



Local Map Amendment H-113 & H114: Gude Drive Properties III and IV

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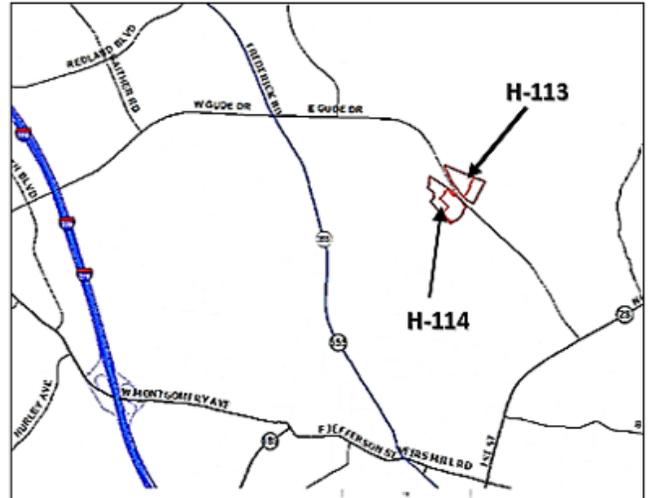
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Completed: 08/26/2016

Description

Local Map Amendment H-113 & H-114: Gude Drive, Properties III and IV
Request for a reclassification from IH 2.5, H 70 (Industrial Heavy) Zone to IMF 2.5, H 70 (Industrial Moderate-Floating):

1. **H-113(Gude Drive Properties III):** Two lots consisting of a total of 11.21 acres of land to allow potential future addition of approximately 146,628 square feet gross floor area (GFA) to the existing developments located at 800 and 850 East Gude Drive in Rockville, known as Lots 3 and 4 Cotler Industrial Park, 2004 Upper Rock Creek Master Plan.
2. **H-114 (Gude Drive Properties IV):** Two parcels consisting of a total of 14.17 acres and currently improved with a self-storage facility and a warehouse, to allow potential future addition of approximately 149,805 square feet GFA, located at 851 and 861 East Gude Drive in Rockville, known as Part of Parcel E and Parcel F Ensor Property, 2004 Upper Rock Creek Master Plan.



Staff Recommendation: Approval

- **Application Filed:** May 24, 2016
- **Planning Board Hearing:** September 8, 2016
- **OZAH Public Hearing:** September 16, 2016

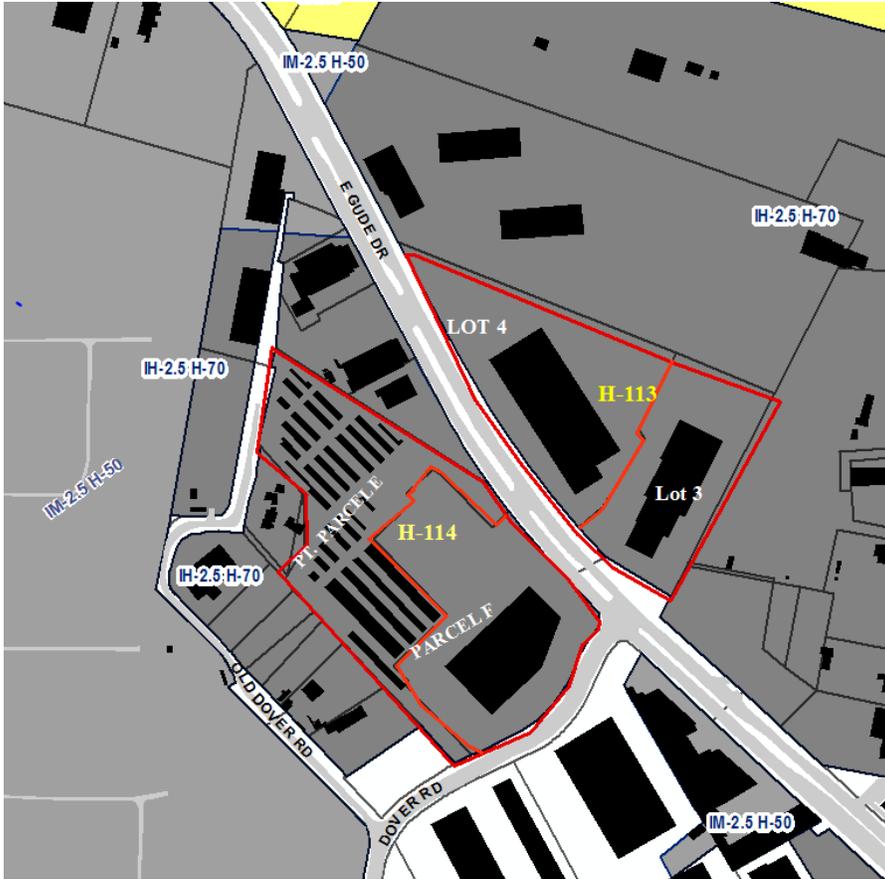
Applicant: Investment Properties, Inc.

Summary

1. Key Aspects of the Proposal and major issues:

- H-113, consists of two parcels totaling 11.21 acres, each of which is improved with two large two-story warehouse buildings with various moderate industrial uses such as service and supply stores, and showrooms. The applicant proposes to gradually increase the existing combined density of the buildings, as the market demands, to a maximum floor area of 299,610 square feet, doubling the existing floor area without changing the existing foot prints.
- H-114 is improved with self-storage buildings on Part of Parcel E while Parcel F is improved with a stand-alone 65,000 square-foot warehouse building.
- The proposed development meets all applicable standards of the IMF Zone and complies with the purpose clause of the Industrial Moderate Floating Zone (IMF); furthers the goals of the 2004 Upper Rock Creek Area Master Plan; and satisfies the intent statement and necessary findings for a rezoning to the IMF Zone.
- The proposed development will be subject to preliminary plan and site plan review by the Planning Board if approved by the District Council.
- The Applicant stated that the requested rezoning offers flexibility to respond to the market demands because the IMF zone allows for more permitted uses than the existing IH zone. The Applicant offers a binding element affirming that “no or increase in Gross Floor Area would occur outside of the existing building footprints on the property”.

Figure 1. Subject Properties (H-113 And H-114) and Current Zoning



2. Floating Zone Plans and Zoning Request-LMA H-113 1nd LMA H-114

1. The submitted Floating Zone Plans are in substantial compliance with the Upper Rock Creek Master Plan.
2. The proposed Floating Zone Plans comply with the purposes, standards, and regulations of the IMF Zone and provide for a form of development that will be compatible with adjacent developments.
3. The submitted Floating Zone Plans propose internal vehicular and pedestrian circulation systems and points of external accesses that will be safe, adequate and efficient.
4. By confining future expansion and modification of existing developments within the existing footprints, the proposed development can prevent erosion of the soil, and preserve natural vegetation and other natural and environmental features of the sites.
5. If LMA H-113 and LMA H-114 are approved by the District Council, the proposed development will be subject to the review and approval of a Preliminary Plan of Subdivision and a Site Plan by the Planning Board. Detailed design as well as transportation, forest conservation, and stormwater management elements are to be addressed at Preliminary Plan and Site Plan.
6. Application of the IMF Zone at the proposed location is proper for the comprehensive and systematic development of the County because the proposed developments, as shown on the proposed Floating Zone Plans:

- are generally consistent with all applicable standards of the IMF zone and applicable requirements of the Zoning Ordinance;
- Will be in substantial compliance with the land use recommendations of the 2004 Upper Rock Creek Master Plan.

3. Issues to be addressed at Preliminary Plan and Site Plan reviews

Environment

1. A preliminary plan application for LMA H-113 must include the requirement to meet conditions of the original Forest Conservation Plan

Transportation

1. The Applicant must be limited to:
 - LMA H 113: 259,385 square feet of warehouse use and 33,871 square feet of general retail use
 - LMA H 114: 272,495 square feet of warehouse use and 27,115 square feet of general retail use
2. The Applicant must satisfy the Transportation APF - Policy Area Review test by making a Transportation Policy Area Review (TPAR) payment equal to 25 percent of the transportation/development impact tax to the Montgomery County Department of Permitting Services (DPS) at the time of building permit.
3. The Applicant's plans must reflect the Montgomery County Department of Transportation's (MCDOT) most recent Capital Improvements Program (CIP) Project, No. P501309, East Gude Drive Roadway Improvements, to improve East Gude Drive from Crabbs Branch way to Southlawn Lane.
4. The Applicant must provide lead-in sidewalks from East Gude Drive and Dover Road.
5. The Applicant must provide the required number of public Inverted-U bike racks located near the main entrances and private bike lockers for employees near their building entrance.

I. RECOMMENDATION

Staff recommends APPROVAL of LMA H-113 & LMA H-114 for the following reasons:

1. The Floating Zone Plan is in substantial compliance with the 2004 Upper Rock Creek Master Plan and conforms to the Master Plan's land use, zoning and transportation recommendations.
2. The Floating Zone Plan is consistent with the purposes of the IMF (Moderate Industrial-Floating) Zone.
3. The Floating Zone Plan is consistent with the development standards of the IMF Zone.
4. The Floating Zone Plan and the requested reclassification of the zoning of the Property from IH 2.5, H 70 to IMF 2.5, H 70 Zone is appropriate for the location and proposes a development that will be compatible with existing and future land uses in the surrounding area.

II. PROPERTY DESCRIPTION

LMA H-113

This Subject Property is located at 800 and 850 Gude Drive on the east side of East Gude Drive, approximately 1,100 feet north of its intersection with Southlawn Lane, in Rockville.

Figure-2.1: The Subject Property



The Property comprises 11.21-acres of land consisting of two lots, known as Lot 3 (4.56 acres) and Lot 4 (6.65 acres) of Cotler Industrial Park. Lot 3 is improved with a 51,359 square-foot, 33.5-foot-high warehouse building with associated parking. Lot 4 is improved with an 82,800 square-foot, 35.7-foot-high warehouse building with associated parking. Both buildings are currently occupied by largely light industrial businesses, including parts and service suppliers and warehouses, as well as offices and showrooms.

Current tenants include:

- 800 E. Gude Drive: Plumbing and kitchen fixture supplier and showroom, an electrical supply contractor, and a ceramic supplier and showroom.
- 850 E. Gude Drive: Commercial Kitchen, office space, auto parts, warehouse, and document shredding.

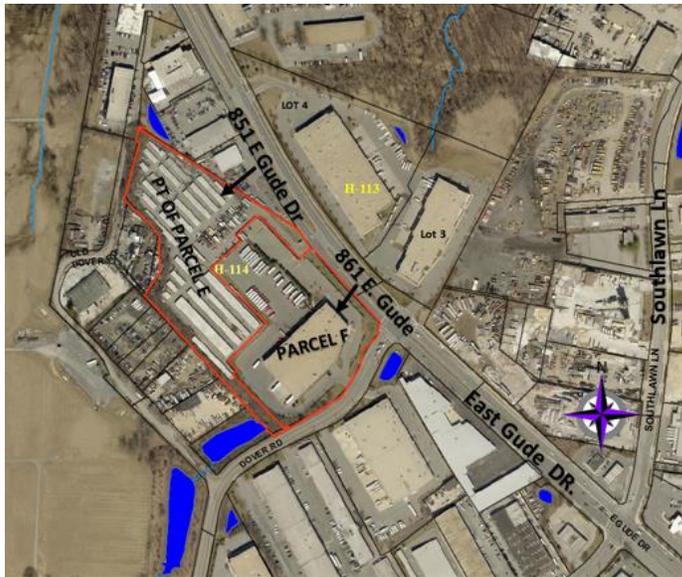
There are two full movement vehicle driveway access points for the subject property located at the northern and southern ends of the East Gude Drive frontage as shown in Figure 2.1. The Property's topography generally slopes down from west to east. It also contains a perennial stream on the southwestern portion. The property contains a flood plain and is within a Flood Hazard Zone. A portion of the property is within Special Flood Hazard Area. There are no wetlands on the property and it is not within a Special Protection Area. There are no State or Federal records for rare, threatened or endangered species on the property. The Property is not within a Special Protection Area.

LMA H-114

This Subject Property is located at 851 and 861 East Gude Drive, on the west side of the road and at the northwest corner of the intersection of Dover Road and East Gude Drive in Rockville. It consists of two parcels known as Part of Parcel E (7.36 ac) and Parcel F (6.81 ac) Ensor

Property. The Property comprises a combined total of 14.17 acres and is currently improved with a self-storage facility with heights ranging between 8.67 feet and 10.5 feet (on Pt of Parcel E) and a 65,000 Square-foot, 28-foot-high warehouse building (Parcel F) with associated parking. The Property slopes down towards the center along the boundary line between the two parcels. Areas of steep slopes (greater than 25 percent) define the western (rear) edge of the property. Steep slopes also exist in the central area along the property line between the two parcels. A ponded stream that is located on the adjoining property to the west of Parcel F extends to the southwest portion of the Property where it enters a storm drain that traverses the property.

Figure-2.2: The Subject Property



There are two existing full movement vehicle driveway access points for the Property; one located on the Property's frontage on East Gude Drive (east) and the other located along the its frontage on Dover Road (south).

The property is located within a Flood Hazard Zone and the stream that exists on the property is contained within a pipe that traverses the site. The existing buildings are located outside of the flood plain. The property is not located within a Special Protection Area. There are no State or Federal records for rare, threatened or endangered species

within the boundaries of the Property.

III. Zoning History

Following approval of the 1968 Upper Rock Creek Master Plan, Sectional Map Amendment F-657 rezoned the Properties from I-1 (Light Industrial) to I-2 (Heavy Industrial). Subsequent master plans in 1985 and 2004 retained the Properties' I-2 zoning. With the adoption of the new Zoning Code in 2014, the I-2 Zone was reclassified as I-H-2.5. H-70, with 2.5 FAR and a maximum height of 70 feet.

IV. Surrounding Area-LMA H-113 and LMA H-114

To evaluate the compatibility of proposed development to the surrounding area, staff identifies the area that is predominantly developed with a mixture of light and heavy industrial uses located within a 2,000-foot radius of the Subject Properties, including properties that are located within the boundaries of the City of Rockville.

The central, eastern and southeastern parts of the neighborhood are zoned Heavy Industrial (IH) with a 2.5 total FAR and a maximum height of 70 feet but are developed with a mixture of

east and west sides of East Gude Drive. The Properties (H-113 & H-114) are currently developed with three stand-alone buildings and a self-storage facility and are fully operational with various types of service, supply, warehouse, and office uses as well as a self-storage facility.

The Applicant proposes to continue operating the existing businesses with future plans to increase the Gross Floor Areas of the current improvements while remaining within the current footprints. The Applicant intends to achieve the proposed densities employing various internal and external modification methods including creating mezzanines in the stand alone buildings and adding second stories in the case of the self-storage-facilities.

Table-1: Proposed Development

| Application | Location | Existing | | Proposed | |
|-------------|-------------------------|---------------|------------|---------------|------------|
| | | Total Density | Max Height | Total Density | Max Height |
| H-113 | 800 and 850 E. Gude Dr. | 149,805 GFA | 35.7 ft | 299,610 GFA | 70 ft |
| H-114 | 851 and 861 E. Gude Dr. | 146,628 GFA | 28 ft | 293,256 GFA | 70 ft |

The Applicant stated that the intent is to build the proposed additional spaces on a “tenant-by-tenant” basis as new leases are signed or as existing leases are expired.

Figure 4.1 Proposed Floating Zone Plan: LMA-113(cont)

| DATA TABLE FOR 800 & 850 E GUDE DRIVE | | | |
|---|--------------------------------------|--------------------------------------|-------------------------------------|
| Existing Zone: | Industrial High | IH 2.5/H 70 | |
| IMF Floating Zone: | Industrial Moderate Floating | IMF 3.0/H 120 | |
| Proposed Floating Zone: | Industrial Moderate Floating | IMF 2.5/H 70 | |
| Site Area: | 11.21 Acres or 488,521 SF | | |
| Building Type (Section 5.5.4.A): | Multi Use and/or General | | |
| IMF Zone conformance with IM Zone , Standard Method Development Standards | | | |
| | IM ZONE | IMF ZONE | PROPOSED |
| Open Space (min) | SECT. 4.8.3.A(1) | SECT. 5.5.5.D(2) | |
| Americy Open Space >10,000 SF | 10% or 48,852 SF | 10% or 48,852 SF | 29%, 142,616 SF |
| Lot and Density | SECT. 4.8.3.A(2) | SECT. 5.5.5.A(2) | |
| Density, FAR | 0.25 to 2.50 FAR or MAX 1,221,302 SF | 0.25 to 3.00 FAR or MAX 1,465,563 SF | 0.60 FAR or 293,258 SF ¹ |
| Placement: | | | |
| Principal Building & Accessory Structure Setbacks (min) | SECT. 4.8.3.A(3) | SECT. 5.5.5.B(2) | |
| Front setback | 10 Ft. | Established by | 71 Ft. |
| Side street setback | 10 Ft. | floating zone | n/a |
| Side setback abutting Industrial Zone | 0 Ft. | plan | 70 Ft. |
| Rear Setback abutting Industrial Zone | 0 Ft. | | 65 Ft. |
| Rear setback, Alley | 0 Ft. | | n/a |
| Parking Setbacks for Surface Parking Lots - 10 or more spaces | SECT. 6.2.9.C(3)(b) | SECT. 5.5.5.B(2) | |
| Front setback | 6 | Established by | 17 Ft. |
| Side street setback | 0 | floating zone | n/a |
| Side setback | 0 | plan | 17 Ft. |
| Rear setback | 0 | | 17 Ft. |
| Rear setback, alley | 0 | | n/a |
| Parking Lot Tree canopy ² | 25% or 49,453 SF | 25% or 49,453 SF | 3.3 % or 26,273 SF ³ |
| Parking Lot Landscaped Areas | 5% or 9,891 SF | 5% or 9,891 SF | 5.4 % or 10,766 SF |
| Height (max) | SECT. 4.8.3.A(4) | SECT. 5.5.5.B(2) | |
| Principal Building | 70 Ft. | 120 Ft. | 70 Ft. |
| Accessory structure | 70 Ft. | 120 Ft. | 70 Ft. |
| Form | SECT. 4.8.3.A(5) | SECT. 5.5.4.A | |
| Gallery/Awning | Allowed | Allowed | n/a |
| Porch/Stoop | Allowed | Allowed | n/a |
| Balcony | Allowed | Allowed | n/a |
| Open Space Landscaping and Outdoor Lighting - Amenity | SECT. 6.3.8.A | SECT. 5.5.5.B(2) | |
| Open Space | | | |
| Permeable area (min) | 10% or 48,852 SF | 10% or 48,852 SF | 26% or 130,470 SF |
| Tree Canopy (min) | 10% or 48,852 SF | 10% or 48,852 SF | 16% or 80,780 SF |
| GFA Analysis: | | | |
| Existing GFA | 146,628 | | |
| Proposed GFA | 146,628 | | |
| Total GFA | 293256¹ | | |
| ¹ Maximum 33,871 SF of retail use. | | | |
| ² Final landscaping requirements for new development to be determined at time of Site Plan | | | |
| ³ Existing conditions grandfathered pursuant to section 59.7.7.1 of the zoning Ordinance | | | |

| GENERAL NOTES | |
|---------------|---|
| 1. | The site is located in the Middle Rock Creek Watershed, use IV, Southlawn Tributary to the Potomac River. |
| 2. | The site does not lie within a Special Protection Area or a Primary Management Area. |
| 3. | No wetlands exist on site. A perennial stream begins at the north of the site from a storm drain outfall and runs off-site. There is an associated stream valley buffer. |
| 4. | No rare, threatened or endangered species were observed on site. |
| 5. | The property is not listed in the Locational Atlas and Index of Historic Sites. |
| 6. | The property is located in Flood Hazard Zone X (areas determined to be outside 0.2% annual chance flooding) and is partially within a Special Flood Hazard Area as defined by the Federal Emergency Management Agency, National Flood Insurance Program Map for Montgomery County, Maryland, Community Panel Numbers 24031C0332D, effective date September 29, 2006. The floodplain is contained within a culvert that traverses the property until it exits the culvert. The existing structures, however, are not affected and are not in the floodplain. |
| 7. | Fieldwork was conducted on July 17, 2015. |
| 8. | The survey was performed by Macris, Hendricks and Glascock, P.A. on September 8, 2003 and updated April 23, 2015. Topography is from Montgomery County Topographic Map 220NW07, dated July 30, 2014. |

| Section 6.2.4 Parking Requirements for 800 & 850 East Gude Drive (Existing Conditions) | | | | | |
|--|-----------------|---------------|-----------------------|---------------|--------------|
| USE | METRIC | BASELINE MIN. | SF OF USE OR EMPLOYEE | REQUIRED | PROVIDED |
| Office (F O Day) | 1,000 SF of GFA | 2.80 | 23,268 | 65.15 | 71 |
| Warehouse (remainder of SF) ¹ | 1,000 SF of GFA | 1.50 | 99,232 | 148.85 | 160 |
| Commercial Kitchen ² | 1 per user | 1.00 | 5 | 5.00 | 10 |
| Recycling | 1,000 SF of GFA | 1.50 | 18,952 | 28.43 | 34 |
| Total Parking | | | | 247.43 | 275 |
| | | | | | existing 275 |
| Loading Spaces = 40 | | | | | |
| ¹ assumes vacant space as Warehouse use for parking calculations | | | | | |
| ² Commercial Kitchen assumes 5 users. | | | | | |
| Future parking will be determined based on tenant mix at time of Site Plan and/ or Use and Occupancy permit. | | | | | |

Figure 4.2 Proposed Floating Zone Plan: LMA H-114 (Cont.)

DATA TABLE FOR 851 & 861 E GUDE DRIVE

| | | |
|----------------------------------|------------------------------|---------------|
| Existing Zone: | Industrial High | IH 2.5/H 70 |
| IMF Floating Zone: | Industrial Moderate Floating | IMF 3.0/H 120 |
| Proposed Zone: | Industrial Moderate Floating | IMF 2.5/H 70 |
| Site Area: | 14.17 Acres or 617,265 SF | |
| Building Type (Section 5.5.4.A): | Multi Use and/or General | |

IMF Zone conformance with IM Zone , Standard Method Development Standards

| | IM ZONE | IMF ZONE | PROPOSED |
|---|--------------------------------------|--------------------------------------|-------------------------------------|
| Open Space (min) | SECT. 4.8.3.A(1) | SECT. 5.5.5.D(2) | |
| Amenity Open Space >10,000 SF | 10% or 61,727 SF | 10% or 61,727 SF | 20%, 125,540 SF |
| Lot and Density | SECT. 4.8.3.A(2) | SECT. 5.5.5.A(2) | |
| Density, FAR | 0.25 to 2.50 FAR or MAX 1,543,162 SF | 0.25 to 3.00 FAR or MAX 1,851,795 SF | 0.49 FAR or 299,610 SF ¹ |
| Placement: | | | |
| Principal Building & Accessory Structure Setbacks (min) | SECT. 4.8.3.A(3) | SECT. 5.5.5.B(2) | |
| Front setback | 10 Ft. | Established by | 81 Ft. |
| Side street setback | 10 Ft. | floating zone | 32 Ft. |
| Side setback abutting Industrial Zone | 0 Ft. | plan | 20 Ft. |
| Rear Setback abutting Industrial Zone | 0 Ft. | | 30 Ft. |
| Rear setback, Alley | 0 Ft. | | n/a |
| Parking Setbacks for Surface Parking Lots - 10 or more spaces | SECT. 6.2.9.C(3)(b) | SECT. 5.5.5.B(2) | |
| Front setback | 6 | Established by | 22 Ft. |
| Side street setback | 0 | floating zone | 25 Ft. |
| Side setback | 0 | plan | 4 Ft. |
| Rear setback | 0 | | 14 Ft. |
| Rear setback, alley | 0 | | n/a |
| Parking Lot Tree canopy ^{2,3} | 25% or 85,052 SF | 25% or 85,052 SF | 3.4% or 11,490 SF |
| Parking Lot Landscaped Areas | 5% or 17,011 SF | 5% or 17,011 SF | 9.1% or 30,811 SF |
| Height (max) | SECT. 4.8.3.A(4) | SECT. 5.5.5.B(2) | |
| Principal Building | 70 Ft. | 120 Ft. | 70 Ft. |
| Accessory structure | 70 Ft. | 120 Ft. | 70 Ft. |
| Form | SECT. 4.8.3.A(5) | SECT. 5.5.4.A | |
| Gallery/Awning | Allowed | Allowed | n/a |
| Porch/Stoop | Allowed | Allowed | n/a |
| Balcony | Allowed | Allowed | n/a |
| Open Space Landscaping and Outdoor Lighting - Amenity Open Space | SECT.6.3.8.A | SECT. 5.5.5.B(2) | |
| Permeable area (min) | 10% or 61,727 SF | 10% or 61,727 SF | 21% or 126,661 SF |
| Tree Canopy (min) | 10% or 61,727 SF | 10% or 61,727 SF | 13% or 79,767 SF |

GFA Analysis:

| | |
|------------------|----------------------------|
| Existing GFA | 149,805 |
| Proposed GFA | 149,805 |
| Total GFA | 299,610¹ |

¹ Maximum 27,115 SF of retail use

² Final landscaping requirements for new development to be determined at time of Site Plan

³ Existing conditions grandfathered pursuant to section 59.7.7.1 of the zoning Ordinance

GENERAL NOTES

1. The site is located in the Middle Rock Creek Watershed, use IV, Southlawn Tributary to the Potomac River.
2. The site does not lie within a Special Protection Area or a Primary Management Area.
3. No wetlands exist on site. A stream is present on the southwest corner of the property. There is an associated stream valley buffer.
4. No rare, threatened or endangered species were observed on site.
5. The property is not listed in the Locational Atlas and Index of Historic Sites.
6. The property is located in Flood Hazard Zone X (areas determined to be outside 0.2% annual chance flooding) and is partially within a Special Flood Hazard Area as defined by the Federal Emergency Management Agency, National Flood Insurance Program Map for Montgomery County, Maryland, Community Panel Numbers 24031C0332D, effective date September 29, 2006. The floodplain is contained within a culvert that traverses the property until it exits the culvert. The existing structures, however, are not affected and are not in the floodplain.
7. Fieldwork was conducted on December 8, 2015.
8. The survey for Part of Parcel E with one-foot topography was prepared by Macris, Hendricks and Glascock, P.A on November 30, 2015. The remainder of the topography is from Montgomery County Topographic Map 220N07, dated July 30, 2014.

The Applicant proposes to dedicate a maximum of 33,871 square feet of retail area for the proposed development of Application LMA H-113 and a maximum of 27,115 square feet of retail area for the proposed development of Application H-114.

In addition to the Local Map Amendment review, if approved, Applications LMA H-113 and Application LMA H-113 are subject to other development approval procedures, including approval by the Montgomery County Planning Board of Preliminary Plans of Subdivision, Forest Conservation Plans and Site Plans.

Both properties have previously approved preliminary plans of subdivision. For the Property that is the subject of LMA H-113 (Lot 3 and Lot 4), Preliminary Plan No. 119883350, was approved in 1990, for 124,800 square feet of general office space and 124,800 square feet of warehouse space. The plan was later revised and the property was recorded by Plat# 21528 filed in 2003.

The Property that is the subject of LMA H-114 (Part of Parcel E and Parcel F) also has an approved Preliminary Plan, No. 119841490 (see Attachment C), approved in 1984, for 200,000 square feet of industrial space. As noted, the Applicant has no immediate plans to change or modify the existing improvements. According to the Applicant, future modification and expansion of current improvements will be driven by market demand, future tenant mix, and new lease agreements. Future development that exceeds 200,000 square feet, will be subject to regulatory review, including an analysis of Adequate facilities, and to address Part of Parcel E. Prior to issuance of a building permit on Part of Parcel E, a new record plat will be required.

The Subject Properties are currently served by adequate parking. Future amendments will evaluate future parking needs as part of preliminary plan and site plan review process.

Binding Elements

The Applicant offers the following textual binding element

- No modification or increase in GFA will occur outside of the existing building footprints on the property.

V. ANALYSIS

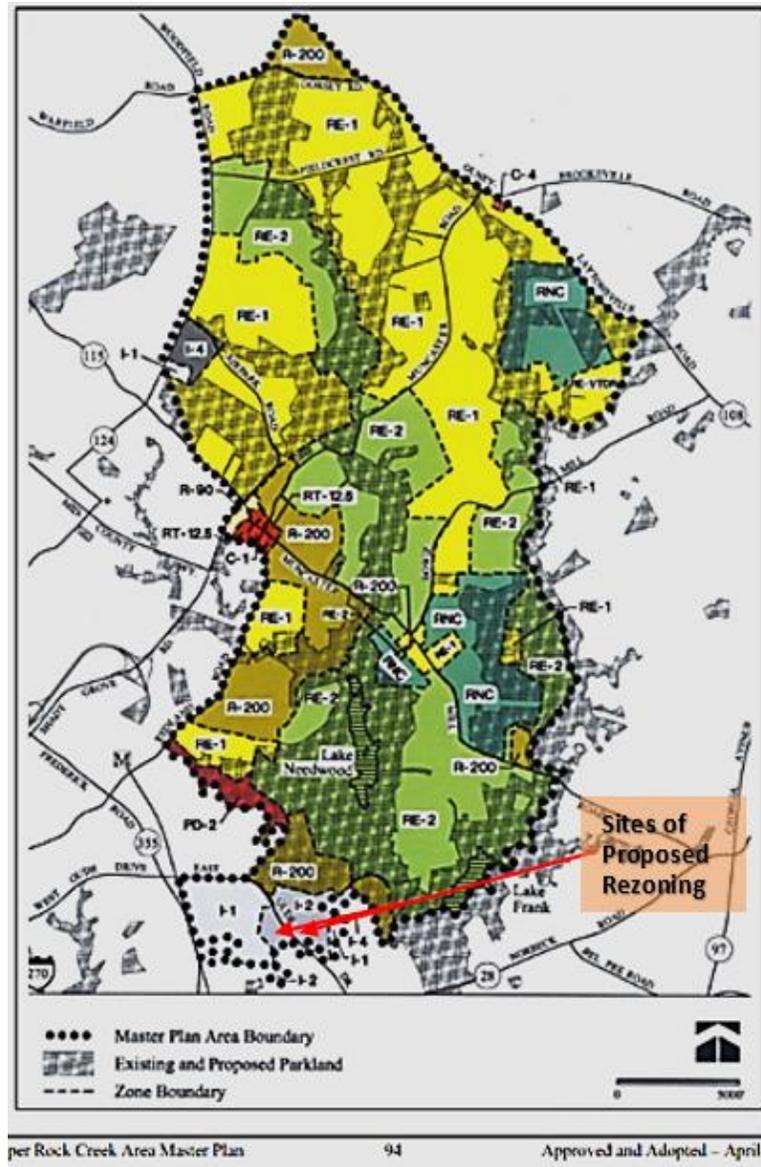
A. Conformance with the Master Plan

The Land Use Plan section of the 2004 Upper Rock Creek Master Plan sets an objective to *“maintain commercial and light industrial districts at their existing scales and intensities and provide appropriate transitions from non-residential to residential uses”* (p.13). The land use plan also makes an overall recommendation to retain the existing industrial zoning in the planning area. The Subject Properties are developed with industrial uses and are located within the portion of the Master Plan area that is identified for industrial land use (Figure 5). Currently, the Properties are zoned IH (Industrial High) and the Applicant is requesting a

rezoning of the Properties to IMF (Industrial Moderate Floating) Zone which is more consistent with the character of the existing developments on the property.

The Applicant indicated that the existing buildings predate the county's comprehensive revision to its zoning code. The Applicant intends to maintain the already established uses with proposed modifications to the buildings within the existing footprints and with substantially less FAR than allowed in the IMF Zone.

Figure 5: The 2004 Approved Upper Rock Creek Master Plan area and Zoning



The Environmental Resources Plan section of the Master Plan places the Properties within the larger "Upper Rock Creek Mainstem Watershed," in an area further designated as "Urban Watershed Management Area," (p.50). The modifications proposed by the Subject Applications would not have a negative impact on the watershed since they would be

confined within the existing foot prints of buildings and there will not be any disturbance of land anywhere else on the properties. The property is currently served by public water and sewer as well as fire and rescue facilities.

B. Adequate Public Facilities

The subject application will be adequately served by public facilities:

1. Transportation

LMA H-113 (800 & 850 E Gude Drive) - and LMA H-114 (851 & 861 E Gude Drive)

Master-Planned Roadways and Bikeways

In accordance with the 2004 *Upper Rock Creek Area Master Plan* and the 2005 *Countywide Bikeways Functional Master Plan*, the designated roadways and bikeways are as follows:

1. M-23, East Gude Drive, is recommended as a six-lane divided major highway with a 120-foot wide right-of-way and shared use path, SP-51, on the southwest side.
2. Dover Road is recommended as two-lane industrial road, I-2, with a 70-foot wide right-of-way and no bike path.
3. Nearby Southlawn Lane is recommended as two-to-four lane industrial road, I-1, with a 70-foot wide right-of-way and no bike path.

Calhoun Drive and Display Court are not classified in the *Upper Rock Creek Area Master Plan*. Calhoun Drive is a two-lane private street with a 35-foot wide paved travelway with its centerline traversing the property line between two different developments. Display Court is a two-lane private street with a 40-foot wide paved travelway entirely within one development.

On-Going Transportation Project

MCDOT Capital Improvements Program (CIP) Project No. P501309, East Gude Drive Roadway Improvements, is to improve East Gude Drive from Crabbs Branch way to Southlawn Lane. The improvements include the following:

- An additional westbound lane (800 linear feet) from Calhoun Drive to Crabbs Branch Way,
- An extension of the length of the eastbound taper east of Calhoun Drive (500 linear feet) to the west of Incinerator Lane,
- Providing an east-to-northbound left turn lane (300 linear feet) at Dover Road,
- Construction of the missing section of sidewalk on the north side of East Gude Drive from west of Incinerator Lane to the east of Calhoun Drive (550 linear feet), and
- Installation of six-foot wide sidewalk connections from each bus stop on the north side of East Gude Drive to the nearest intersection.

This project is in the CIP, but was put on hold in November 2015.

Public Transit Service

Ride-On Route 59 operates along East Gude Drive between the Rockville Metrorail Station and the Montgomery Village Center with half hour headways on weekdays and weekends. A bus stop is located at the intersection of East Gude Drive and Dover Road.

Pedestrian and Bicycle Facilities

The adjacent pedestrian and bicycle facilities are as follows:

- A 7-foot wide shared use path on the southwest side of East Gude Drive.
- A 4-foot wide sidewalk with a 11-foot wide green panel on the northeast side of Gude Drive.
- A 7-foot wide shared use path on the northwest side of Dover Road on the southwest side on East Gude Drive.
- No sidewalk along the other segments of Dover Lane.
- At the East Gude Drive/Dover Road intersection, pedestrian handicap ramps on all legs and pedestrian crosswalks on all but the northeastern leg.

Local Area Transportation Review (LATR)

The proposed change in commercial land uses would generate the following number peak-hour trips during the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.):

Table 2.1: LATR (H-113)

| Land Use 800 & 850 E Gude Drive | Square Feet | Weekday Peak-Hour | |
|--|------------------------------|--------------------------|----------------|
| | | Morning | Evening |
| Existing Land Uses | | | |
| Warehouse | 123,360 | 93 | 68 |
| Office | 23,268 | 32 | 52 |
| Subtotal | 146,628 | 125 | 120 |
| Proposed Land Uses | | | |
| Warehouse | 259,385 | 139 | 110 |
| Retail | 33,871 | 65 | 259 |
| Subtotal | 293,256 | 204 | 369 |
| Net Increase from Existing | +146,628 | +79 | +249 |

Table 2.2: LATR (H-114)

| Land Use 851 & 861 E Gude Drive | Square Feet | Weekday Peak-Hour | |
|------------------------------------|-----------------|-------------------|-------------|
| | | Morning | Evening |
| Existing Land Uses | | | |
| (Gude) Self-Storage | 84,800 | 12 | 22 |
| Warehouse | 65,005 | 65 | 45 |
| Subtotal | 149,805 | 77 | 67 |
| Proposed Land Uses | | | |
| Warehouse | 272,495 | 143 | 113 |
| Retail | 27,115 | 51 | 203 |
| Subtotal | 299,610 | 194 | 316 |
| Net Increase from Existing | +149,805 | +117 | +249 |

The Subject Applications are within the Derwood Policy area. A traffic study was submitted to satisfy the LATR test because the “total” number of site-generated peak-hour trips is 30 or more. Based on the traffic study results, the capacity/Critical Lane Volume (CLV) values at the studied two intersections. The results are shown in the Table 3.1 and Table 3.2 below.

1. Existing: The traffic condition as it currently now.
2. Background: The existing condition plus the trips generated from approved but unbuilt nearby developments and the concurrent LMA H-114 at 851 & 861 Gude Drive.
3. Total: The background condition plus the additional site-generated trips based on proposed change in commercial land uses.

Table 3A: CLV (H-113)

| Studied Intersections H-113 | Traffic Condition | | | | | |
|-------------------------------------|-------------------|-------|------------|-------|--------------|--------------|
| | Existing | | Background | | Total | |
| | AM | PM | AM | PM | AM | PM |
| Dover Road & Site Access | 348 | 422 | 363 | 440 | 364 | 444 |
| Calhoun Drive & East Gude Drive | 892 | 1,016 | 897 | 1,030 | 905 | 1,053 |
| East Gude Drive & Display Court | 1,019 | 1,010 | 1,027 | 1,029 | 1,038 | 1,062 |
| East Gude Drive & Site North Access | 1,010 | 1,002 | 1,018 | 1,022 | 1,053 | 1,132 |
| East Gude Drive & Site South Access | 996 | 971 | 1,004 | 991 | 1,010 | 1,013 |
| East Gude Drive & Dover Road | 1,004 | 1,152 | 1,007 | 1,167 | 1,042 | 1,231 |
| East Gude Drive & Southlawn Drive | 1,029 | 1,131 | 1,037 | 1,137 | 1,046 | 1,168 |

Table 3.2: CLV (H-114)

| Studied Intersections H-114 | Traffic Condition | | | | | |
|---------------------------------------|-------------------|-------|------------|-------|--------------|--------------|
| | Existing | | Background | | Total | |
| | AM | PM | AM | PM | AM | PM |
| Dover Road & Site Access | 353 | 430 | 369 | 452 | 383 | 474 |
| Calhoun Drive & East Gude Drive | 893 | 1,016 | 906 | 1,053 | 913 | 1,080 |
| East Gude Drive & Display Court | 1,017 | 1,010 | 1,036 | 1,062 | 1,046 | 1,101 |
| East Gude Drive & Site North Access | 1,008 | 1,003 | 1,051 | 1,132 | 1,061 | 1,172 |
| East Gude Drive & Site South Access | 987 | 976 | 1,001 | 1,017 | 1,032 | 1,037 |
| East Gude Drive & Dover Road | 1,012 | 1,154 | 1,050 | 1,223 | 1,064 | 1,257 |
| East Gude Drive & Southlawn Drive | 1,037 | 1,131 | 1,055 | 1,168 | 1,074 | 1,193 |

As indicated in the table above, the calculated CLV values do not exceed the CLV standard of 1,475 for the Derwood Policy Area, and, thus, the LATR test is satisfied. (Also see Attachment C: Transportation Comments).

Transportation Policy Area Review (TPAR)

The Applicant must satisfy the Policy Area Review test by paying the TPAR equal 25% of Department of Permitting Services’ transportation/development impact tax located in the Derwood Policy Area that is inadequate under the transit test. Payments are paid to DPS at the time of building permit.

Transportation Issues to be addressed at Preliminary Plan and Site Plan reviews

1. The Application must be limited to:
 - LMA H-113: 259,385 square feet of warehouse use and 33,871 square feet of general retail use
 - LMA H-114: 272,495 square feet of warehouse use and 27,115 square feet of general retail use
2. The Application must satisfy the transportation APF - Policy Area Review test by paying the Transportation Policy Area Review (TPAR) equal to 25% of the transportation/development impact tax to the Montgomery County Department of Permitting Services (DPS) at the time of building permit.
3. The Applicant’s plans must reflect the Montgomery County Department of Transportation’s (MCDOT) most recent Capital Improvements Program (CIP) Project, No. P501309, East Gude Drive Roadway Improvements, to improve East Gude Drive from Crabbs Branch way to Southlawn Lane.
4. The Application must provide lead-in sidewalks from East Gude Drive and Dover Road.
5. The Application must provide the required number of public Inverted-U bike racks located near the main entrances and private bike lockers for employees near their building entrance.

E. Environment

H-113, Lots 3 and 4

This site is located in the Middle Rock Creek watershed, a Use IV Stream. This is not a special protection area. According to the NRI/FSD (420030630), no forest or other sensitive areas exist on site. However, it appears that a stream used to bisect the property. Prior to the existing development this stream was placed in a 96-inch storm drain. The storm drain obscures a 50-foot wide, 100-year flood plain as it runs between the existing buildings. Also, it appears that some forest has grown within the stormwater management easement area since the approval of the NRI/FSD.

Forest Conservation Plan #SC2003002 was approved for this site on December 6, 2002. No forest was disturbed by the proposed development. However, there was a 1.68-acre forest mitigation requirement. This requirement was met by on site landscaping. In addition, a large area planted with shade trees was to be protected by a Category II Conservation Easement. It appears that the plantings were done as required, however the easement was never recorded.

Since there is no land use disturbance taking place as part of this application, a revision to the Forest Conservation Plan is not required. However, should a preliminary plan review for this property be necessary to increase allowed square footage, the requirements to meet the conditions of the original Forest Conservation Plan will be required.

The current development is served by two on-site stormwater management facilities. It also makes use of the public storm drain that serves the Gude Drive right-of-way. The outfall for this site's drainage is located at the northeast property boundary.

This site is served by public water and sewer.

H-114, Part of Parcel E and Parcel F

This site is located in the Middle Rock Creek watershed, a Use IV Stream. This is not a special protection area. No NRI/FSD has been done on this site. However, an exemption (41998061E) from the forest conservation requirements was granted on September 24, 1997 under the grandfathering provision A ponded stream with an associated stream valley buffer extends onto the southwest portion of the property, where it then enters a large storm drain that traverses the southeast side of the property along Dover Road. This undergrounded stream, which is now a storm drain, is within a 50-foot to 70-foot wide floodplain.

The existing development took place under an exemption (41998061E) from the forest conservation requirements on September 24, 1997 under the grandfathering provision. If the Subject Application is approved, the applicant will have to comply with the Forest Conservation Ordinance which may include a continuation of their exemption.

Runoff along the south of Parcel F and the east of Part of Parcel E drains into Dover Road Regional Stormwater Management Facility, which is owned and maintained by the City of Rockville. This pond discharges into the storm-drain facility that contains the undergrounded stream. Runoff from the west side of Part of Parcel E is conveyed directly to the same storm-drain facility.

This site is served by public water and sewer.

Issues to be addressed at Preliminary Plan and Site Plan reviews

A preliminary plan application for H-113, Lot 3 and Lot 4 must include the requirement to meet conditions of original Forest Conservation Plan.

VI. REQUIRED FINDINGS

1. Section 5.1.2. Intent Statement

A. Implement comprehensive planning objectives by:

1. **Furthering the goals of the general plan, applicable master plan, and functional master plan;**
2. **Ensuring that the proposed uses are in balance with and supported by the existing and planned infrastructure in the general plan, applicable master plan, functional master plan staging, and applicable public facilities requirements; and**
3. **Allowing design flexibility to integrate development into circulation networks, land use patterns, and natural features within and connected to the property**

The requested reclassification of the IMF Zone substantially complies with the 2004 Upper Rock Creek Area Master Plan goals, which encourages the continuation of *“commercial and industrial land uses in the Upper Rock Creek watershed in appropriate locations and at manageable densities”* (p.13). The proposed rezoning is consistent with the Master’s plan’s objective and recommendation to retain the existing industrial zoning in the Planning area (p.13).

The Subject Applications, are located in an area specifically recommended for industrial uses. Although the properties were zoned I-2 (Heavy Industrial), they were developed for the purposes of housing and operating uses with light industrial nature. The Applicant intends to retain the industrial nature of the properties as recommended by the Master Plan. The subject Applications propose for a more flexible industrial zone, that is consistent with the nature of the current uses and the character of surrounding area.

It is also worth noting that the 2004 upper Rock Creek Master Plan supported the rezoning of a nearby property (H&S Leasing), which is located southeast of the Property across Dover road, to a lighter industrial zone in part because *“redevelopment in the I-2 Zone is likely to be incompatible with surrounding uses.”* (p 34). This rationale is similarly applicable to the Subject Properties. Many of the uses in the immediate area are light industrial in nature. The requested IMF reclassification of the Subject Properties, which are already developed and operated with light industrial uses, would be more

appropriate and practical than redeveloping them with a heavy industrial uses under the existing IH zoning.

B. Encourage the appropriate use of land by:

- 1. Providing flexible applicability to respond to changing economic, demographic, and planning trends that occur between comprehensive District or Sectional Map Amendments;**
- 2. Allowing various uses, building types, and densities as determined by a property's size and base zone to serve a diverse and evolving population; and**
- 3. Ensuring that development satisfies basic sustainability requirements including:**
 - a. locational criteria,**
 - b. connections to circulation networks,**
 - c. density and use limitations,**
 - d. open space standards, and**
 - e. environmental protection and mitigation**

Placing a floating zone on the Subject Properties would promote the intent of the IMF Zone by allowing flexibility in responding to changing economic, demographic, and planning trends. The Applicant believes that it will be able to respond to the market demands by obtaining a zoning designation that allows for more permitted uses than the existing IH zone allows. The IMF zone allows for 36 more uses than the IH zone, but only excludes four permitted uses under the IH zone.

In addition, this part of the county has evolved into a largely light industrial area, with activities like those on the subject properties--warehousing, printing, auto services—prominently featured. The 2004 Plan recognized this evolution, although it left existing zones in place. The creation of Industrial Floating Zones, which were not available under the previous Zoning Ordinance, allows landowners to respond to the realities of market demands and the physical characteristics of the neighborhood.

The proposed density is appropriate for the size of the lot and the character of the neighborhood. Application of the IMF zone to the Properties will increase the diversity of uses and will better serve the needs of the population. The proposal will have no negative impact upon any nearby residential neighborhood or commercial activities, as the properties are surrounded with industrial uses similar in nature to the existing uses on the subject property.

The Proposed Development would provide safe and convenient roadways, and internal circulation systems including sidewalks and pathways. Staff's analysis of the Applicant's traffic report reveals that the existing network has the capacity to support the proposed development. As indicated in the table under the transportation analysis section above, the calculated CLV values do not exceed the CLV standard for the Derwood Policy Area, and, that the Local Area Transportation Review (LATR) test is satisfied. Moreover, the Floating Zone plan provides for ample open space, and the site is generally in conformance with all applicable environmental laws. No new infrastructure is needed to

accommodate the use. Thus, the proposal meets the basic sustainability requirement by not imposing a burden on the existing facilities and the environment.

Figure 6: Existing Improvements (LMA H-113 & LMA H-114)



C. Ensure protection of established neighborhoods by:

- 1. Establishing compatible relationships between new development and existing neighborhoods through limits on applicability, density, and uses;**
- 2. Providing development standards and general compatibility standards to protect the character of adjacent neighborhoods; and**
- 3. Allowing design flexibility to provide mitigation of any negative impacts found to be caused by the new use**

The proposed Floating Zone Plan meets the development standards of the IMF Zone. Since the site is already developed and no new structures are proposed, the character of the neighborhood will not be impacted.

The Applicant indicated that the proposed IMF zoning would enable the establishment to respond to the market demands with a zoning designation that allows more uses than the existing IH Zone allows. Under the 2014 Zoning Code (new code) the IMF zone allows for 16 more uses than the IH Zone, but only excludes five uses. Two of the five would be prohibited per Section 59-3.6, Industrial Uses. The remaining three would be permitted as *Limited Uses in the IMF Zone*. The Properties cannot be used for Mining and Excavation because the use was not recommended for this site in the Master Plan, the site was not being used for either uses prior to 1958, and the properties are not large enough to accommodate required setbacks while avoiding the stream valley buffer, and leave a reasonable useable area for such uses.

A waste-related use is not feasible because of applicable setbacks, and the presence of a stream valley buffer on-site. Thus, the proposed rezoning would only exclude two uses –Heavy manufacturing and Production and Mining and Excavation. Moreover, under the current zone, a self-storage facility is prohibited in the IH Zone while it is a permitted use in the IM/IMF Zones.

The proposed/existing development is and will continue to be compatible with the surrounding area. The adjacent properties as well as properties in the surrounding area are improved with developments similar to those of the existing and proposed uses on the Subject Properties. The proposed modification or increase in density will be contained within the existing footprints of buildings and improvements and will be in keeping with the light industrial character of this part of East Gude Drive. The area contains light industrial uses on both IM and IH zoned properties as well as heavy industrial uses established on IH zoned properties. The proposed rezoning would not have a negative impact on existing or future development of the surrounding area and it would blend well with the existing character of the industrial neighborhood.

2. Section 5.1.3. Applicability

- A. A Floating zone must not be approved for property that is in an Agriculture or Rural Residential zone.**

Not Applicable.

- B. If a Floating zone is recommended in a master plan, there are no prerequisites for an application.**

This Floating Zone is not recommended in the Upper Rock Creek Master Plan.

- C. If a Floating zone is not recommended in a master plan, the following apply:**

- 1. The maximum allowed density is based on the base zone and on the size of the tract as stated in Division 5.2 through Division 5.5**

See finding below.

3. Section 5.5.5. Development Standards

Table 5: Standard Method Development Standards

| | REQUIRED | | PROPOSED | |
|--|--|--|---------------------------|---------------------------|
| | IM ZONE | IMF ZONE | H-113 | H-114 |
| 1. Site | | | | |
| Open Space (min) Amenity Open Space >10,000 SF | SECT. 4.8.3.A(1) 10% or 48,852 SF | SECT. 5.5.5.D(2) 10% or 48,852 SF | 29%, 142,616 SF | 20%, 125,540 SF |
| 2. Lot and Density Density, FAR | SECT. 4.8.3.A(2) 0.25 to 2.50 FAR or MAX 1,221,302 SF | SECT. 5.5.5.A(2) 0.25 to 3.00 FAR or MAX 1,465,563 SF | 0.60 FAR or 293,256 SF | 0.49 FAR or 299,610 SF |
| 3. Placement: Principal Building & Accessory Structure Setbacks (min) | SECT. 4.8.3.A(3) | SECT. 5.5.5.B(2) | | |
| • Front setback | 10 Ft. | Established by floating zone plan | 71 Ft. | 81 ft |
| • Side street setback | 10 Ft. | | n/a | 32 ft |
| • Side setback abutting Industrial Zone | 0 Ft. | | 70 ft. | 20 ft |
| • Rear Setback abutting Industrial Zone | 0 Ft. | | 65 ft. | 30 ft |
| • Rear setback, Alley | 0 Ft. | | n/a | n/a |
| Parking Setbacks for Surface Parking Lots - 10 or more spaces | SECT. 6.2.9.C(3)(b) | SECT. 5.5.5.B(2) | | |
| Front setback | 6 | Established by | 17 Ft. | 22 ft |
| Side street setback | 0 | floating zone | n/a | 25 ft |
| Side setback | 0 | plan | 17 Ft. | 4 ft |
| Rear setback | 0 | | 17 Ft. | 14 ft |
| Rear setback, alley | 0 | | n/a | n/a |
| Parking Lot Tree canopy ¹ | 25% or 49,453 SF | 25% or 49,453 SF | 3.3 % or 26,273 SF* | 3.4% or 11,490 SF* |
| Parking Lot Landscaped Areas | 5% or 9,891 SF | 5% or 9,891 SF | 5.4 % or 10,766 SF | 9.1% or 30,811 SF |
| Height (max) | SECT. 4.8.3.A(4) | SECT. 5.5.5.B(2) | | |
| Principal Building | Mapped and sec 4.1.8.b | Mapped and sec 4.1.8.b | 70 ft. | 70 ft |
| Accessory structure | Mapped and sec 4.1.8.b | Mapped and sec 4.1.8.b. | N/A Ft. | N/A ft |
| Form | SECT. 4.8.3.A(5) | SECT. 5.5.4.A | | |
| Gallery/Awning | Allowed | Allowed | n/a | n/a |
| Porch/Stoop | Allowed | Allowed | n/a | n/a |
| Balcony | Allowed | Allowed | n/a | n/a |
| Open Space Landscaping and Outdoor Lighting - Amenity Open Space | SECT.6.3.8.A | SECT. 5.5.5.B(2) | | |
| Permeable area (min) | 10% or 48,852 SF | 10% or 48,852 SF | 26% or 130,470 SF | 21% or 126,661 SF |
| Tree Canopy (min) | 10% or 48,852 SF | 10% or 48,852 SF | 16% or 80,780 SF | 13% or 79,767 SF |

¹ Existing conditions grandfathered pursuant to Section 59.7.7.1

4. Section 7.2.1.E. Necessary Findings

1. **A Floating zone application that satisfies Article 59-5 may not be sufficient to require approval of the application.**

The Application satisfies the requirements of Article 59-5 and is sufficient to recommend approval of the proposed zone change from IH to IMF.

2. **For a Floating Zone application, the District Council must find that the floating zone plan will:**

- a. **substantially conform with the recommendations of the applicable master plan, general plan, and other applicable County plans.**

As noted in previous sections of this report, the proposal conforms to the recommendation, goals, intent and objectives of *the 2004 Upper Rock Creek Master Plan*.

- b. **further the public interest.**

The Project will further the public interest by ensuring provision of long established uses and services in a manner that is compatible with the existing and future developments in the surrounding area while maintaining the preservation of environmental resources.

- c. **satisfy the intent, purposes, and standards of the proposed zone and requirements of Chapter 59.**

The proposed Floating Zone Plans for LMA H-113 and LMA H-114 satisfy the intent, purposes and standards of the IM Zone, as stated under previous sections of this report.

- d. **be compatible with existing and approved adjacent development.**

The proposed Floating Zone Plan is compatible with its surrounding conditions. There are no residentially developed properties within a 2,000 radius of the subject properties. The properties are surrounded by various light and heavy industrial uses. Moreover, the rezoning request proposes to maintain the existing uses on the properties which are already in harmony with the character of the surrounding area. Any future modification and increase in density would be contained within the existing building foot prints and established building height limits of the zone and limits set under future site plan reviews. The existing developments on the property and any future increase in density are and will be compatible with adjacent developments in terms design, height, massing, and building materials.

- e. generates traffic that does not exceed the critical lane volume or volume/capacity ratio standard as applicable under the Planning Board’s LATR Guidelines, or, if traffic exceeds the applicable standard, that the applicant demonstrates an ability to mitigate such adverse impacts.**

As noted in the transportation section of this report, the Applicant submitted a traffic study to satisfy the LATR test because the “total” number of site-generated peak-hour trips is 30 or more. Based on the traffic study results, staff finds that the capacity/Critical Lane Volume (CLV) values at the studied intersections do not exceed the CLV standard of 1,475 for the Derwood Policy Area, and, thus, the LATR test is satisfied.

- f. when applying a nonresidential floating zone to a property previously under a residential detached zone, not adversely affect the character of the surrounding neighborhood.**

Not Applicable.

Attachments

- A. Plans and graphics
- B. Transportation Comments
- C. Supplemental Information

LMA/H-113&114-/et/082616

PLANS AND GRAPHICS

Attachment-A



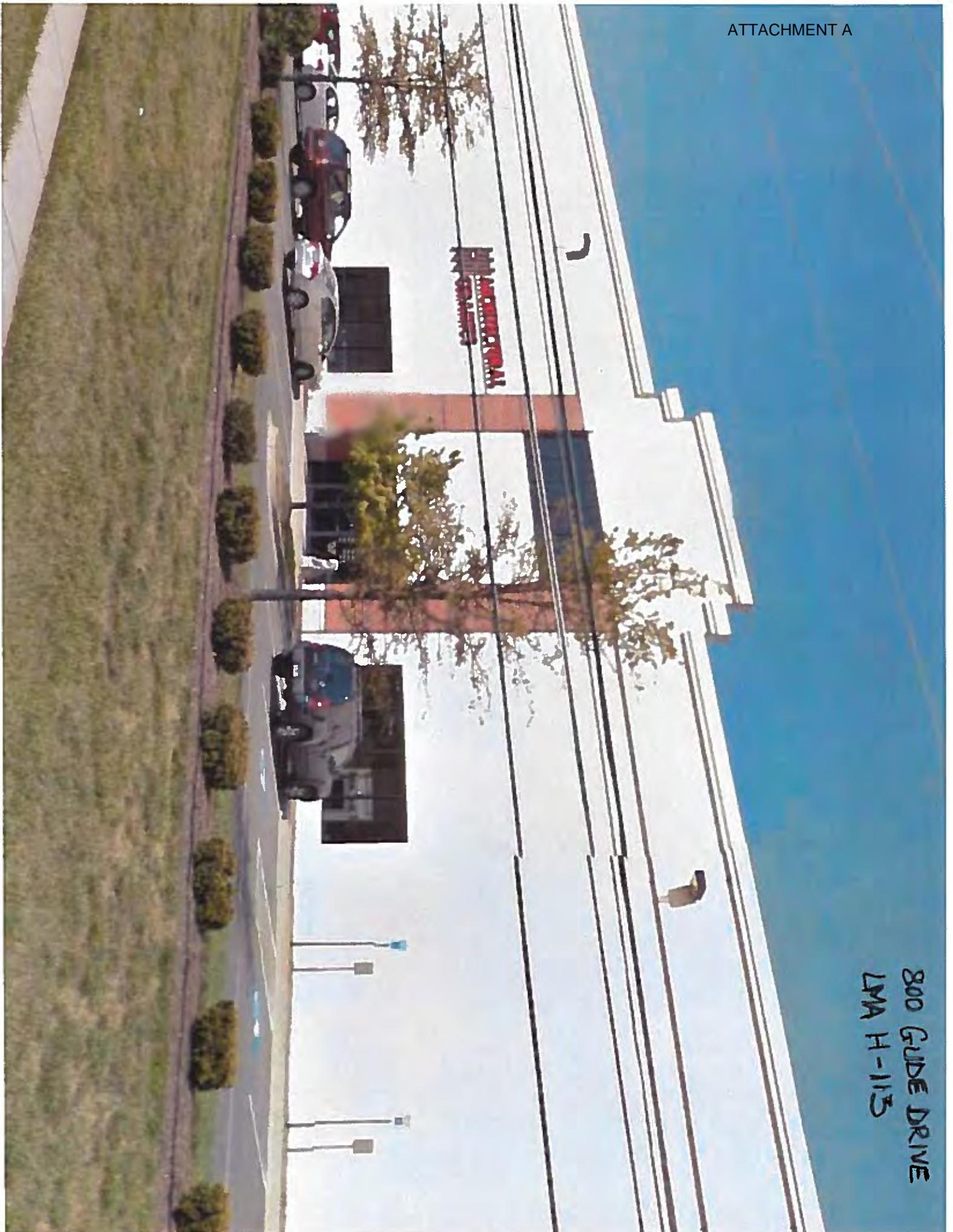


LMA H-113

AERIAL EXHIBIT
LOTS 3 & 4
COTLER INDUSTRIAL PARK
PLAT No. 22432
 4TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

MHG Manoli, Haniotakis & Glascock, P.A.
 Engineers & Surveyors
 Landscaping Architects & Surveyors
 20000 W. 11th Street, Suite 100
 Columbia, MD 21046
 Phone: 410-279-1100
 Fax: 410-279-1101
 Email: info@mhgpa.com

| | |
|--------------|----------|
| Prep. By: | Designer |
| Drawn By: | Checker |
| Checked By: | Reviewer |
| Project No.: | 15407 |
| Scale: | As Shown |
| Date: | 11/11/11 |



800 GULDE DRIVE
LMA H-115



850 GULDE DRIVE
LMA H-113

PAULSON

073



LMA H-113

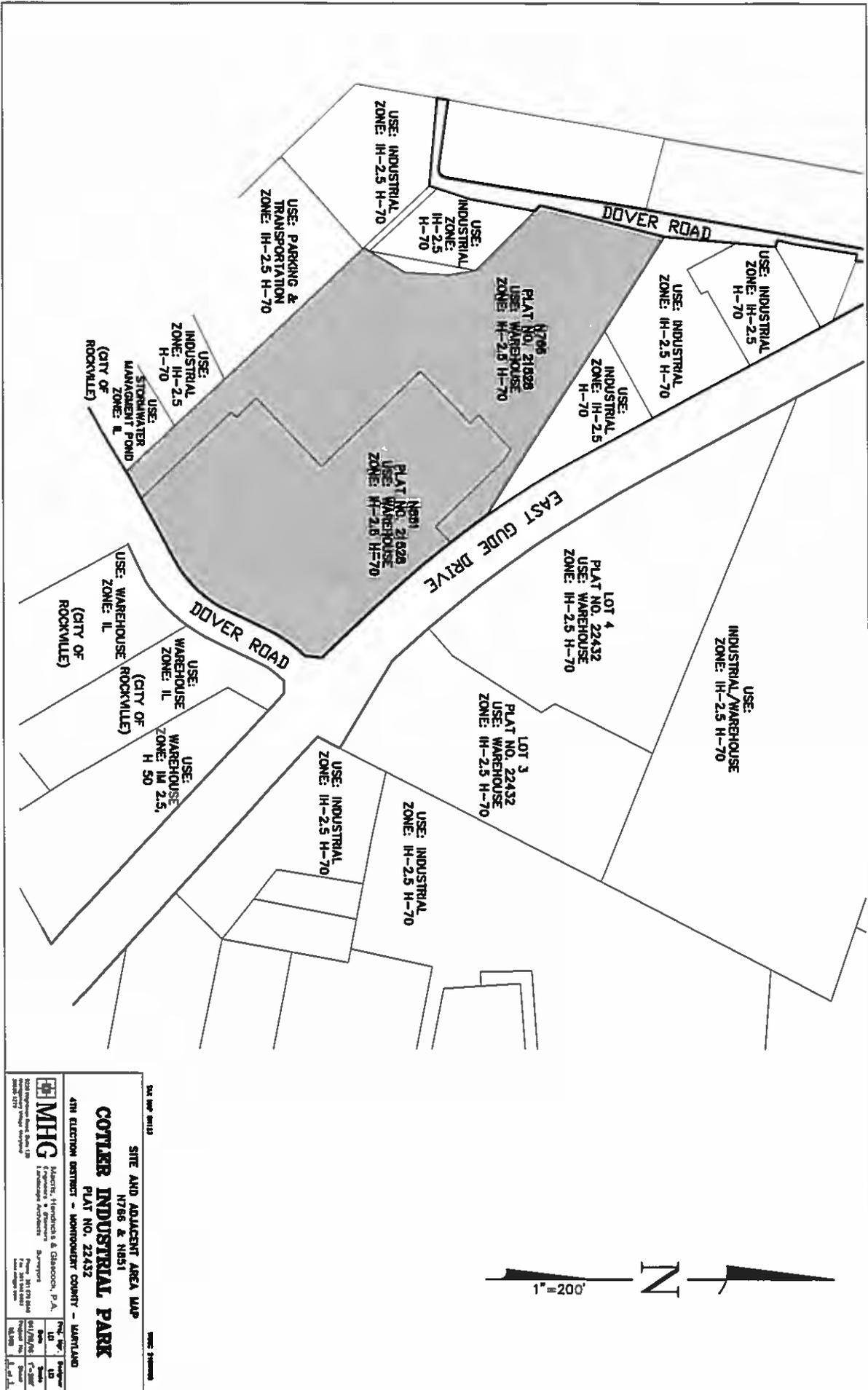
LMA H-114



LMA H - 114

ATTACHMENT A





LMA H-114

SITE AND ADJACENT AREA MAP
 N766 & N851
COTLER INDUSTRIAL PARK
 PLAT NO. 22432
 4TH ELECTION DISTRICT - MONROGUE COUNTY - MARYLAND

MHG Architects, Planners & Engineers
 10000 Rockville Pike, Suite 100
 Rockville, MD 20850
 Phone: 301.984.8800
 Fax: 301.984.8801
 www.mhg.com

| | | | |
|--------------|-----------|----------|------------------------|
| DATE | 10/1/11 | BY | ML |
| SCALE | 1" = 200' | PROJECT | COTLER INDUSTRIAL PARK |
| PROJECT NO. | 11-001 | CLIENT | MONROGUE COUNTY |
| DATE PLOTTED | 10/1/11 | DESIGNER | ML |
| DATE PRINTED | 10/1/11 | CHECKER | ML |
| DATE | 10/1/11 | APPROVER | ML |

Transportation Comments

Attachment-B





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

August 4, 2016

MEMORANDUM

TO: Elsabett Tesfaye, Planner Coordinator
Area 3 Division

VIA: Fred Boyd, Supervisor
Area 3 Division

FROM: Ed Axler, Transportation Planner Coordinator
Area 2 Division

SUBJECT: 800 & 850 Gude Drive
Limited Map Amendment No. H-113
Derwood Policy Area

This memorandum is transportation planning staff's Adequate Public Facilities (APF) review of the subject Limited Map Amendment (LMA) from IH (Industrial Heavy) zone to IMF (Moderately Industrial Floating) zone to increase the square footage of commercial land uses in the Cotler Industrial Park on the recorded Lot 3 (850 Gude Drive) & Lot 4 (800 Gude Drive).

RECOMMENDATIONS

Area 2 transportation planning staff recommends the following conditions related to the APF test of the transportation requirements for the subject Preliminary Plan and Site Plan:

1. The Applicant must be limited to 259,385 square feet of warehouse use and 33,871 square feet of general retail use.
2. The Applicant must satisfy the transportation APF - Policy Area Review test by paying the Transportation Policy Area Review (TPAR) equal to 25% of the transportation/development impact tax to the Montgomery County Department of Permitting Services (DPS) at the time of building permit.
3. The Applicant must work with the Montgomery County Department of Transportation's (MCDOT) regarding their Capital Improvements Program (CIP) Project, No. P501309, East Gude Drive Roadway Improvements, to improve East Gude Drive from Crabbs Branch way to Southlawn Lane.
4. The Applicant must provide lead-in sidewalks from East Gude Drive and Dover Road.
5. The Applicant must provide the required number of public inverted-U bike racks located near the main entrances and private bike lockers for employees near their building entrance.

DISCUSSION

Site Location and Vehicular Site Access Points

The site is located on the northeast corner of East Gude Drive and Dover Road with an access point from both roads.

Master-Planned Roadways and Bikeway

In accordance with the 2004 *Upper Rock Creek Area Master Plan* and the 2005 *Countywide Bikeways Functional Master Plan*, the designated roadways and bikeway are as follows:

1. East Gude Drive is recommended as a six-lane divided major highway, M-23, with a 120-foot wide right-of-way and shared use path, SP-51, on the southwest side.
2. Dover Road is recommended as two-lane industrial road, I-2, with a 70-foot wide right-of-way and no bike path.
3. Nearby Southlawn Lane is recommended as two-to-four lane industrial road, I-1, with a 70-foot wide right-of-way and no bike path.

Calhoun Drive and Display Court are not listed in the *Master Plan*. Calhoun Drive is a two-lane private street with a 35-foot wide paved travelway with its centerline traversing the property line between two different developments. Display Court is a two-lane private street with a 40-foot wide paved travelway entirely within one development.

On-Going Transportation Project

MCDOT Capital Improvements Program (CIP) Project No. P501309, East Gude Drive Roadway Improvements, is to improve East Gude Drive from Crabbs Branch way to Southlawn Lane. The improvements include the following:

- An additional westbound lane (800 linear feet) from Calhoun Drive to Crabbs Branch Way,
- An extension of the length of the eastbound taper east of Calhoun Drive (500 linear feet) to the west of Incinerator Lane,
- Providing an east-to-northbound left turn lane (300 linear feet) at Dover Road,
- Construction of the missing section of sidewalk on the north side of East Gude Drive from west of Incinerator Lane to the east of Calhoun Drive (550 linear feet), and
- Installation of six-foot wide sidewalk connections from each bus stop on the north side of East Gude Drive to the nearest intersection.

The CIP project being designed though FY 2018 and was to have construction funding in FY 2020 and 2021, but was put on hold in November 2015.

Public Transit Service

Ride-On route 59 operates along East Gude Drive between the Rockville Metrorail Station and the Montgomery Village Center with half hour headways on weekdays and weekends. A bus stop is located at the intersection of East Gude Drive and Dover Road.

Pedestrian and Bicycle Facilities

The adjacent pedestrian and bicycle facilities are as follows:

- A 7-foot wide shared use path on the southwest side of East Gude Drive.
- A 4-foot wide sidewalk with a 11-foot wide green panel on the northeast side of Gude Drive.
- A 7-foot wide shared use path on the northwest side of Dover Road on the southwest side on East Gude Drive.
- No sidewalk along the other segments of Dover Lane.
- At the East Gude Drive/Dover Road intersection, pedestrian handicap ramps on all legs and pedestrian crosswalks on all but the northeastern leg.

Prior Planning Board Action

Preliminary Plan No. 119883350, Day Property, was approved on April 12, 1990, for 124,800 square feet of general office space and 124,800 square feet of warehouse space.

Local Area Transportation Review (LATR)

The proposed change in commercial land uses would generate the following number peak-hour trips during the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.):

| Land Use | Square Feet | Weekday Peak-Hour | |
|----------------------------|-------------|-------------------|---------|
| | | Morning | Evening |
| Existing Land Uses | | | |
| Warehouse | 123,360 | 93 | 68 |
| Office | 23,268 | 32 | 52 |
| Subtotal | 146,628 | 125 | 120 |
| Proposed Land Uses | | | |
| Warehouse | 259,385 | 139 | 110 |
| Retail | 33,871 | 65 | 259 |
| Subtotal | 293,256 | 204 | 369 |
| Net Increase from Existing | +146,628 | +79 | +249 |

The Applicant is not required to submit a traffic study to satisfy the LATR test because the proposed change in land uses generate fewer than 30 total peak-hour trips within the weekday morning and evening peak periods.

A traffic study was submitted to satisfy the LATR test because the "total" number of site-generated peak-hour trips is 30 or more. Based on the traffic study results, the capacity/Critical Lane Volume (CLV) values at the studied intersections are shown in the table below for the following traffic conditions:

1. **Existing:** The traffic condition as it currently now.
2. **Background:** The existing condition plus the trips generated from approved but un-built nearby developments and the concurrent LMA H-114 at 851 & 861 Gude Drive.
3. **Total:** The background condition plus the additional site-generated trips based on proposed change in commercial land uses.

| Studied Intersection | Traffic Condition | | | | | |
|-------------------------------------|-------------------|-------|------------|-------|-------|-------|
| | Existing | | Background | | Total | |
| | AM | PM | AM | PM | AM | PM |
| Dover Road & Site Access | 348 | 422 | 363 | 440 | 364 | 444 |
| Calhoun Drive & East Gude Drive | 892 | 1,016 | 897 | 1,030 | 905 | 1,053 |
| East Gude Drive & Display Court | 1,019 | 1,010 | 1,027 | 1,029 | 1,038 | 1,062 |
| East Gude Drive & Site North Access | 1,010 | 1,002 | 1,018 | 1,022 | 1,053 | 1,132 |
| East Gude Drive & Site South Access | 996 | 971 | 1,004 | 991 | 1,010 | 1,013 |
| East Gude Drive & Dover Road | 1,004 | 1,152 | 1,007 | 1,167 | 1,042 | 1,231 |
| East Gude Drive & Southlawn Drive | 1,029 | 1,131 | 1,037 | 1,137 | 1,046 | 1,168 |

As indicated in the table above, the calculated CLV values do not exceed the CLV standard of 1,475 for the Derwood Policy Area, and, thus, the LATR test is satisfied.

Transportation Policy Area Review (TPAR)

The Applicant must satisfy the Policy Area Review test by paying the TPAR equal 25% of DPS's transportation/development impact tax located in the Derwood Policy Area that is inadequate under the transit test. With credit for the existing commercial land uses, the estimated impact tax would be as follows:

| Non-Residential Use | Current* Rate per Sq. Ft. | Square Footage | Development Impact Tax |
|---|---------------------------|-----------------|------------------------|
| Existing Land Uses | | | |
| Warehouse | \$6.35 | 123,360 | \$783,336.00 |
| Office | \$12.75 | 23,268 | \$296,667.00 |
| Subtotal | | 146,628 | \$1,080,003.00 |
| Proposed Land Uses | | | |
| Warehouse | \$6.35 | 259,385 | \$1,647,094.75 |
| Retail | \$11.40 | 33,871 | \$386,129.40 |
| Subtotal | | 293,256 | \$2,033,224.15 |
| Net Increase from Existing to Proposed Land Uses | | +146,628 | \$953,221.15 |
| Estimated TPAR Mitigation Payment of 25% | | | \$238,305.29 |

*Development Impact tax for Transportation Improvements rates valid through June 30, 2017.

This payment is paid to DPS at the time of building permit. As indicated with the asterisk, the estimated TPAR mitigation payment is based on the current rates and is subject to change for building permits released after June 30, 2017.

EA

mmo to Tesfaye re 800-850 Gude Dr H-113.doc



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

August 4, 2016

MEMORANDUM

TO: Elsabett Tesfaye, Planner Coordinator
Area 3 Division

VIA: Fred Boyd, Supervisor
Area 3 Division

FROM: Ed Axler, Transportation Planner Coordinator
Area 2 Division

SUBJECT: 851 & 861 Gude Drive
Limited Map Amendment No. H-114
Derwood Policy Area

This memorandum is transportation planning staff's Adequate Public Facilities (APF) review of the subject Limited Map Amendment (LMA) from IH (Industrial Heavy) zone to IMF (Moderately Industrial Floating) zone to increase the square footage of commercial land uses on the recorded Part of Parcels E and Parcel F, Ensor Property.

RECOMMENDATIONS

Area 2 transportation planning staff recommends the following conditions related to the APF test of the transportation requirements for the subject Preliminary Plan and Site Plan:

1. The Applicant must be limited to approximately 272,495 square feet of warehouse use and 27,115 square feet of general retail use.
2. The Applicant must satisfy the transportation APF - Policy Area Review test by paying the Transportation Policy Area Review (TPAR) equal to 25% of the transportation/development impact tax to the Montgomery County Department of Permitting Services (DPS) at the time of building permit.
3. The Applicant must work with the Montgomery County Department of Transportation's (MCDOT) regarding their Capital Improvements Program (CIP) Project, No. P501309, East Gude Drive Roadway Improvements, to improve East Gude Drive from Crabbs Branch way to Southlawn Lane.
4. The Applicant must provide lead-in sidewalks from East Gude Drive and Dover Road.
5. The Applicant must provide the required number of public inverted-U bike racks located near the main entrances and private bike lockers for employees near their building entrance.

DISCUSSION

Site Location and Vehicular Site Access Points

The site is located on the northeast corner of East Gude Drive and Dover Road with an access point from both roads.

Master-Planned Roadways and Bikeway

In accordance with the 2004 *Upper Rock Creek Area Master Plan* and the 2005 *Countywide Bikeways Functional Master Plan*, the designated roadways and bikeway are as follows:

1. East Gude Drive is recommended as a six-lane divided major highway, M-23, with a 120-foot wide right-of-way and shared use path, SP-51, on the southwest side.
2. Dover Road is recommended as two-lane industrial road, I-2, with a 70-foot wide right-of-way and no bike path.
3. Nearby Southlawn Lane is recommended as two-to-four lane industrial road, I-1, with a 70-foot wide right-of-way and no bike path.

Calhoun Drive and Display Court are not listed in the *Master Plan*. Calhoun Drive is a two-lane private street with a 35-foot wide paved travelway with its centerline traversing the property line between two different developments. Display Court is a two-lane private street with a 40-foot wide paved travelway entirely within one development.

On-Going Transportation Project

MCDOT Capital Improvements Program (CIP) Project No. P501309, East Gude Drive Roadway Improvements, is to improve East Gude Drive from Crabbs Branch way to Southlawn Lane. The improvements include the following:

- An additional westbound lane (800 linear feet) from Calhoun Drive to Crabbs Branch Way,
- An extension of the length of the eastbound taper east of Calhoun Drive (500 linear feet) to the west of Incinerator Lane,
- Providing an east-to-northbound left turn lane (300 linear feet) at Dover Road,
- Construction of the missing section of sidewalk on the north side of East Gude Drive from west of Incinerator Lane to the east of Calhoun Drive (550 linear feet), and
- Installation of six-foot wide sidewalk connections from each bus stop on the north side of East Gude Drive to the nearest intersection.

The CIP project being designed though FY 2018 and was to have construction funding in FY 2020 and 2021, but was put on hold in November 2015.

Public Transit Service

Ride-On route 59 operates along East Gude Drive between the Rockville Metrorail Station and the Montgomery Village Center with half hour headways on weekdays and weekends. A bus stop is located at the intersection of East Gude Drive and Dover Road.

Pedestrian and Bicycle Facilities

The adjacent pedestrian and bicycle facilities are as follows:

- A 7-foot wide shared use path on the southwest side of East Gude Drive.
- A 4-foot wide sidewalk with a 11-foot wide green panel on the northeast side of Gude Drive.
- A 7-foot wide shared use path on the northwest side of Dover Road on the southwest side on East Gude Drive.
- No sidewalk along the other segments of Dover Lane.
- At the East Gude Drive/Dover Road intersection, pedestrian handicap ramps on all legs and pedestrian crosswalks on all but the northeastern leg.

Prior Planning Board Action

Preliminary Plan No. 19841490, Gude Industrial, was approved on November 13, 1984, for 200,000 square feet of Industrial space.

Local Area Transportation Review (LATR)

The proposed change in commercial land uses would generate the following number peak-hour trips during the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.):

| Land Use | Square Feet | Weekday Peak-Hour | |
|----------------------------|-------------|-------------------|---------|
| | | Morning | Evening |
| Existing Land Uses | | | |
| (Gude) Self Storage | 84,800 | 12 | 22 |
| Warehouse | 65,005 | 65 | 45 |
| Subtotal | 149,805 | 77 | 67 |
| Proposed Land Uses | | | |
| Warehouse | 272,495 | 143 | 113 |
| Retail | 27,115 | 51 | 203 |
| Subtotal | 299,610 | 194 | 316 |
| Net Increase from Existing | +149,805 | +117 | +249 |

The Applicant is not required to submit a traffic study to satisfy the LATR test because the proposed change in land uses generate fewer than 30 total peak-hour trips within the weekday morning and evening peak periods.

A traffic study was submitted to satisfy the LATR test because the "total" number of site-generated peak-hour trips is 30 or more. Based on the traffic study results, the capacity/Critical Lane Volume (CLV) values at the studied intersections are shown in the table below for the following traffic conditions:

1. **Existing:** The traffic condition as it currently now.
2. **Background:** The existing condition plus the trips generated from approved but un-built nearby developments and the concurrent LMA H-113 at 800 & 850 Gude Drive.
3. **Total:** The background condition plus the additional site-generated trips based on proposed change in commercial land uses.

| Studied Intersection | Traffic Condition | | | | | |
|-------------------------------------|-------------------|-------|------------|-------|-------|-------|
| | Existing | | Background | | Total | |
| | AM | PM | AM | PM | AM | PM |
| Dover Road & Site Access | 353 | 430 | 369 | 452 | 383 | 474 |
| Calhoun Drive & East Gude Drive | 893 | 1,016 | 906 | 1,053 | 913 | 1,080 |
| East Gude Drive & Display Court | 1,017 | 1,010 | 1,036 | 1,062 | 1,046 | 1,101 |
| East Gude Drive & Site North Access | 1,008 | 1,003 | 1,051 | 1,132 | 1,061 | 1,172 |
| East Gude Drive & Site South Access | 987 | 976 | 1,001 | 1,017 | 1,032 | 1,037 |
| East Gude Drive & Dover Road | 1,012 | 1,154 | 1,050 | 1,223 | 1,064 | 1,257 |
| East Gude Drive & Southlawn Drive | 1,037 | 1,131 | 1,055 | 1,168 | 1,074 | 1,193 |

As indicated in the table above, the calculated CLV values do not exceed the CLV standard of 1,475 for the Derwood Policy Area, and, thus, the LATR test is satisfied.

Transportation Policy Area Review (TPAR)

The Applicant must satisfy the Policy Area Review test by paying the TPAR equal 25% of DPS's transportation/development impact tax located in the Derwood Policy Area that is inadequate under the transit test. With credit for the existing commercial land uses, the estimated impact tax would be as follows:

| Non-Residential Use | Current* Rate per Sq. Ft. | Square Footage | Development Impact Tax |
|--|---------------------------|----------------|------------------------|
| Existing Land Uses | | | |
| Self Storage | \$6.35 | 84,800 | \$538,480.00 |
| Warehouse | \$6.35 | 65,005 | \$412,781.75 |
| Subtotal | | 149,805 | \$951,261.75 |
| Proposed Land Uses | | | |
| Warehouse | \$6.35 | 272,495 | \$1,730,343.25 |
| Retail | \$11.40 | 27,114 | \$309,099.60 |
| Subtotal | | 293,256 | \$2,039,442.85 |
| Net Increase from Existing to Proposed Land Uses | | +149,805 | \$1,088,181.10 |
| Estimated TPAR Mitigation Payment of 25% | | | \$272,045.28 |

*Development Impact tax for Transportation Improvements rates valid through June 30, 2017.

This payment is paid to DPS at the time of building permit. As indicated with the asterisk, the estimated TPAR mitigation payment is based on the current rates and is subject to change for building permits released after June 30, 2017.

EA

Supplemental Information

Attachment-C

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Action: Approved Staff Recommendation with Modifications,
(Motion of Comm. Keeney, seconded by Comm. Hewitt, with a
vote of 5-0; Commissioners Keeney, Hewitt, Bauman, Henry
and Floreen voting in favor).

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-88335
NAME OF PLAN: DAY PROPERTY

On 12-27-88, W.T. WHEELER C/O MR. DAY, submitted an application for the approval of a preliminary plan of subdivision of property in the I2 zone. The application proposed to create 1 lots on 11.19 ACRES of land. The application was designated Preliminary Plan 1-88335. On 04-12-90, Preliminary Plan 1-88335 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-88335 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-88335, subject to the following conditions:

1. Agreement with Planning Board limiting development to 124,800 square foot office and 124,800 square foot warehouse and participate in the necessary road improvements as outlined in Transportation Division memo of 2/27/90. Agreement shall stipulate applicant shall not request nor receive any building permits until initiation of road improvements has been verified
2. Conditions of DEP stormwater management concept dated 1/17/89
3. Dedication of Gude Drive for 120' right-of-way
4. Necessary easements

Date of Mailing: April 16, 1990

LMA H-114

119841490

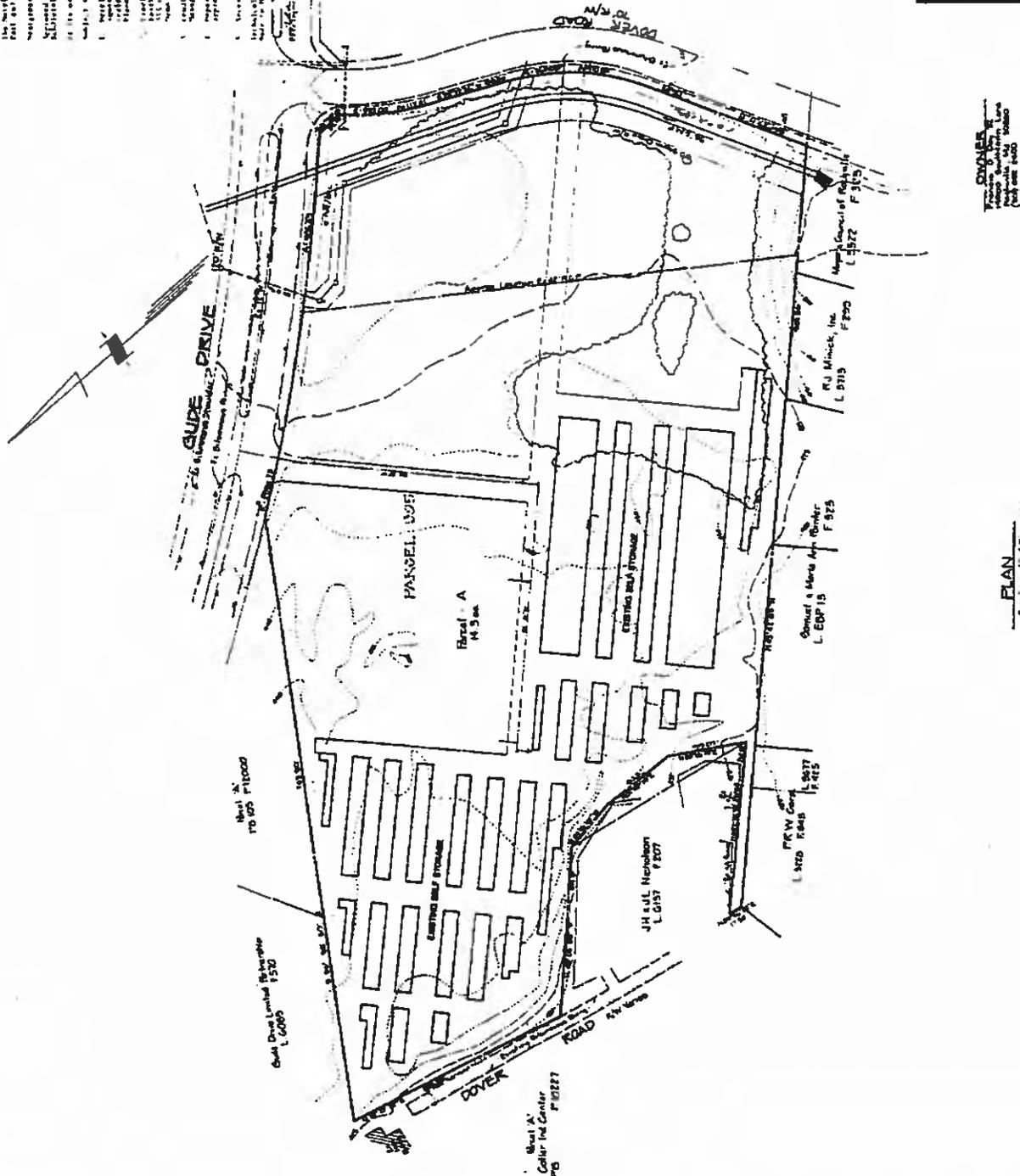
Approved 12/13/1984



VIGNETTE MAP

- 1. The vertical alignment is based on the existing ground surface.
- 2. The proposed roadway is based on the existing ground surface.
- 3. The proposed roadway is based on the existing ground surface.
- 4. The proposed roadway is based on the existing ground surface.
- 5. The proposed roadway is based on the existing ground surface.
- 6. The proposed roadway is based on the existing ground surface.
- 7. The proposed roadway is based on the existing ground surface.
- 8. The proposed roadway is based on the existing ground surface.
- 9. The proposed roadway is based on the existing ground surface.
- 10. The proposed roadway is based on the existing ground surface.

- NOTES:
1. Surveying from field run survey by this office dated Dec. 1980
 2. Vertical datum was established from 1955 Benchmark at DTP 40400 and DTP 40409 as shown on W550 Contour N° 72, 68, 54, 52, 50, 48, 46, 44, 42, 40, 38, 36, 34, 32, 30, 28, 26, 24, 22, 20, 18, 16, 14, 12, 10, 8, 6, 4, 2, 0.
 3. All elevations are in feet above sea level.
 4. All horizontal distances are in feet.
 5. Stationing: Management Water requested.



TAX MAP - 66-941 *Montgomery County, Md. Code 20-4*
 PRELIMINARY SUBDIVISION PLAN
 PARCEL A
GUIDE INDUSTRIAL
 4th ELECTION DISTRICT
 MONTGOMERY COUNTY, MD

Meerie, Hendricks and Witmer P.A.
 Engineers-Surveyors
 1100 W. 10th St.
 (Baltimore, Md.)

OWNER
 Guide Industrial
 1100 W. 10th St.
 Baltimore, Md. 21204
 (410) 528-1400

PLAN
 Scale: 1"=60'