



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item #5
MCPB
10/31/02



MEMORANDUM

DATE:
TO: Montgomery County Planning Board
VIA: Joe R. Davis, Chief *JRD*
Michael Ma, Supervisor *Ma*
FROM: Wynn E. Witthans, RLA, AICP *WW*
Planning Department Staff
(301) 495-4584
Development Review Division
REVIEW TYPE: Site Plan Review
APPLYING FOR: Approval of 900,000 square feet of office use
PROJECT NAME: Churchill Town Sector Far North Village
CASE #: 8-02003
REVIEW BASIS: Sec. 59-D-3, M. C. Zoning Ordinance
ZONE: Town Sector
LOCATION: On Crystal Rock Drive, 1,600 feet north of Crystal Rock Drive and intersection of Kinster Drive
APPLICANT: North Village 270 Limited Partnership c/o Lerner Enterprises
FILING DATE: November 8, 2001
HEARING DATE: October 31, 2002

STAFF RECOMMENDATION: Approval of 900,000 square feet of office use with the following conditions to be met prior to the release of the first building permit:

Pedestrian Circulation

1. Submit a plan of the parking garage that clearly shows the pedestrian circulation within the garage and quality of the pedestrian spaces.
2. Add sidewalks to the easternmost garage driveway entrance.
3. Submit a plan showing the connections to the pedestrian bridge and the hours of operations and availability to public.

4. Increase pedestrian features along the frontage of the property to encourage pedestrian access from transit to buildings – provide detail planting and widened pedestrian connections.

Vehicular Circulation

5. Submit plan of parking garage showing the all aspects of the parking garage, ie space dimensions, circulation, lighting, etc. Lighting for the parking garages (interior and roof top) shall not create undue glare or off-site visibility in regards to residential development in the area.
6. The number of parking spaces to be reduced to conform to the Planning Board Interim Parking Guidelines of 4 spaces per 1,000 or 3,600 per full site build out.

Landscaping and Lighting

7. Additional landscaping for the parking areas for Buildings 5 and 6 to provide more depth and complete buffers.
8. No landscaping in the PUE, improve landscape screening to frontage of parking areas.
9. Lighting plan for entire project to conform to IESNA guidelines and to provide for minimal light trespass or glare, reduced levels after hours, light directed on site, adequate levels for pedestrian safety, etc.
10. Landscape plans to include additional planting for entry areas, pedestrian open space areas and screening as needed. Plans to include more shrubs, and seasonal or perennial accent areas. Any features (ie gazebos, fountains) within the open space will require more detailed schematic plans to indicate the nature of the feature – general building materials, dimensions, colors, etc.

Compatibility

11. Schematic architecture for buildings and parking garages to be submitted for review in conjunction with circulation, the pedestrian bridges and other elements.
12. Façade of parking garage to be detailed for compatibility to surroundings and impact on pedestrian environment.
13. The Planning Board or their designated representative shall review any changes to the building footprint.

Transportation Issues

14. Total development under this site plan application is limited to 900,000 square feet of office space.
15. The applicant shall participate in the County's future CIP project to construct the four-lane divided highway portion of Century Boulevard from its current terminus

near Father Hurley Boulevard to its intersection with future Dorsey Mill Road by allocating a portion of their impact taxes when paid to this project.

16. The applicant shall construct Crystal Rock Drive as a four-lane divided roadway from its current terminus to its intersection with future Dorsey Mill Road as shown on the site plan.
17. The applicant shall participate in constructing an acceleration lane on Father Hurley Boulevard to accommodate the movement from northbound Crystal Rock Drive to eastbound Father Hurley Boulevard.
18. The applicant shall participate in constructing an acceleration lane on Crystal Rock Drive to accommodate the movement from westbound Father Hurley Boulevard to northbound Crystal Rock Drive including reconstruction/ reconfiguration of the median and travel lanes on the northern leg of the intersection.

Signature Set Approval – Documents and Drawings

19. Submit a Site Plan Enforcement Agreement and Development Review Program for review and approval prior to approval of the signature set as follows:

Development Program to include a phasing schedule as follows:

- a. Landscaping associated with each parking garage; open space and building shall be completed as construction of each facility is completed.
 - b. Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
 - c. Clearing and grading to correspond to the construction phasing, to minimize soil erosion.
 - d. Coordination of each section of the development and roads.
 - e. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
20. Signature set of site, landscape/lighting, forest conservation and sediment and erosion Control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 - a. Limits of disturbance.
 - b. Methods and locations of tree protection.
 - c. Forest Conservation areas.
 - d. Conditions of DPS Stormwater Management Concept approval letter dated September 5, 2001.
 - e. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
 - f. The development program inspection schedule.

- g. Location of outfalls away from tree preservation areas.
21. No clearing or grading prior to M-NCPPC approval of signature set of plans.

ISSUES RESOLVED IN THE COURSE OF SITE PLAN REVIEW

The applicant is seeking approval of the site plan well in advance of its actual construction. They need to have record plats recorded by the end of 2002 in order to maintain their earlier Preliminary Plan approval. The building locations, major vehicular and pedestrian systems, landscaping and lighting are adequate for site plan review and approval but additional review is necessary for more details. The details are noted in the conditions of approval and will be submitted to Planning Board staff for review prior to the release of building permits.

Staff has received comments from adjacent citizens regarding concerns about traffic studies, inadequate traffic signage, school bus stop conflicts, future road configurations, parking structures for the future transit line, crime, lighting and the appearance of the buildings. Staff has passed their concerns on to MCDPWT and other staff members. See "Conformance to Master Plan," ahead. Their letter is attached.

Earlier versions of the plan included a parking garage for transit on the opposite side of Dorsey Mill Road. The garage was envisioned to be part of the proposed Oxbridge Development project, currently under staff review. The garage was moved from that location to one more internal to the Oxbridge Development site. The vacant land that remains is the site of an old family cemetery that has been fenced and stabilized by the applicant.

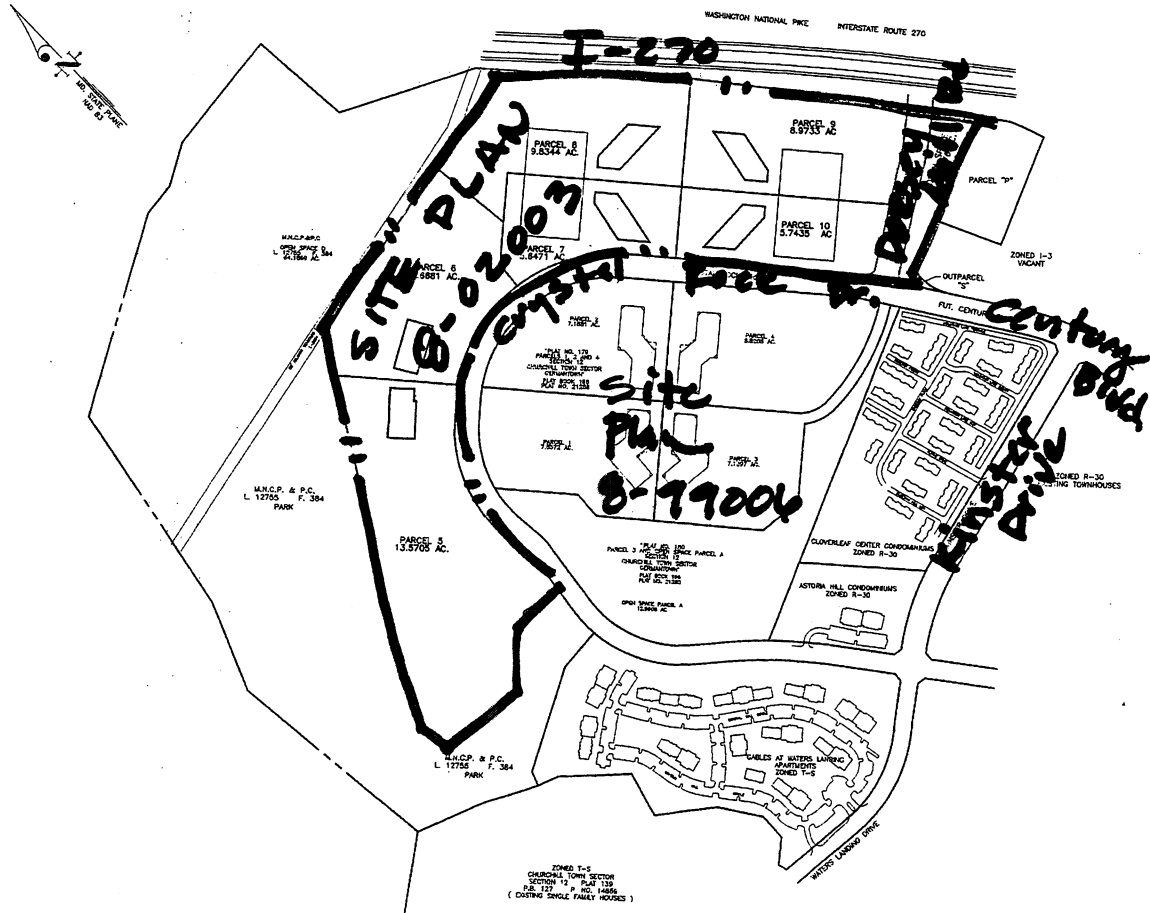
PRPJECT DESCRIPTION: Surrounding Vicinity

The total Far North Village property consists of a total of 175.2 acres and is currently undeveloped except for a temporary golf driving range. The subject site includes the driving range located on approximately 21.20 acres alongside Interstate 270. The Planning Board approved an earlier site plan (#8-99006) for the central portion of the site for the 43.67 acres located west of the existing driving range.

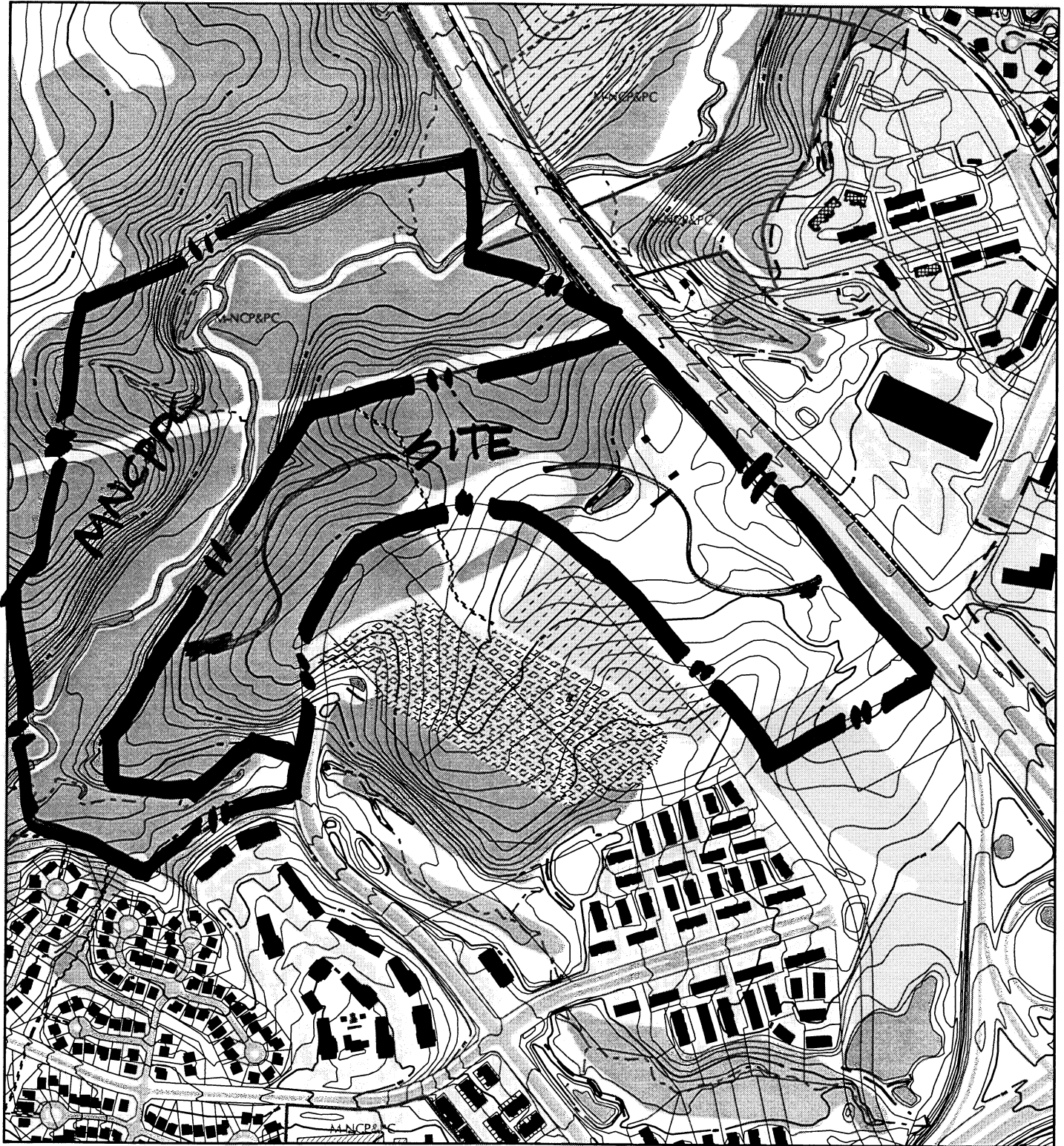
The site was formerly part of the Century 21 Golf Course and is thus predominantly characterized by gently rolling topography with large open areas and areas with second generation vegetative growth. A significant number of large trees are also present on the site, presumably part of the former golf course.

Crystal Rock Drive, when completed, will form a loop to the south and west of the subject site. An existing T-S zoned townhouse community adjoins the earlier site plan to the south. Two separate R-30 zoned properties, developed respectively with condominiums and townhomes, abut the earlier site plan to the south. Black Hills Regional Park is located northwest of the subject site.

Adjacent to the site is land dedicated for the Black Hills M-NCPPC Park.



CHURCHILL TOWN SECTOR FAR NORTH VILLAGE PT. II (8-02003)



Map compiled on December 06, 2001 at 3:27 PM | Site located on base sheet no - 229NW13

NOTICE

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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

Key Map



N



Research & Technology Center



1 : 7200

PROJECT DESCRIPTION: Site Description

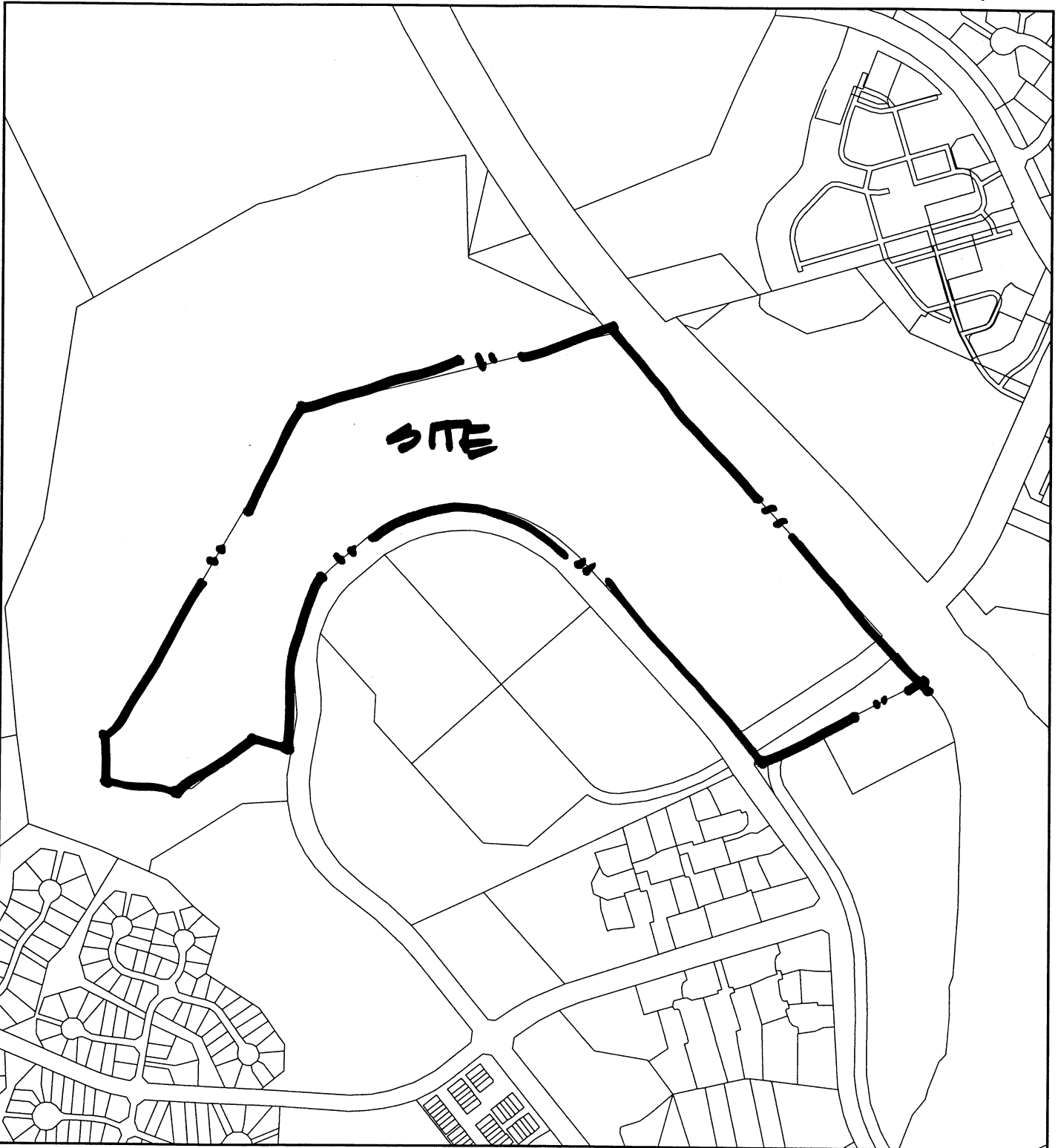
The topography slopes down from a central ridge near I-270 some eighty feet. The main stem of Little Seneca Creek abuts the property to the west. A tributary to Little Seneca bisects the southerly portion of the development. (This is the non-SPA portion of Little Seneca, classified as Use IV.) An area with relatively steep slopes (in excess of 25%) associated with the stream valley is located in this area of the site and is designated as Open Space.

Although the site is exempt from the requirements of forest conservation, approximately 3.3 acres of the site is unforested stream valley buffer. It is strongly encouraged that this area be made available for off-site forestation by others.

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CHURCHILL TOWN SECTOR FAR NORTH VILLAGE PT. II (8-02003)



Map compiled on December 06, 2001 at 3:38 PM | Site located on base sheet no - 229NW13

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Key Map



N



Research & Technology Center



1 : 7200

PROJECT DESCRIPTION: Proposal

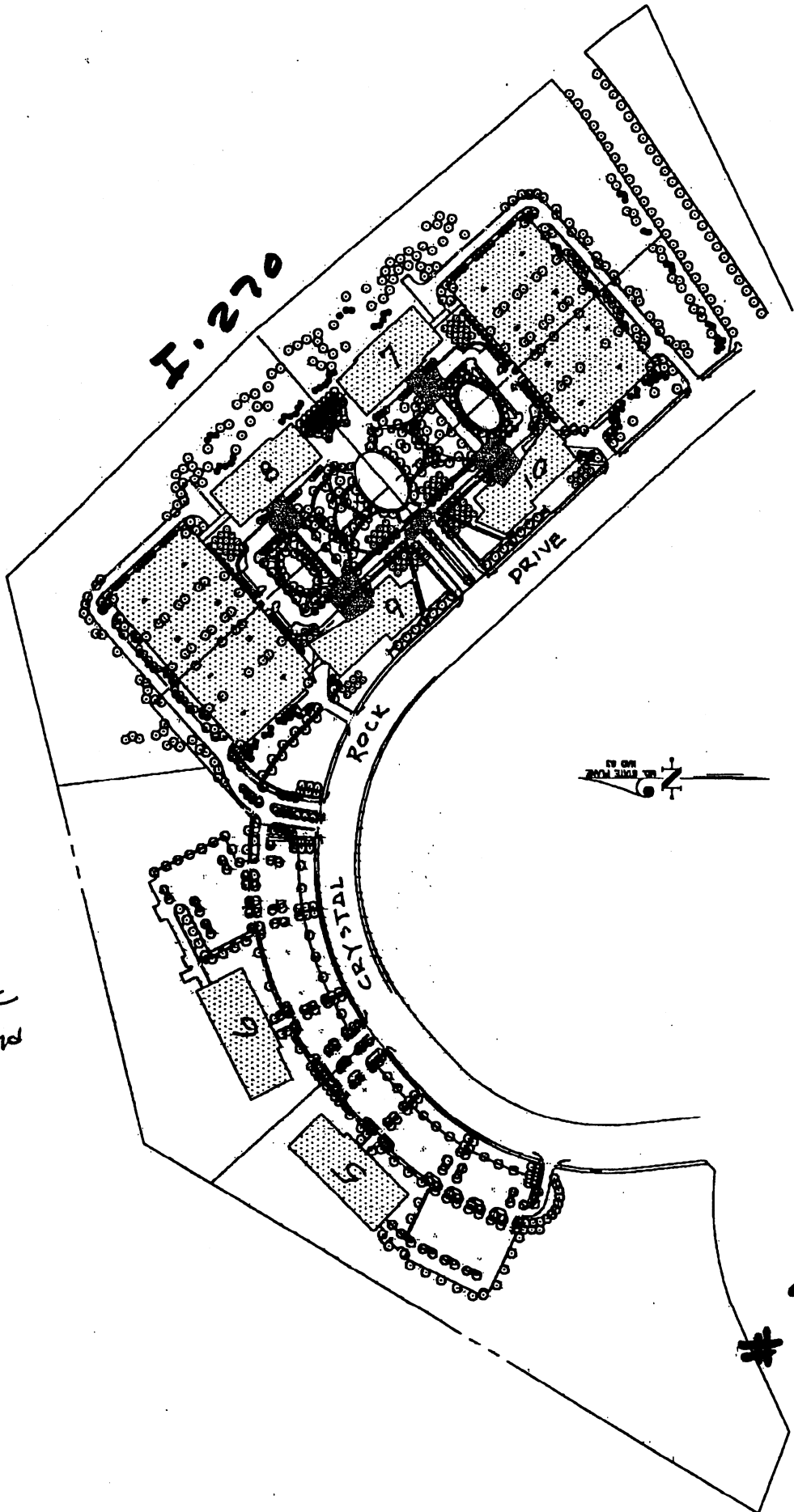
The project consists of two clusters of six buildings. One cluster is four eight-story office towers with two four-level parking garages. The second cluster is two two-level buildings with surface parking.

The eastern cluster contains a large (300 ft x 800 ft) central open space. The open space is developed into a huge central park with curvilinear walks, a central water feature that ascends towards I-270, numerous sitting areas and plazas. The buildings frame a view to and from I-270. Paved crosswalks and sidewalks accent each entry to each building. Parking courts are developed at two ends of the open space, adjacent to front doors and parking garage entries. The parking courts allow for access to the buildings and the parking garages and for visitor and service parking. Pedestrian access is provided to each building as well.

The parking decks need to include detailed pedestrian access plans that allow for internal circulation within the garage and to each building. Schematic architectural drawings with more detail are required to evaluate the success of the building connections via pedestrian bridges. This analysis will be done by the Planning Board or their designees prior to release of the building permits.

The western court contains two buildings that frame a view to the woods beyond to the north. The buildings are sited so the extreme grade from the parking lot down to the wooded area to the north is taken up between the building and the parking garage thus allowing more trees to be saved in the wooded area beyond. The surface parking lots are well connected to the building entries and the adjacent sidewalks, creating good pedestrian connections to the building.

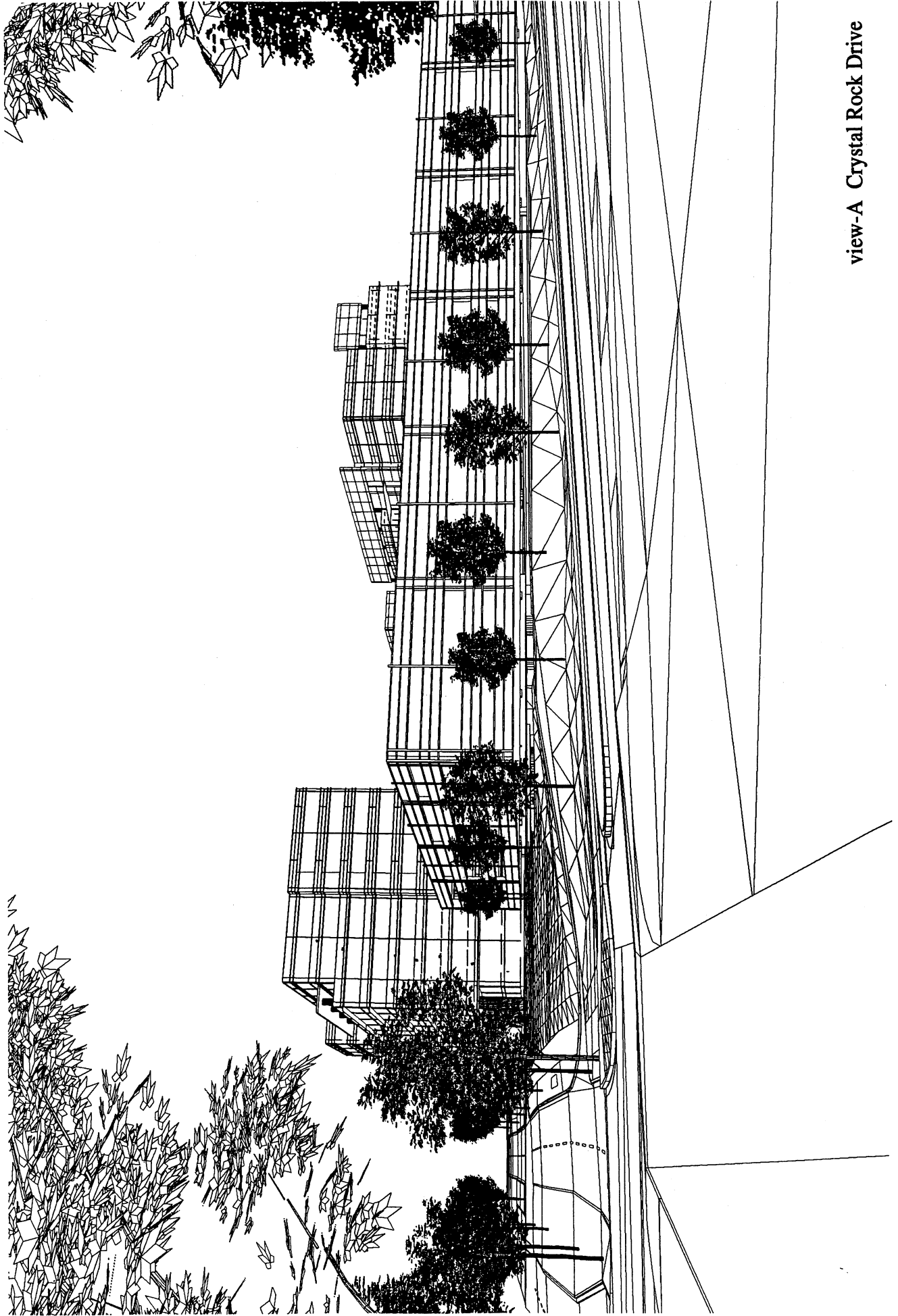
Landscaping proposed for the building provides shade trees within all the parking areas, street trees along Dorsey Mill Road (they are provided along two sides of Crystal Rock Drive with an adjacent-site plan approval), screening for the parking lots and open space landscaping to create park like settings and preservation of existing trees. The plan lacks detailed planting for pedestrian areas at this time, the applicant plans to develop those schemes when the building architecture is finalized.



MNCP
Parkland

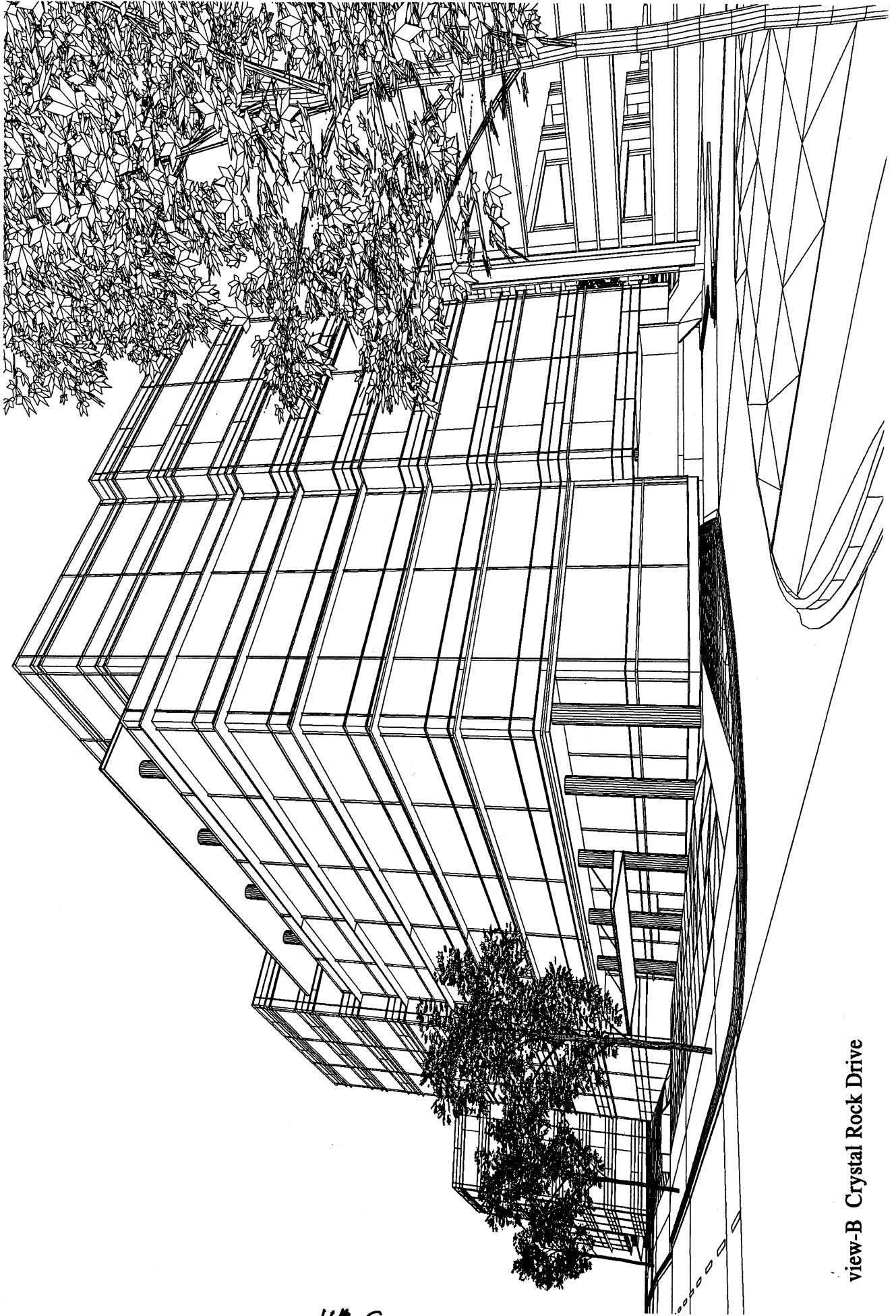
Site Plan
8-02003

110 A



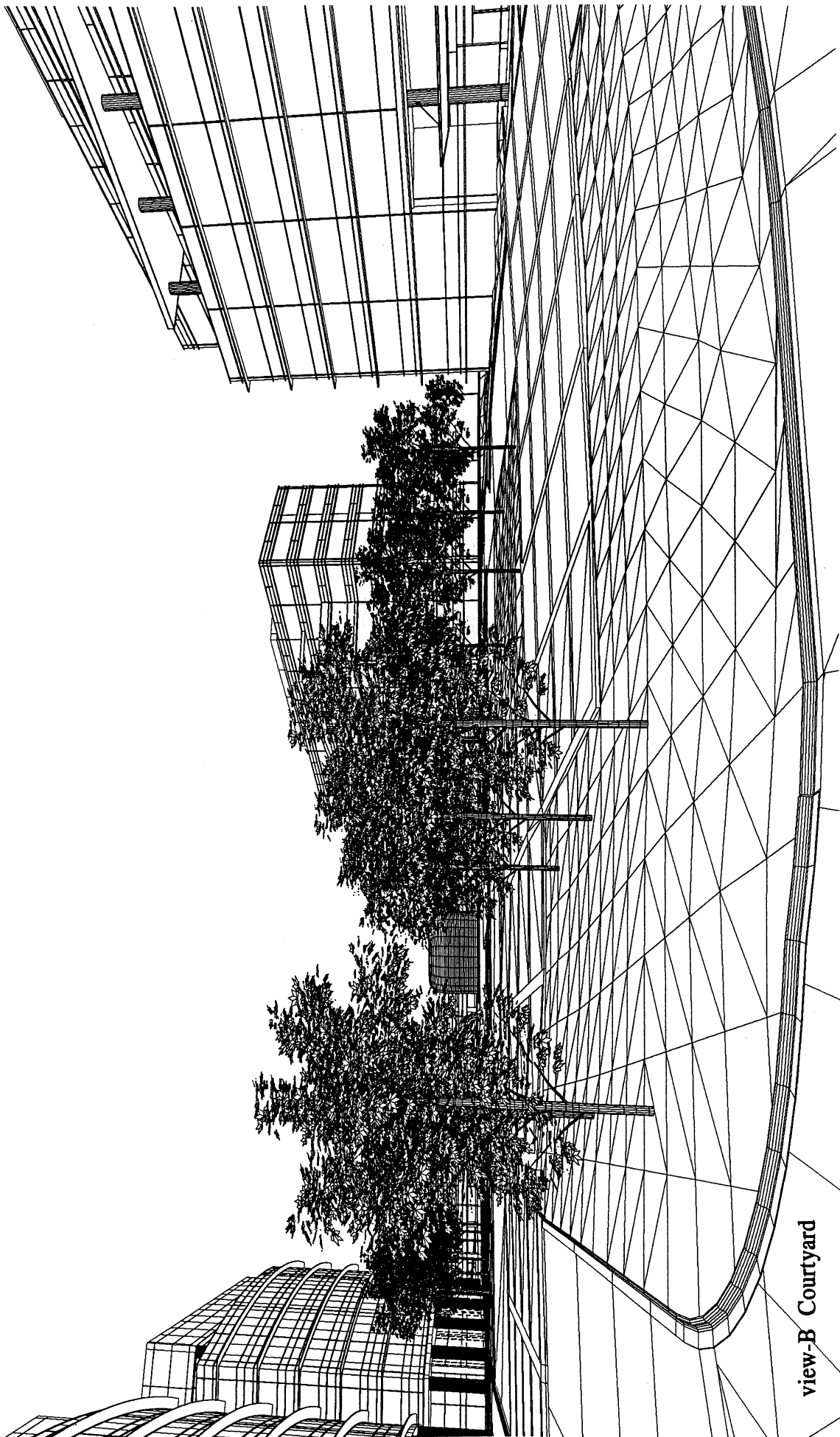
view-A Crystal Rock Drive

11A R



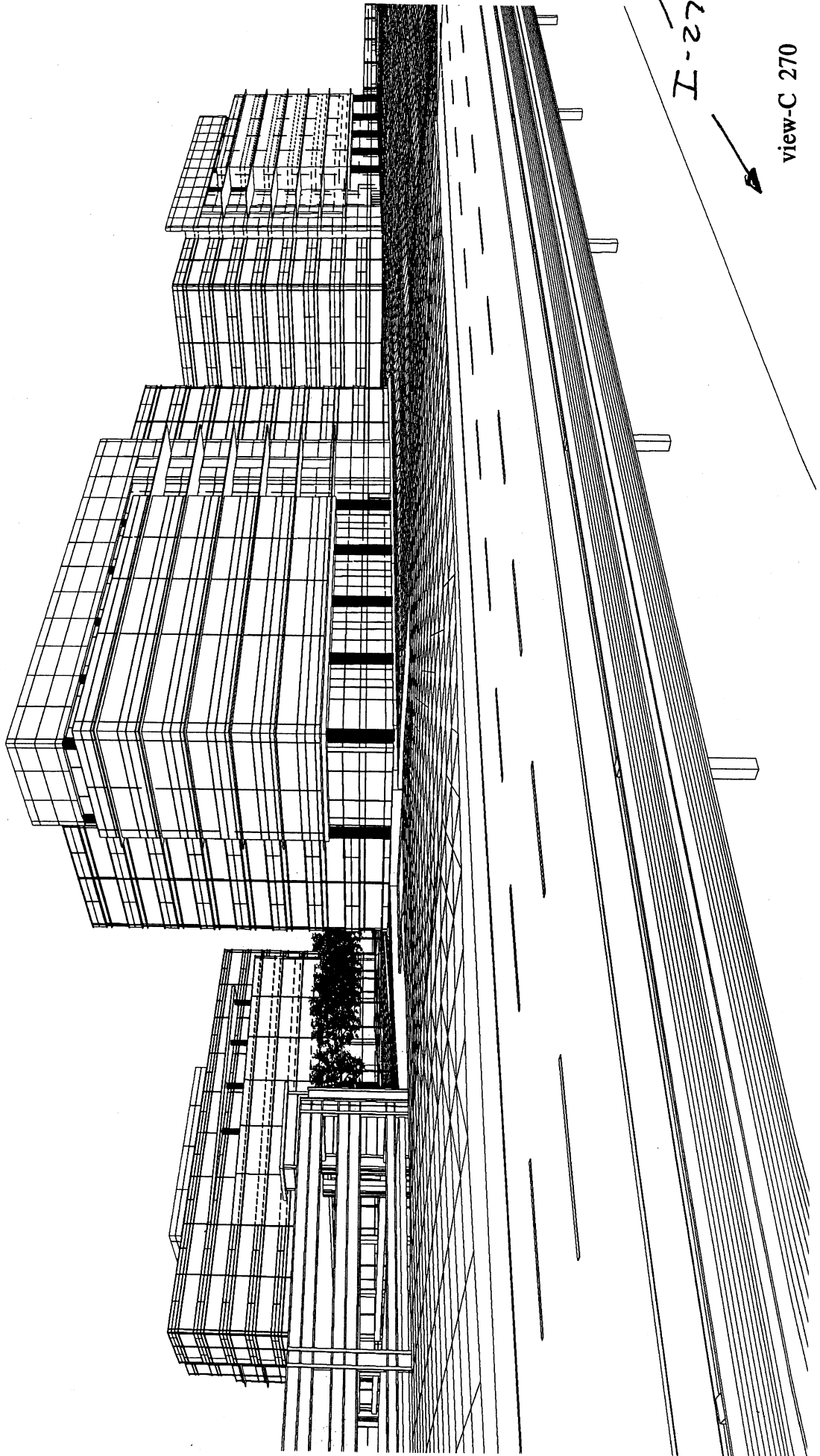
110 C

view-B Crystal Rock Drive



view-B Courtyard

1/10 D



I-270

view-C 270

B 110 E

PROJECT DESCRIPTION: Prior Approvals

The site has an approved Preliminary Plan with the following conditions:

1. *Agreement with Planning Board to participate in construction of Middlebrook Road, Crystal Rock Drive, Wisteria Drive and Century Boulevard (or Aircraft Drive/Crystal Rock Drive connection) per 10/24/88 Transportation Division memo with improvements to be under construction prior to applicant receiving any building permits. Agreements to limit development to specific uses that will generate 400 or less peak hour trips*
2. *Conditions of DEP stormwater management approval*
3. *Dedication of area labeled "public open space" and "private open space" parcel adjacent to Parcel HB to M-NCPPC with final boundary to be determined at site plan*
4. *No clearing, grading or recording of lots prior to site plan approval by M-NCPPC*
5. *Environmental Planning Division concerns relating to stream buffers and stormwater management controls to be addressed at site plan*
6. *Final alignment of Crystal Rock Drive to be determined at site plan*
7. *Necessary easements*
8. *Dedication and construction of Crystal Rock Drive (100' right-of-way unless reduced to 80' at site plan review).*

The Preliminary Plan approval was revised on September 12, 1996 to grant an extension to the record plats for 400, 000 square feet until December 31, 1998 and for 900,000 square feet by December 31, 2001. A subsequent extension was granted to allow recordation for the 900,000 square feet until December 31, 2002.

A special exception was approved March 29, 1995 to allow a golf driving range that is in operation on the site. The driving range will be displaced by the proposed site plan.

ANALYSIS: Conformance to Master Plan

The property is within the Employment Corridor of the Germantown Master Plan, adopted and approved in 1989. This portion of the Employment Corridor falls within Churchill Village in the Town Sector zone.

Master Plan

This property constitutes the whole of Analysis Area EC-1 in the Germantown Master Plan. *“It is in the Town Sector Zone and is recommended for employment use on the Development Plan and the 1974 Germantown Master Plan, as amended. This Plan continues that recommendation (Master Plan, page 46)”*.

The Plan recommends that full development of this parcel should not exceed 0.4 FAR (1,400,000 square feet with 5,200 jobs). The proposed development is slightly less than the 0.4 FAR limitations but yields fewer jobs (3,700 when using a factor of 250 square feet per job).

Development guidelines contained in the Master Plan which apply to the subject property include:

- *Create a visual node through the height and location of the buildings.*
- *Locate and orient buildings to maximize views of open space such as the golf course, parkland and plazas.*
- *Strive for significant areas of undisturbed open space and for limited amounts of impervious surfaces.*
- *Adhere strictly to the MCPB Staff Guidelines for the Protection of Slopes and Stream Valleys.*
- *Provide a minimum of 50-foot setbacks for buildings and parking areas from adjacent parkland and residential areas.*

The site plan as proposed is in substantial conformance with Master Plan recommendations in terms of urban design, open space, environmental protection, and pedestrian access.

Transitway

The Master Plan depicts the alignment for the Corridor Cities Transitway which follows Century Boulevard to Dorsey Mill Road (master plan roadway I-4) where it will curve to the east and use the future bridge of Dorsey Mill Road to cross over I-270 to the east.

Additional planning for the transitway has occurred since adoption of the Master Plan to determine appropriate station and parking locations. The Final Report Shady Grove to Clarksburg Transitway Study 2 (DPW & T, 1994) shows the Manakin station at Dorsey Mill Road. This station and facilities are within the Oxbridge property but will serve the employment center of Far North Village. The station and facilities consist of a 100' station in the median of Crystal Rock Drive, 10 on-street “kiss and ride” spaces, 170 surface parking spaces, and a future parking garage of 500 spaces.

Buildings on the subject property, for the most part, use transit-serviceable principles by placement close to the street and enhanced pedestrian access to the street and adjoining transit station.

Park Access Road

The Germantown Master Plan included a park access road to Black Hill Regional Park from Crystal Rock Drive, attached. The location shown on the maps was intended to be illustrative of a more specific alignment that might be coordinated with private development or the Black Hill facility master plan.

The access road issue was elevated during work sessions for the Black Hill Regional Park Master Plan in January 2000. The Planning Board, at the request of Germantown citizens, directed staff to evaluate the feasibility of constructing a park access road in the general location depicted in the Germantown Master Plan.

Four alternative alignments, including a “No Build” option, were evaluated. Option 2 most closely follows the general location shown in the Germantown Master Plan. Option 3 would potentially impact parking and circulation for Buildings 5 and 8 of the subject property. On May 9, 2002, the Planning Board endorsed the “No Build” alternative, therefore eliminating potential impact to the subject property.

Community Concerns

Few citizens have commented on this project and the adjoining Century Park at Cloverleaf (Site Plan #8-02028, pending), also within EC-1 of the Employment Corridor. Two residential communities in condominium ownership are located near the subject property. Notice of site plan application was sent to the property managers registered with the Community Relations office of this agency.

The Cloverleaf Townhome Association expressed concern about the level of development; generally, in Germantown and that unoccupied commercial and retail buildings have been vacant for a long time. Their concerns are that this project will compete with existing space, causing further vacancies.

The Association is also generally concerned about the safety and character of Crystal Rock Drive. Parking of large vehicles (RVs, trailers) takes place on the existing portions of Crystal Rock. When Crystal Rock is completed, these vehicles would impede safe traffic movement on the roadway. Some residents are also concerned that children waiting a school bus stops on Crystal Rock would be endangered by higher traffic volumes when the road is completed.

ANALYSIS: Conformance to Development Standards – Town Sector Zone

PROJECT DATA TABLE

Development Standard	Permitted/* Required	Proposed
Lot Area (ac.):		53.43 acres
Number of Lots		6
Total Building Area:	N/A*	900,000 s.f.
Total Green Area:		37.86 acres/70.9%
Max. Impervious Area:		8.84 acres/16.5%
Floor Area Ratio (average)	.4 per Master Plan	.39
Max. Building Height :		100 feet
Minimum Setbacks (ft.):		
Building from Street		25 feet
Parking, Loading and Maneuvering Areas from Street		25 feet
Parking:		
Total	3,600**	3,789 (4.21/1,000)
Handicapped-accessible	46	46
Bicycle	20	20 (in Pkg Gar)
Motorcycle	10	10

* Section 59-c-7.28(c) requires that Development Standards be established and approved at the time of Site Plan Approval.

** The interim parking policy allows for 4 parking spaces per 1,000 square feet. The number of parking spaces need to be adjusted to conform to the policy.

FINDINGS: For Site Plan Review

1. *The Site Plan is consistent with the approved supplementary plan.*
2. *The Site Plan meets all of the requirements of the TS zone in which it is located. See project Data Table above.*
3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

a. Buildings

Six buildings are arranged in two buildings clusters that will create two different environments for the office park.

The eastern building cluster will provide a visible and notable presence as viewed from I-270. The building arrangement creates a distinct presence on I-270 that will be attractive and will accent views to the park's focal point, the water feature. The building locations will also allow for easy orientation for first time site visitors. The lower height of the parking garages buffer the mass of the taller office buildings, interior to the site.

Pedestrian access from the street is enhanced by the building locations for the eastern building cluster as well. The buildings have been put placed approximately 35 feet from the right of way, making the pedestrian access more inviting and more feasible. This is important because of the future transit line proposed within Dorsey Mill Road.

The western building cluster has buildings that preserve more trees and integrates the building into the site. The entry to the building's second floor allows for the change in elevation to be integrated into the building rather than remove more wooded area.

b. Open Spaces

The central open space for the eastern cluster of building will create a sizeable open space that more than balance out the proposed development. The open spaces are preserved in large part due to the use of structured parking and limited surface parking. The interior space of the eastern building cluster will be of sufficient size and design quality so as to create open spaces that will allow for significant enjoyment for the pedestrian and employee. The open space will reduce the imperviousness of the site, a goal of the Master Plan.

The stormwater management concept for the site is acceptable to MCDPS. The SWM concept consists of on-site water quantity and water quality via the use of dry pond with an n off line sand filter.

c. Landscaping and Lighting

The landscape plan will provide shade, attractive open space areas and inviting pedestrian circulation areas. Provision of street trees along Dorsey Mill Road will enhance the general area.

d. Recreation

Recreation is not required for a non-residential site

e. Transportation Issues

Local Area Transportation Review (LATR) and Policy Area Transportation Review

The Adequate Public Facilities issues on the subject development as related to both the LATR and Policy Area Transportation Review were addressed at the time of the preliminary plan application. The applicant's participation in the intersection improvements as listed in Conditions 4 and 5 in this memorandum is needed to replace the previously conditioned improvements at this intersection. The previously conditioned improvements, construction of a third left-turn lane on southbound Crystal Rock Drive and a second right-turn lane on westbound Father Hurley Boulevard, are replaced by the alternative improvement that is currently under construction. This alternative intersection improvement applies only to the final 350,000 square feet of the subject site.

f. Vehicular and Pedestrian Circulation

The existing four-lane Crystal Rock Drive from Father Hurley Boulevard to the site and the completion of a loop of Crystal Rock Drive along their frontage as a four-lane divided roadway (that will tie into the future extension of Century Boulevard) will be provided by the applicant in connection with the subject site plan. It will provide safe and adequate access for vehicles and pedestrians. The internal vehicular circulation as shown on the site plan is adequate and safe.

The driveway access points from Crystal Rock Drive provide well distributed points of access to the site and from site to site.

Internal pedestrian paths connect the internal area of the sites from door to door, through open space areas and to the street. Additional sidewalks are needed from the streets to the eastern most parking garage.

Public sidewalks are provided within the future Crystal Rock Drive and the future Dorsey Mill Drive. Bike paths immediately adjoin the site.

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

The buildings are compatible to adjacent buildings in their placement, the proposed landscaping and the preservation of trees and their integration with adjacent parking structures and surface lots.

Buffers are provided with landscaping, setbacks and building massing to keep the building impacts on site.

The activity associated with the proposed office use will not cause any negative effect on adjacent office and nearby residential uses.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The site is grand fathered and therefore exempt for Forest Conservation requirements due to an approved Preliminary Plan of Subdivision that occurred within the grand fathering period of 1984-1991.

APPENDIX

Correspondence referenced in report.

G:spstaff\8-02003



RECEIVED
SEP 10 2001

DEPARTMENT OF PERMITTING SERVICES CLARK, FINNEFROCK & SACKETT, INC.

Douglas M. Duncan
County Executive

September 5, 2001

Robert C. Hubbard
Director

Mr. Paul Cavanaugh
Clark, Finnefrock & Sackett, Inc.
7135 Minstrel Way
Columbia, MD 21045

Re: Stormwater Management **CONCEPT** Request
for Far North Village (Churchill)
Preliminary Plan #: 1-87012
SM File #: 203848
Tract Size/Zone: 20.4 Ac/TS
Total Concept Area: 20.4 Ac
Tax Plate: EV
Parcels: 5, 6, 7 & 8
Liber/Folio: 8032/357
Montg. Co. Grid: 9D11
Watershed: Little Seneca Creek

Dear Mr. Cavanaugh:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quantity and water quality control via the use of dry pond with an off line sand filter.

The following **conditions** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

GENERAL:

1. All impervious areas must drain to a water quality structure prior to leaving the site.
2. All cut and fill slopes in or around the ponds and sand filters must be 3:1 or flatter, regardless of depiction on the approved concept plan.
3. Although not shown, water quality inlets must be provided for pre-treatment for all parking areas.
4. The concept does not appear to provide water quality or quantity for the roadway. Full water quantity and quality must be provided within the previously approved pond/sand filter C.

Note: Should condition #4 be in conflict with the previously approved concept, additional area and or structures may be required as necessary to provide stormwater management for any part of the road not draining to pond C.

POND D:

1. The proposed pond barrel must have anti-seep collar(s).
2. The cradle must be continuous from the riser to the first manhole on line.
3. C-36", C-25 pipe is required from the riser to the first manhole.



Paul Cavanugh
September 5, 2001
Page 2

This list may not be all-inclusive and may change based on available information at the time of plan submittal.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required

This letter must appear on the sediment control/stormwater management plan at its initial submittal. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Richard Gee at 240-777-6333.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:enm.CN203848

cc: M. Shaneman
S. Federline
SM File # 203848

QN - on site; Acres: 20.4
QL - on site; Acres: 20.4

2

September 5, 2002

~~Mr. Larry Ponsford~~ → *Wynne Wolf*

Maryland National Capital Park
and Planning Commission (MNCPPC)
Development Review Division
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Sir:

Our community known as Cloverleaf Townhomes, is next to the proposed Century Park at Cloverleaf Complex/Cloverleaf Center Phase II and III (northwest corner of the Father Hurley/I-270 interchange). Our community has existed for seven years quietly and peacefully. We as Homeowners are extremely concerned and upset that the proposed office complex with parking garages, an extension of Century Boulevard and a proposed light rail will gravely affect the quality of our lives, neighborhood and Germantown.

First, we would like to state that we greatly oppose the existence of such an office complex, the extension of Century Boulevard and proposed light rail. If given a choice between the construction and leaving the land as it is, we would choose to leave the land as it is. Germantown has been growing too quickly, too fast. Several unoccupied retail and commercial buildings and spaces for lease exist that have been vacant for quite sometime. Some of these buildings are found less than one mile from the proposed complex. This office complex, including the parking garages, the new road construction and the proposed light rail transit are not needed in Germantown. A good example of why not to build such a complex is the Town Center in Germantown. Several large retailers left nearby shopping centers to occupy the newly constructed Town Center. New tenants have not leased the vacated spaces. They remain vacant, and are attracting vandalism and loitering.

We do understand that if Oxbridge Development obtains a building permit from the Montgomery County Planning Board, construction of the office complex can and will begin. Consequently, the extension of Century Boulevard and the proposed light rail will soon follow. However, several aspects of the proposed plan are inadequate and lack forethought for such a commercial structure and existing residential communities to coexist peacefully. These aspects need to be addressed, not only for the well-being of our community, but for the several other neighboring communities and the overall well-being of Germantown.

5

Current Background Information:**A. Description of Kinster Drive:**

Kinster Drive (a Montgomery County publicly budgeted, but not maintained road) is a four (4) lane (unmarked), flat, straight, dead end street. Birch trees are lining the sides and center of the median strip that also contains grass. Traffic or speed management devices do not exist. It is the *sole access* to our community, and the community known as Cloverleaf Center II Condominiums. Kinster Drive provides overflow parking and several school bus stops.

B. Description of Crystal Rock Drive (from the intersection of Father Hurley North):

Crystal Rock Drive is a four (4) lane partially marked (approximately two-tenths of a mile from the intersection of Father Hurley), hilly stretch of road lacking traffic and speed management devices. Its primary function is to provide access to several residential streets and neighborhoods. It has limited sight distance due to large commercial vehicles (e.g., tractor-trailers, RV's, boats) parked along the sides of the street.

C. Description of Intersection of Kinster Drive and Crystal Rock Drive

This intersection consists of two (2) stop signs and lacks additional traffic flow or speed management devices. It supports a large populated residential street, Waters Landing besides Kinster Drive and Crystal Rock Drive. Due to the terrain of the road and the large parked commercial vehicles, they obstruct a driver's line of sight.

I. Primary Concern(s):

Adverse traffic affects that will be created due to the increase volume of vehicles on Kinster Drive, Crystal Rock Drive, proposed extension of Century Boulevard and surrounding streets (pre and post construction).

Anticipated and Current Problems:**A. Outdated traffic impact study.**

According to Mr. Ki Kim, Transportation Planner, Transportation Planning Division, MNCPPC, the last traffic impact study conducted was 1991, at least four (4) years before any residential construction occurring. Without this study, vital data has not been collected and analyzed.

B. Safety concerns with bus stops and children.

Kinster Drive provides morning, midmorning and afternoon bus stops for our elementary, middle and high school age children. Crystal Rock Drive also provides bus stops for our children. To reach these stops, our children walk from our community.

C. Line of Sight Obstructions and Lack of Speed Management and Traffic Flow Devices.

Due to Kinster Drive being heavily used for overflow parking from our communities due to the lack of parking allocated when they originally planned our neighborhoods. Currently, Montgomery County has only budgeted Kinster Drive to be "mowed" twice a year. To provide a safe unobstructed view, our communities have personally been paying for landscaping maintenance. In addition, Kinster Drive has no speed management devices set up. The lack of speed deterrents and the prime design layout of Kinster Drive make it ideal for the late night "drag" races that have occurred over the years. Furthermore, the other streets and intersections that will be severely effected are Kinster Drive/Crystal Rock Drive, Father Hurley/Crystal Rock Drive, and general traffic on Crystal Rock Drive. Currently, the intersection of Kinster Drive/Crystal Rock Drive and the stretch of Crystal Rock to Father Hurley

is also lacking speed management devices and traffic control devices (e.g., stop signs, traffic lights, speed limit postings, marked lanes). These roads are used as access to several residential streets, communities and for large commercial vehicle parking.

D. Kinster Drive connecting to the proposed extension of Century Boulevard.

In order for this complex to be created, Kinster would then be used as main access for all construction traffic, bringing with it the same issues post construction. These issues being the increased volume of vehicles, the lack of speed and traffic management, noise and the overall maintenance issues (e.g., trash, debris, landscaping). All these issues will be detrimental to the safety and well being of our residents and their young children walking to and from their bus stops. Construction vehicles are large, noisy and create their own safety concerns. Once construction is completed, it is only reasonable to deduce that the "ideal" conditions of Kinster Drive will now allow for daytime "drag" races. With office employees late for work, needing to get to and from the closest food establishment (found two (2) or more miles away) within their allotted lunch break, or employees eagerly wanting to leave work on a Friday, this will be a dangerous scenario. Additionally, consider the parked vehicles, school buses picking up and delivering our children to their homes, and the unkempt landscape, as additional traffic obstructions and tragedies are waiting to occur, pre and post construction. Our communities will also lose the overflow parking that we have needed and rely upon for our community to function.

E. Safety, Noise, and Buffer Zones regarding the extension of Century Boulevard

The current proposal positions the four (4) lane Century Boulevard less than fifteen (15) feet from a main road in our community. This proposed thoroughfare is separated only by a ten (10) foot wide strip of grass, leaving a very narrow patch of earth to separate the traffic from homes, and children playing in their front yards. The current plan is lacking a sufficient "safety buffer zone."

II. Secondary Concern(s):

Parking Structures, Crime, Lighting and Visual Aspects of Proposal

Anticipated or Current Problems:

A. Parking Structures

Currently, the proposed two (2) 6-story parking garages will be on land that Oxford Development does not own, per a memo dated April 8, 2002, from Robby Brewer to Mr. Larry Ponsford. No indication has been stated why these structures are needed for this office building. It seems the purpose for the garages is to support a possible future light rail system. This light rail system is not in any current "approved" plan, nor has funding been allocated for this proposal. There is no need for two (2) six 6-story parking garages to support a proposed office building which will have its own parking.

B. Crime

There has been no mention of any type of crime prevention measures that will be set up for such a large office complex, and the parking structures.

C. Lighting

The lighting systems typically used to illuminate office buildings, building logos, and signage, parking structures and roadways will directly impact our community. The lights of the proposed office and parking complex will shine directly into the living rooms and bedrooms of our community. A prime example is the Acterna building found across I-270, whose extreme bright lights pollute the evening skies.



D. Visual Aspects (Height) of Proposed Buildings

Height of the proposed office buildings and parking structures are out of proportion to the surrounding communities and other commercial buildings.

III. Other Concern(s):**Environmental Impact****Anticipated or Current Problems:**

A. Currently the information that we have reviewed in the MNCPPC's file on this complex does not include such an impact study.

Storm drain management, wildlife, historic sites, streams, afforestation areas, and pollution. Specific items that need attention are the nesting pairs of Red Tail Hawks and other wildlife, the "Waters Cemetery," the "class three trout stream" and the marked afforestation areas that currently exist. The environment has just started to stabilize after disruption from the construction of our communities seven (7) years ago.

IV. Proposed Solutions:

As stated above, we oppose the proposed office complex, parking garages, the extension of Century Boulevard and the proposed light rail. Ultimately the solution would to offer a tax incentive for commercial companies to occupy the vacated space(s) in and around the Town Center. It would keep the commercial businesses in a more centralized area, and away from the residential communities that already exist. In addition, the recently constructed bus stops would provide access to public transit.

However, if Oxbridge Development obtains a permit to build this proposed complex, we as Homeowners of Cloverleaf Townhome Association expect that the following items will be changed or carried out to lessen the impact on our community and surrounding neighborhoods:

- A. An up-to-date traffic impact study needs to be conducted.
- B. **DO NOT** open Kinster Drive. This would be the perfect solution to the above stated traffic issues on Kinster Drive. Century Boulevard must be the only access to the development, either via the proposed 'Built by others' connection to the north end of Crystal Rock Drive or via the 'Built by others' connection to the extant Century Blvd. south of Father Hurley Blvd. This would also apply during construction and obviously, there would be no parking along Kinster Drive or within our community. Ideally, a redesign so that access directly from I-270 to the office complex would be a better choice. Third, if the opening of Century does occur, then traffic management devices (e.g., traffic lights, stop signs, speed limit postings, etc.) will be needed at the intersection of Kinster and Crystal Rock Drive. In addition, signs need to be posted stating that Kinster is a "Not Thru Street" and "No Commercial Vehicle Parking Allowed" on Crystal Rock Drive. Lastly, bus stops for children need to be moved off Crystal Rock Drive and moved back into residential streets or safety aids set up to insure a safe environment for our children. It also needs to be noted that in the memo dated April 8, 2002 from Robby Brewer to Mr. Larry Ponsford, North Village "believes that it is more responsible to provide for the complete construction of Crystal Rock Drive/Century Boulevard" instead of using Kinster and has "assured residents along Kinster Drive, that its construction traffic will not use Kinster Drive." Enforcement of these issues also needs to be addressed.
- C. The layout of the complex must be altered to place a minimum 100-foot wide green space/buffer between Century Boulevard and neighboring communities. Additionally, landscaping must be included to reduce

the visual and audible impact of the complex. This would include the planting of fast-growing evergreens no less than 20 feet tall and space no farther than 10 feet from each other or an equivalent grading and seeding of earth separating the entire development from the neighboring communities. The lighting of the parking lots, buildings and roadways should be minimal, shielded and directed downward so as not to increase the illumination of the neighboring homes either directly or indirectly. The size of the office buildings should be reduced to a maximum of four stories with a proportional decrease in the size of the parking decks. The decreased size of the office buildings and the parking garages will lessen the need for Kinster Drive to be open, and contribute to the safety, noise, and lighting problems.

- D. For the environmental aspects, an impact study needs to be completed to address the issues stated above. Too much will be adversely affected for this study not to be completed in a timely manner.

Until all these concerns are addressed, it is *NOT* reasonable for this construction to be approved and commence.

As much as Germantown and Montgomery County would like to generate revenue and attract businesses, the fact is that we are not utilizing resources that we already have. Instead we are chasing off homeowners to Frederick County who are seeking more space, less taxes, and less congestion.

We greatly appreciate your time and consideration in reviewing our concerns, and are looking forward to a timely response.

Sincerely,

Cloverleaf Townhome Association
c/o J.D. Beachley, President
13108 Rosebay Drive
Germantown, MD 20874

cc: Mr. Doug Duncan
County Executive
Montgomery County Maryland
101 Monroe Street
2nd Floor
Rockville, MD 20850

Mr. Sami Totah
Oxbridge Development
600 Jefferson Plaza
Suite 406
Rockville, MD 20852

attachments enclosed (photos, copy of memo from Robby Brewer)
petition to follow



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

October 24, 2002

MEMORANDUM

TO: Wynn Wittans, Site Plan Reviewer
Development Review Division

FROM: Sue Edwards, I-270 Corridor Team Leader *Sue*
Community Based Planning Division

SUBJECT: Far North Village (Site Plan #8-02003)

This memo presents the findings of the Community Based Planning team concerning master plan conformance, park access road and community impacts. The property is within the Employment Corridor of the Germantown Master Plan, adopted and approved in 1989. This portion of the Employment Corridor falls within Churchill Village in the Town Sector zone.

Master Plan

This property constitutes the whole of Analysis Area EC-1 in the Germantown Master Plan. "It is in the Town Sector Zone and is recommended for employment use on the Development Plan and the 1974 Germantown Master Plan, as amended. This Plan continues that recommendation (Master Plan, page 46)".

The Plan recommends that full development of this parcel should not exceed 0.4 FAR (1,400,000 square feet with 5,200 jobs). The proposed development exactly meets the 0.4 FAR limitation but yields fewer jobs (3,700 when using a factor of 250 square feet per job).

Development guidelines contained in the Master Plan which apply to the subject property include:

- Create a visual node through the height and location of the buildings.
- Locate and orient buildings to maximize views of open space such as the golf course, parkland and plazas.



- Strive for significant areas of undisturbed open space and for limited amounts of impervious surfaces.
- Adhere strictly to the MCPB Staff Guidelines for the Protection of Slopes and Stream Valleys.
- Provide a minimum of 50-foot setbacks for buildings and parking areas from adjacent parkland and residential areas.

The site plan as proposed is in substantial conformance with Master Plan recommendations in terms of urban design, open space, environmental protection, and pedestrian access.

Transitway

The Master Plan depicts the alignment for the Corridor Cities Transitway which follows Century Boulevard to Dorsey Mill Road (master plan roadway I-4) where it will curve to the east and use the future bridge of Dorsey Mill Road to cross over I-270 to the east.

Additional planning for the transitway has occurred since adoption of the Master Plan to determine appropriate station and parking locations. The Final Report Shady Grove to Clarksburg Transitway Study 2 (DPW & T, 1994) shows the Manakin station at Dorsey Mill Road. This station and facilities are within the Oxbridge property but will serve the employment center of Far North Village. The station and facilities consist of a 100' station in the median of Crystal Rock Drive, 10 on-street "kiss and ride" spaces, 170 surface parking spaces, and a future parking garage of 500 spaces.

Buildings on the subject property, for the most part, use transit-servicable principles by placement close to the street and enhanced pedestrian access to the street and adjoining transit station.

Park Access Road

The Germantown Master Plan included a park access road to Black Hill Regional Park from Crystal Rock Drive as shown in Figure 1. The location shown on the maps was intended to be illustrative of a more specific alignment that might be coordinated with private development or the Black Hill facility master plan.

The access road issue was elevated during worksessions for the Black Hill Regional Park Master Plan in January 2000. The Planning Board, at the request of Germantown citizens, directed staff to evaluate the feasibility of constructing a park access road in the general location depicted in the Germantown Master Plan.

Four alternative alignments, including a "No Build" option, were evaluated. Option 2 most closely follows the general location shown in the Germantown

Master Plan. Option 3 would potentially impact parking and circulation for Buildings 5 and 8 of the subject property. On May 9, 2002 the Planning Board endorsed the "No Build" alternative, therefore eliminating potential impact to the subject property.

Community Concerns

Few citizens have commented on this project and the adjoining Century Park at Cloverleaf (Site Plan #8-02028, pending), also within EC-1 of the Employment Corridor. Two residential communities in condominium ownership are located near the subject property. Notice of site plan application was sent to the property managers registered with the Community Relations office of this agency.

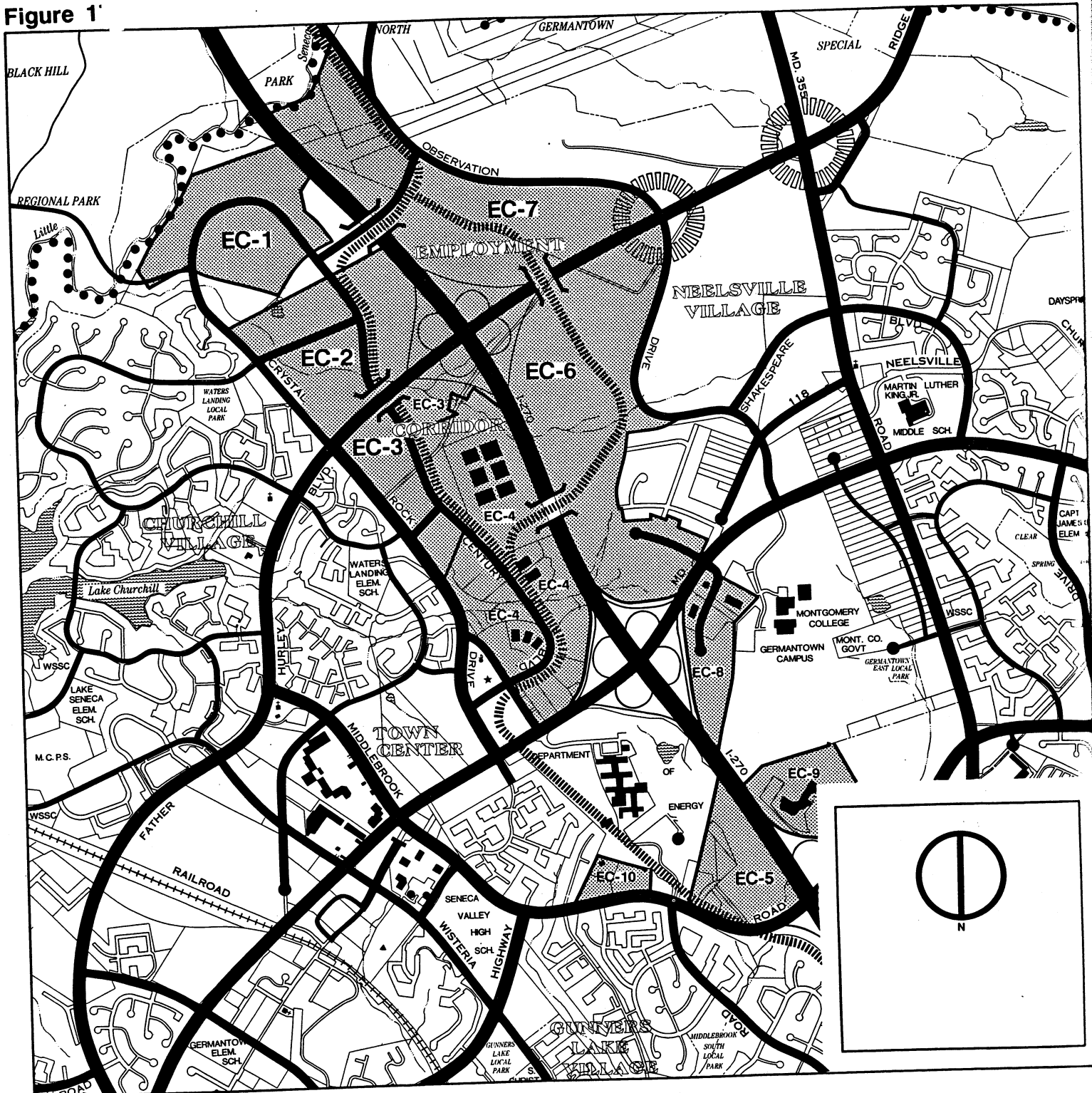
The Cloverleaf Townhome Association expressed concern about the level of development, generally, in Germantown and that unoccupied commercial and retail buildings have been vacant for a long time. Their concerns are that this project will compete with existing space, causing further vacancies.

The Association is also generally concerned about the safety and character of Crystal Rock Drive. Parking of large vehicles (RVs, trailers) takes place on the existing portions of Crystal Rock. At such time as Crystal Rock is completed, these vehicles would impede safe traffic movement on the roadway. Some residents are also concerned that children waiting a school bus stops on Crystal Rock would be endangered by higher traffic volumes when the road is completed.

Conclusion

Community-Based Planning staff support this application subject to the conditions of approval.

Figure 1'



Employment Corridor: Analysis Areas



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

October 24, 2002

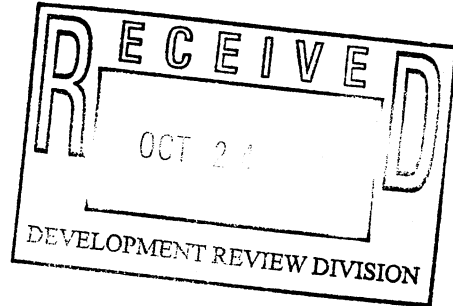
MEMORANDUM

TO: Wynn Witthans, Planner
Development Review Division

VIA: Ronald C. Welke, Supervisor
Transportation Planning

FROM: Ki H. Kim, Planner
Transportation Planning

SUBJECT: Site Plan No. 8-02003
Churchill Town Sector Far North Village Part 2
Germantown



This memorandum is Transportation Planning staff's review of the subject site plan for Churchill Town Sector Far North Village Part 2. The subject site is located on the west side of I-270 north of Father Hurley Boulevard in the Germantown West Policy Area. The site has an approved preliminary plan for 1,300,000 square feet of office space and a site plan for 400,000 square feet of office space under Part 1. The application is for the remaining 900,000 square feet of office space for the subject site.

RECOMMENDATION

Staff recommends the following conditions related to approval of the subject site plan.

1. Total development under this site plan application is limited to 900,000 square feet of office space.
2. The applicant shall participate in the County's future CIP project to construct the four-lane divided highway portion of Century Boulevard from its current terminus near Father Hurley Boulevard to its intersection with future Dorsey Mill Road by allocating a portion of their impact taxes when paid to this project.

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3. The applicant shall construct Crystal Rock Drive as a four-lane divided roadway from its current terminus to its intersection with future Dorsey Mill Road as shown on the site plan.
4. The applicant shall participate in constructing an acceleration lane on Father Hurley Boulevard to accommodate the movement from northbound Crystal Rock Drive to eastbound Father Hurley Boulevard.
5. The applicant shall participate in constructing an acceleration lane on Crystal Rock Drive to accommodate the movement from westbound Father Hurley Boulevard to northbound Crystal Rock Drive including reconstruction/reconfiguration of the median and travel lanes on the northern leg of the intersection.

DISCUSSION

Local Area Transportation Review (LATR) and Policy Area Transportation Review

The Adequate Public Facilities issues on the subject development as related to both the LATR and Policy Area Transportation Review were addressed at the time of the preliminary plan application. The applicant's participation in the intersection improvements as listed in Conditions 4 and 5 in this memorandum is needed to replace the previously conditioned improvements at this intersection. The previously conditioned improvements, construction of a third left-turn lane on southbound Crystal Rock Drive and a second right-turn lane on westbound Father Hurley Boulevard, are replaced by the alternative improvement that is currently under construction. This alternative intersection improvement applies only to the final 350,000 square feet of the subject site.

Site Access and Circulation

The existing four-lane Crystal Rock Drive from Father Hurley Boulevard to the site and completion of a loop of Crystal Rock Drive along their frontage as a four-lane divided roadway to tie into the future extension of Century Boulevard, which is to be provided by the applicant in connection with the subject site plan, provides safe and adequate access for vehicles and pedestrians. The internal vehicular circulation as shown on the site plan is adequate and safe.

KHK:cmd

SP 8-020003 Far North Village Part 2.doc