (sf.);
2. Decrease the office space in Building B by 13,000 sf.;
3. Sidewalk improvements; and
4. Minor revisions to the Landscape Plan.

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated May 9, 2014 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on May 22, 2014, Staff presented the Amendment to the Planning Board as a consent item for its review and action, at which time the Planning Board voted to approve the Amendment subject to certain conditions, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves certain elements of Site Plan No. 82004015K, subject to the following conditions:

#### **Conformance with Previous Approvals**

1. Preliminary Plan Conformance  
The development must comply with the conditions of approval for Preliminary Plan No. 120030290 listed in the Planning Board Resolution (dated July 25, 2003) and as amended by Preliminary Plan No. 12003029A listed in the Planning Board Resolution (dated April 30, 2008), unless amended.
2. Site Plan Conformance  
The development must comply with the conditions of approval for Site Plan No. 820040150 as listed in the Planning Board Resolution (dated March 19, 2004), and as amended in the following amendments:



| Amendment No. | Approval Date      | Type of Approval        |
|---------------|--------------------|-------------------------|
| 82004015A     | January 12, 2007   | Planning Board Approval |
| 82004015B     | September 19 2007  | Planning Board Approval |
| 82004015C     | March 6, 2008      | Director Approval       |
| 82004015D     | June 16, 2008      | Director Approval       |
| 82004015E     | July 28, 2009      | Director Approval       |
| 82004015F     | October 26, 2009   | Planning Board Approval |
| 82004015G     | October 14, 2010   | Director Approval       |
| 82004015H     | January 13, 2012   | Director Approval       |
| 82004015I     | September 12, 2012 | Planning Board Approval |
| 82004015J     | August 2, 2013     | Director Approval       |

The modifications to the Site Plan will not impact the overall design character of the development and is compatible with existing developments adjacent to the site. This amendment proposes to increase the office space in Building D in exchange for a reduction to the office space in Building B. In addition, the streetscape and Landscape Plan will be improved with minor changes along Park Potomac Avenue. 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.

All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans (officially accepted February 28, 2014) are required except as modified by the conditions listed above.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, the Montgomery County Planning Board FINDS, with the conditions of approval that this Amendment does not alter the intent, objectives, or requirements in the previously approved site plan, and that all findings remain in effect; 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).

\* \* \* \* \*

**CERTIFICATION**

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 \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ voting in favor of the motion, ***[modify vote as applicable if PB member absent, abstains, etc.]*** at its regular meeting held on Thursday, \_\_\_\_\_, in Silver Spring, Maryland.

\_\_\_\_\_  
Françoise M. Carrier, Chair  
Montgomery County Planning Board

**[MCS]**

**APPENDIX B****Previous Approvals**

| Application                          | Approval Date                                     | Brief Description   |
|--------------------------------------|---|---|
| Preliminary Plan No. 120030290       | Presented: July 3, 2003 (mailed July 25, 2003)    | Approved the abandonment of an unimproved Public Right-of-Way, maximum 835,000 square feet of general office space, maximum 30,000 square feet of general retail, 15,000 square feet of restaurant or an equivalent increase in general office and/or retail uses (based on peak hour trips for the restaurant use), 450 garden apartment units, and 150 one-family attached units on 54.9 acres of land zoned I-3 and O-M. |
| Preliminary Plan Amendment 12003029A | Presented: June 21, 2007 (mailed April 30, 2008)  | 150 townhouse units, 450 High-rise apartment units, 145,000 square feet of general retail use, 570,000 square feet of general office use, 156 guest rooms for a hotel on 59.84 acres of land zoned I-3 and O-M.   |
| Site Plan No. 820040150              | Presented: March 18, 2004 (mailed March 19, 2004) | 450 multi-family dwelling units (including 61 MPDUs), 820,000 square feet of office use, 30,000 square feet of retail use on 20.28 acres of land zoned I-3. Parking and building setback waivers were also approved (specifically between stations 541+01.93 to 541+55.95).   |



|  |  |  |
|--|--|--|
| Site Plan No. 82004015A                | Presented: May 4, 2006 (mailed January 12, 2007)     | Approved the substitution of two 4-story apartment buildings with one 10-story and one 8-story condominium buildings in approximately the same locations. The maximum building height is 100 feet with a total of 450 multi-family dwellings (including 61 MPDUs). Parking configuration and tabulations were changed to include below grade parking (Increased parking by 151 spaces).  |
| Site Plan No. 82004015B                | Presented: June 21, 2007 (mailed September 19, 2007) | Modifications to the allowable density of retail use in the multifamily Buildings 1, 2, 3, 4, 5, 6 at the ground-floor. Reductions to the amount of allowable density within the mixed-use Buildings A, B and D. Increase to the amount of allowable density (max 115,000 sf. of restaurant/ retail uses) within the mixed-use building C, E, and F, which includes a grocery store (46,026 sf.) and reduce the max gross floor area of retail for mixed-use Building G. Redesign of public plaza, pedestrian access and streetscape. Add a roadway connection from Montrose Rd (east-bound) thru the existing tunnel to Park Potomac Ave. Extension of median on Cadbury Ave. |
| Administrative Site Plan No. 82004015C | Approved March 6, 2008                               | Widen steps from the sidewalk to the public plaza; add SWM intake grates, and modifications to the landscape plan.   |
| Administrative Site Plan No. 82004015D | Approved June 16, 2008                               | Redesign the main entrance of Buildings 1 and 2, the roundabout on Park Potomac Ave., revise the SWM, eliminate 5 parking spaces and modify the landscape planting at Building E.  |

|  |  |  |
|--|--|--|
| Administrative Site Plan No. 82004015E | Approved July 28, 2009                                   | Minor site adjustments to building heights (Building 1 and 2), grades for SWM pond, street lighting locations, bollard locations at the plaza (near Building E), surface parking layout (Building G), planters (Building E and G), and lighting photometrics. Revisions to plaza layout and the addition of a "zone of influence" for the condominiums and commercial buildings. |
| Limited Site Plan No. 82004015F        | Presented: October 8, 2009<br>(mailed October 26, 2009)  | Addition of roadway connection from Park Potomac Avenue to Fortune Terrace, wrought-iron fence around the pool pump room. Relocation of bike racks. Adjustments to the brick paver lead walks and landscape for Condo Building #1.   |
| Administrative Site Plan No. 82004015G | Approved October 14, 2010                                | Adjustments to the outdoor seating areas at Building E and G. Addition of sidewalk ramp at the Clubhouse in Condo Building #1. Reallocation of retail/restaurant uses. Deletion of decorative walls.   |
| Administrative Site Plan No. 82004015H | Approved January 13, 2012                                | Reallocation of office and retail uses, and addition of outdoor seating area for Building E. Adjustments to site tabulations.  |
| Limited Site Plan No. 82004015I        | Presented (July 26, 2012)<br>(mailed September 12, 2012) | Modifications to the building heights, footprint and unit-mix within Buildings 3, 4, 5 and 6. The unit-mix changed the overall parking tabulations. A portion of the median on Cadbury Avenue was deleted from the Site Plan. The Lighting and Landscape Plans were also revised on Parcels KK and LL.   |

|   |                         |   |
|---|-------------------------|---|
| Administrative Site Plan No.<br>82004015J | Approved August 2, 2013 | Installation of generators and associated concrete pads; modifications to the circulation system within the central garden area; addition of outdoor seating areas; addition of lifeguard station to the amenity plaza of Buildings 5 and 6; deletion of retaining walls; and revision to the Landscape Plan. |
|---|-------------------------|---|