



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item # 6
MCPB 02/27/03

MEMORANDUM

DATE: February 21, 2003
TO: Montgomery County Planning Board
VIA: Joe R. Davis, Chief *JRD*
Development Review Division
FROM: Michael Ma, Supervisor *Ma*
(301) 495-4523



REVIEW TYPE: **Site Plan Amendment**
CASE NUMBER: **8-01017A**
PROJECT NAME: **White Flint Place**
APPLYING FOR: Parking waiver request to reduce the number of parking spaces provided
REVIEW BASIS: Sections 59-E-3.31 and E-4.5, Montgomery County Zoning Ordinance

ZONE: TS-M
LOCATION: Northeastern quadrant of the intersection of Rockville Pike (MD 355) and Old Georgetown Road (MD 187)
MASTER PLAN: North Bethesda/Garrett Park
APPLICANT: WFP Front Lot Limited Partnership
FILING DATE: January 21, 2003
HEARING DATE: February 27, 2003

BACKGROUND

Site Plan 8-01017 for White Flint Place was approved by the Planning Board on April 19, 2001 with conditions. A copy of the Planning Board Opinion for the plan is attached (Appendix A). The proposed development consists of commercial office, retail, and residential uses and a 1,155-space underground parking garage. The residential portion of the project is currently under construction. The purpose of the subject site plan amendment is to reduce the number of parking spaces provided for the commercial portion of the project from 663 to 459.

STAFF RECOMMENDATION:

Approve a 15% reduction (100 spaces) in the required number of parking spaces for the commercial portion of the proposed development, pursuant to Section 59 E-3.31(a)(1) of the Zoning Ordinance. Grant a waiver, pursuant to Section 59-E-4.5, to permit an additional 15.7% reduction (104 spaces) in the number of required parking spaces for the commercial portion of the proposed development. The approval of the parking credit and grant of waiver are subject to the following conditions:

1. Prior Approval

The terms and conditions of all applicable prior regulatory approvals and agreements remain in full force and effect, except as affected by the conditions of this site plan amendment.

2. Transportation

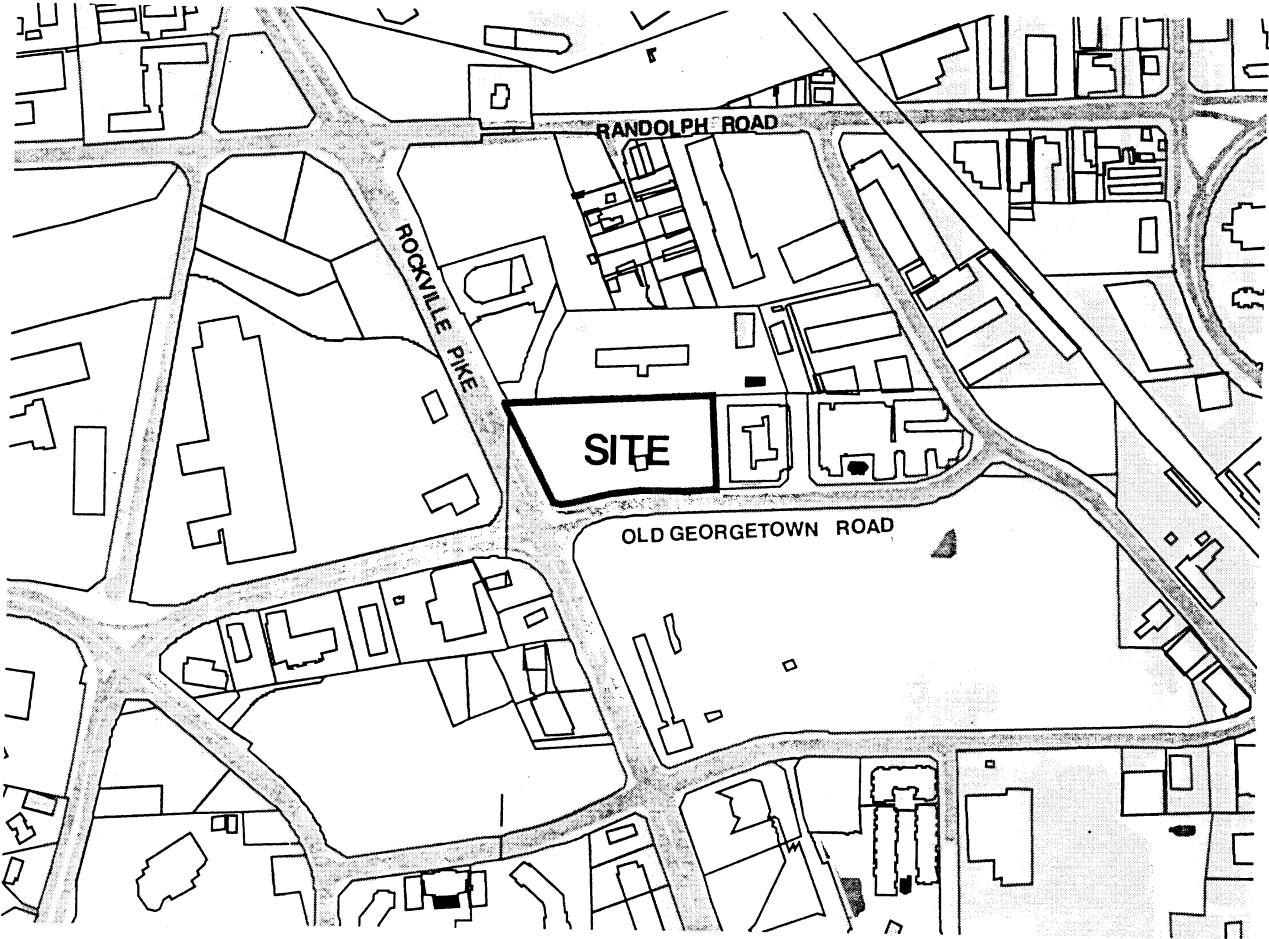
- a. Enter into a Parking Reduction Agreement (PRA) with the Maryland-National Capital Park and Planning Commission (M-NCPPC) and the Montgomery County Department of Public Works and Transportation (DPWT) to implement a program to reduce the need for additional parking spaces by promoting alternative transportation modes to the persons working on the site. The PRA shall include the following:
 - i. The conditions listed in Section 59-E-3.31.(a)(1) of the Zoning Ordinance.
 - ii. In consideration for the parking reduction waiver, provide additional mitigation measures to be determined by the M-NCPPC and DPWT staff.
 - iii. If the parking demand exceeds the available spaces, the applicant shall implement the following mitigating measures:
 - (a) Managed parking using attendants to increase the parking capacity (e.g., by parking vehicles behind one another in tandem, etc.).
 - (b) Shuttle service to public transportation facilities and available off-site satellite parking areas.
- b. Amend the previously executed Traffic Mitigation Agreement (TMA), to seek participation by all of the persons working on the site.

3. Site Plan Enforcement Agreement

Prior to issuance of any building permit for the commercial portion of the development, the Site Plan Enforcement Agreement shall be amended to reflect the subject amendment and approval conditions.

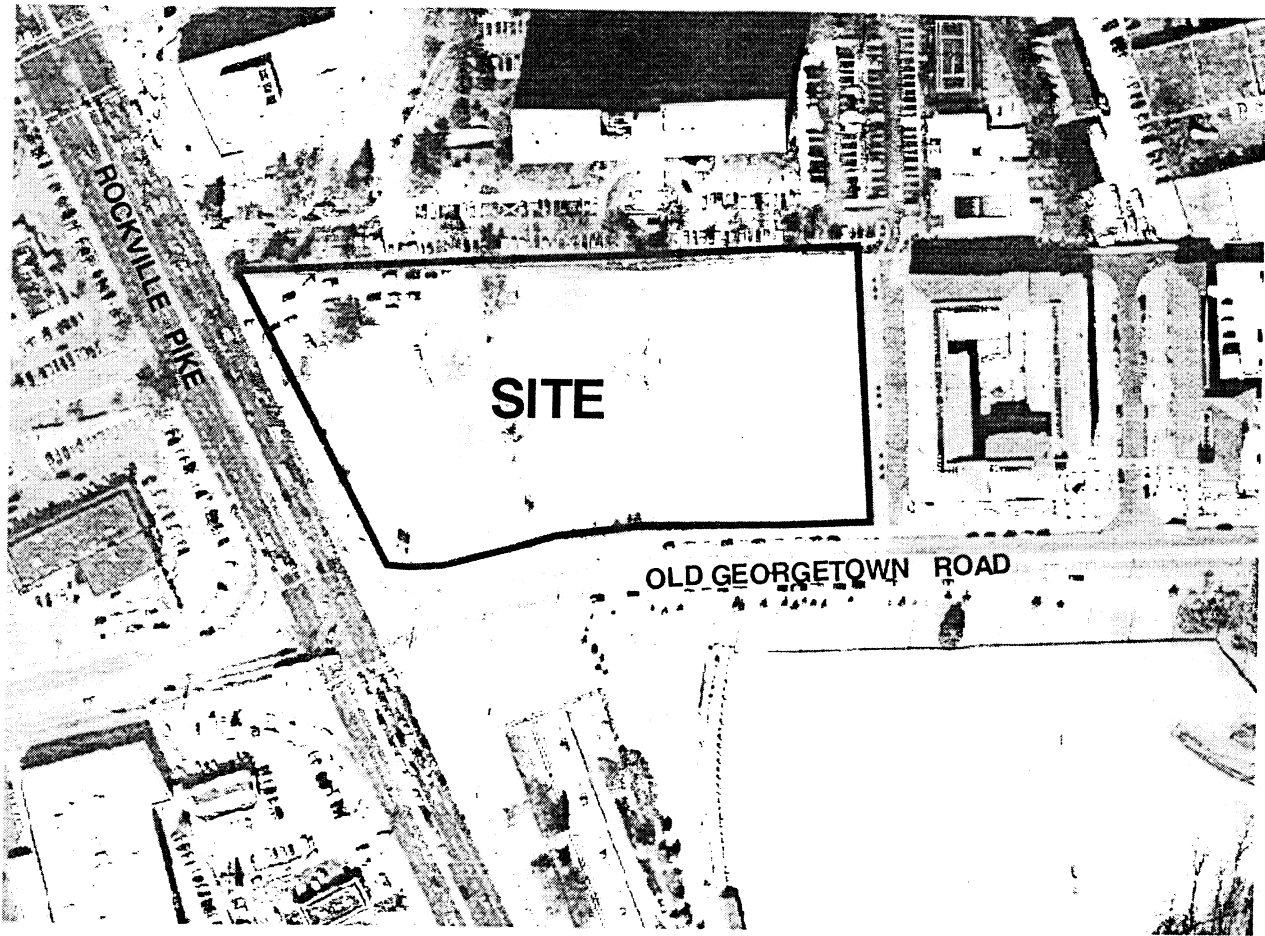
PROJECT DESCRIPTION: Surrounding Vicinity

The site is located on the east side of Rockville Pike (MD 355), north of Old Georgetown Road (MD 187). It is bounded on the north by the high-rise Forum Condominium and on the east by the Windsor Villa garden apartments. Across Old Georgetown Road to the south is the as-yet-undeveloped WMATA/LCOR joint development parcel containing the White Flint Metro station. To the west across Rockville Pike is an existing strip shopping center. To the north on Rockville pike is the site of an approved Site Plan for an office building.



PROJECT DESCRIPTION: Site Description

The relatively level site was substantially clear of vegetation. It has been graded for the proposed development. The residential portion of the project, which contains two high-rise buildings, is currently under construction in the eastern part of the site. The WMATA tunnel for Metro rail tracks traverses the site parallel to Rockville Pike and 100-150 feet east of it. The tunnel is a shallow, cut-and-cover structure, the roof of which is within a few feet of existing grade.

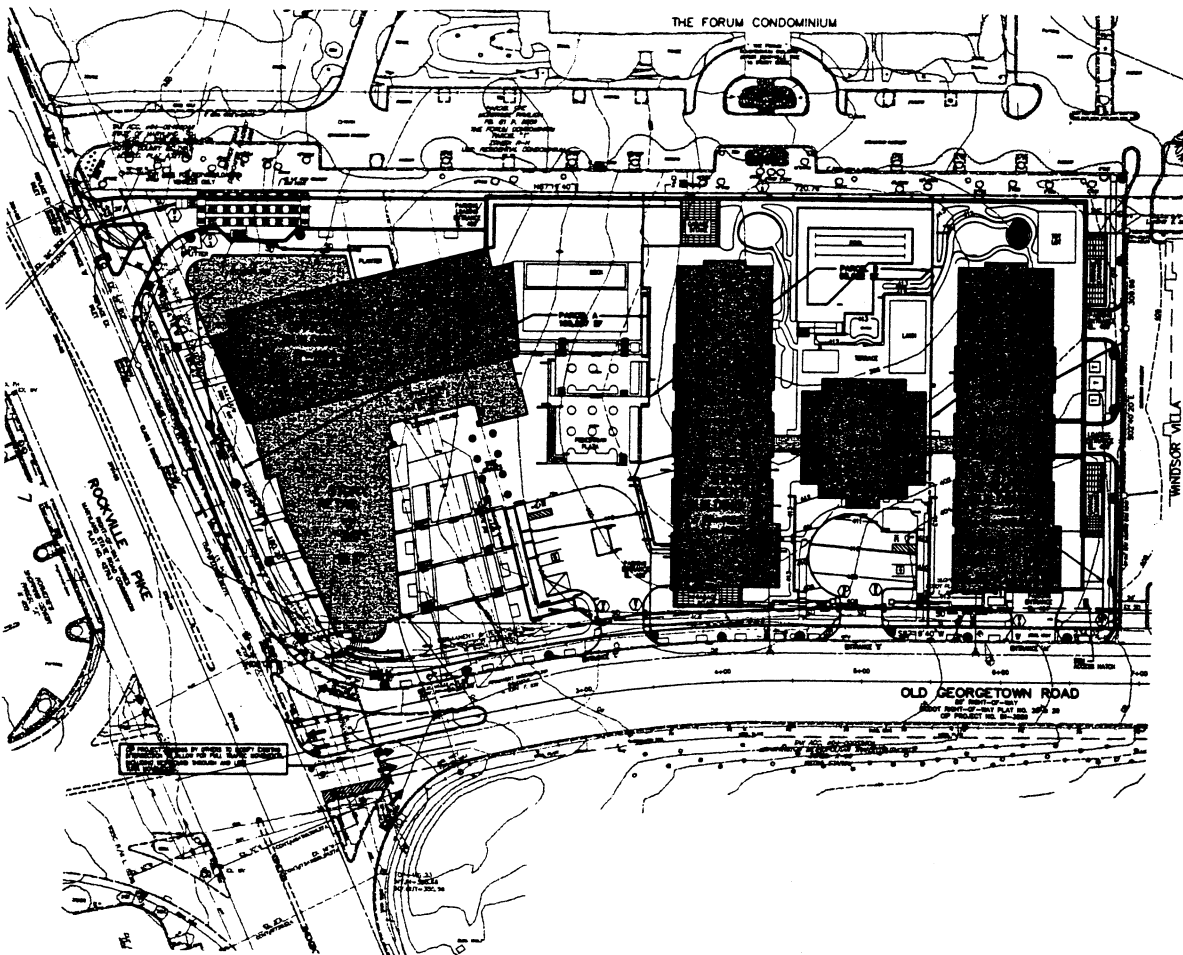


PROJECT DESCRIPTION: Proposal

The approved proposal consists of 252,799 square feet of office, 18,804 square feet of auxiliary retail, and 453 residential units. The proposed development includes a 10-story office building straddling the Metro tunnel near Rockville Pike, two 16-story apartment towers in the eastern portion of the site, and a 1,155-space underground parking garage. Storm water structures are located in the northwest corner beneath the service/parking driveway and in the southeast corner next to the tower.

The ground level of the office building is to be occupied by lobby, retail, café/deli and restaurant uses. The ground floor of the apartments will include common recreation and management space and lobby functions in a one-story pavilion linking the towers, as well as dwelling units. The site features several discrete amenity areas including two arrival plazas, recreation/social facilities, a parterre roof garden, outdoor dining areas and urban streetscaped plazas.

The driveway now used as access to the garages on the west end of the Windsor villas will be shared by this project to provide access to parking for residents at the east edge of the site. This drive also functions as an exit from the Forum to Rockville Pike via Old Georgetown Road, by virtue of a prior agreement between the Forum and Windsor Villa. Residents and workers also access parking from the west arrival plaza, and from the Pike along the northwest driveway. Office loading is also from this driveway, and residential loading is from the eastern driveway.



PROPOSED AMENDMENT

The applicant proposes to reduce the number of parking spaces provided for the commercial portion of the development from 663 to 459, which represents a 204-space or 30.7% reduction.

Parking Tabulation

	<u>Required</u>	<u>Provided</u>
Commercial		
Office - 252,799 sf (2.4 spaces/1000 sf)	606.72	
Aux. Retail - 18,804 sf (3.5/1000 sf)	<u>65.82</u>	
Total Required	673	
Credit (15%)		
Office	-100	
Retail	- 10	
Waiver	-104	
 Total Net	 459	 459
Residential – 453 d.u.		
Credits	591	
Net	<u>-93</u>	
	498	498
 Motorcycle	 10	 10
Bicycle	20	20

ANALYSIS:

Applicant’s Justification

The Applicant is proposing 459 parking spaces, which is 204 fewer spaces than the Zoning Ordinance requires. This requested waiver will permit the Applicant to provide ample parking for the Project within the three underground parking levels as proposed on the Parking Plan.

Master Plan - Such a reduction is consistent with the North Bethesda/Garrett Park Master Plan (Approved and Adopted with Staging Amendment, 1994) (the “Master Plan”) which states that decreased parking supply is a “critical variable in estimating the level of auto versus transit use in an area. Free parking or relatively inexpensive parking, makes the choice to drive very easy. This master plan recommends that a mechanism be instituted in North Bethesda to ensure that free parking for commuters is virtually eliminated for both new and existing development.” (Master Plan, pg. 169).

Potential Tenant - At the time of Site Plan approval, the Applicant sought the maximum amount of parking spaces available in order to increase the options for marketing the Project to potential office tenants. However, the Applicant is currently pursuing a lease situation where the majority of the 252,799 square feet of office use will be occupied by a single governmental or quasi-governmental tenant, which significantly reduces the need for parking, particularly due to the Project’s proximity to the Metro Station. Although governmental agencies have long recognized the benefits of fewer parking spaces, consistent with the Master Plan and the reduced parking requested in this waiver, the private sector has also come to realize the realities and advantages of providing less parking in a Metro Station area such as White Flint

Place. This is particularly true when there are commuter services already in effect such as those provided through the North Bethesda Transportation Management District, and the existing Traffic Mitigation program for the Project. In the long run, this provides any tenant, public or private, with the ability to take advantage of the efficient and lower operational costs that the requested Parking Waiver offers.

Construction Constraints - Subsequent to Site Plan approval, the Applicant conducted further engineering on the underground garage for the Project and recognized additional constraints accommodating the two Metro tunnels and providing the necessary support. The fourth level of the garage becomes extremely inefficient and costly and significantly impacts the ability to market the Project. In addition, providing this parking would not help to further the Master Plan's goal of reducing auto-oriented trips in the area.

It is not necessary for the Applicant to provide the 204 parking spaces to accomplish the objectives of Section 59-E-4.2 of the Zoning Ordinance. There will be more than adequate parking to serve the Project, and the various trip mitigation measures in place in North Bethesda will encourage more efficient transportation choices by employees. Further, the Applicant's participation and contribution toward these programs as part of the existing Traffic Mitigation Agreement will be beneficial to the overall community and supports the request for fewer spaces as does the Master Plan.

Conformance to Master Plan

The 1992 Approved and Adopted North Bethesda/Garrett Park Master Plan promotes an overall reduction in parking supply for new and existing development.

"There is a good deal of evidence that the cost and availability of parking is a critical variable in estimating the level of auto versus transit use in an area. Free parking, or relatively inexpensive parking, makes the choice to drive easy. This Master Plan recommends that a mechanism be instituted in North Bethesda to ensure that free parking for commuters is virtually eliminated for both new and existing development." (1992, page 154)

The Plan supports a decreased parking supply in North Bethesda.

Transportation

Policies Supporting the Proposed Parking Reduction

The proposed reduction in parking spaces could be offset by an anticipated site-generated vehicular trips based on the site's unique location. White Flint Place is located in the northeast quadrant of the intersection of Rockville Pike (MD 355) and Old Georgetown Road and across the street (i.e., Old Georgetown Road) from the White Flint Metro Station. The walking distance from the site is even closer than the "less than 800 feet" in proximity to a metro station as referenced in the table in Section 59-E-3.2.

Complimentary to the reason above, vehicular trips during weekday morning and evening peak periods would be discouraged with the reduced number of available on-site parking spaces. Those motorists would be encouraged to use alternative transportation modes (e.g., car/vanpooling or using transit).

The parking policy discussed above is consistent with goals of the following area-wide organizations:

1. The trip-reduction goals of the North Bethesda TMD as discussed in more detail below.
2. The "Smart Growth" policy to encourage higher-density development near and served by Metro stations.

County Code Provisions Supporting the Parking Reduction

In lieu of the requested 30.7% parking waiver under Section 59-E-4.5 of the County Code, the Planning Department staff recommends a 15% parking credit in accordance with Section 59-E-3.31.(a)(1) and an additional 15.7% through a parking waiver in accordance with Section 59-E-4.5. Other developers such as one of two NRC buildings (Preliminary Plan No. 1-88239, White Flint North) obtained parking reductions under the provision of Section 59-E-3.31.(a)(1) of the County Code. Under this section, a 15% parking credit can be obtained for an office building located in a share-a-ride district for the original number of required spaces. Those developers were required to do the following:

1. Participate in a share-a-ride district (i.e., but not an outreach area) that has the same boundaries as the North Bethesda TMD per Executive Regulation No. 7-95.
2. Enter into a written TMA with the Planning Board and DPWT.
3. Make an annual payment into the higher of the Ridesharing Account of Mass Transit Facility Fund (MTFF) fee. On an annual basis, the payments into Ridesharing Account of MTFF can be dedicated from any payment due Transportation Management Fee. The TM Fee had expired, but may be reestablished at later time.
4. Provide for contingency parking at an alternative location if the demand for site-generated parking exceeds the available number of on-site parking spaces.

Finally, the County Code does provide for reductions for the shared parking needs of office and residential development uses where offices tend to use mostly weekday daytime parking and residential developments do not need as much weekday daytime parking.

Current Transit Subsidies Program and Tax Credits

DPWT's Commuter Services Section is currently implementing the Super Fare Share (SFS) transit subsidy program for employers located in a share-a-ride district. The County's SFS program is for the first five years and is now funded annually. At this time funding is such that:

1. In the first year, the employer pays \$1.00 per month per participating employee while the County pays \$64 per month per participating employee for a maximum of \$65 per month per employee.
2. For the next four years, the County matches the employers transit subsidy of up to \$32.50 on a 50-50 basis for a maximum of \$65 per month per employee.

However to offset the employer's cost of the transit subsidies, the employer is eligible for the following tax credits:

1. A federal limit of up to \$100 per month per employee for tax-free transit benefits.
2. A state's tax credit for 50% of the employer's contributions up to a maximum of \$30 per month per employee.

To satisfy Recommendation No. 2 these measures to reduce the need for additional parking spaces should be coordinated with the on-site "Transportation Management Coordinator" (TMC). The TMC provides information on alternative transportation modes in lieu of making a vehicular trip and /or the North

Bethesda Transportation Management District (TMD).

CONCLUSION

Based on the analysis above, staff recommends approval of a 15% reduction (100 spaces) in the required number of parking spaces for the commercial portion of the proposed development and granting a waiver, pursuant to Section 59-E-4.5, to permit an additional 15.7% reduction (104 spaces) in the number of required parking spaces for the commercial portion of the proposed development.

ATTACHMENT

- A. Planning Board Opinion for Site Plan 8-01017.
- B. Memo from Transportation Planning Division dated 02-21-03.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD

OPINION

DATE MAILED: May 21, 2001
SITE PLAN REVIEW #: 8-01017
PROJECT NAME: White Flint Place

Action: Approval subject to conditions. Motion was made by Commissioner Bryant, seconded by Commissioner Holmes, with a vote of 5-0, Commissioners Bryant, Perdue, Hussmann, Holmes and Wellington voting for.

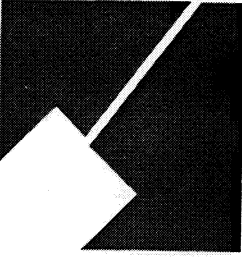
The date of this written opinion is May 21, 2001, (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before June 20, 2001 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, this Site Plan shall remain valid for as long as Preliminary Plan #1-01039 is valid, as provided in Section 59-D-3.8. Once the property is recorded, this Site Plan shall remain valid until the expiration of the project's APFO approval, as provided in Section 59-D-3.8.

On April 19, 2001 Site Plan Review #8-01017 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report, which is made a part hereof, the Montgomery County Planning Board finds:

1. *The Site Plan is consistent with the approved development plan DPA-01-1;*
2. *The Site Plan meets all of the requirements of the TS-M zone. See Data Table above.*
3. *The location of the buildings and structures, the open spaces, the landscaping, and the pedestrians and vehicular circulation systems are adequate, safe, and efficient;*
4. *Each structure an use is compatible with other uses and other Site Plans and with existing and proposed adjacent development;*
5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation;*

Therefore, the Montgomery County Planning Board APPROVES Site Plan #8-01017, which consists of 248,911 gsf office, 2270 gsf café/deli, 8249 gsf restaurant, 49,129 gsf health club, 8285 gsf retail and 460-480 multifamily high-rise dwellings including 122-127 MPDU's on 4.76 acres, with the following conditions:

1. Standard Conditions dated October 10, 1995:
 - A. Submit a Site Plan Enforcement Agreement and Development Program and for review and approval prior to approval of the signature set as follows:
 - i. Development Program to include a phasing schedule as follows:
 - a. Streets tree planting must progress as street construction is completed, but no later than six months after completion of the buildings adjacent to those streets.
 - b. Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development.
 - c. Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
 - d. Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
 - e. Clearing and grading to correspond to the construction phasing, to minimize soil erosion. Coordination of each section of the development and roads.
 - f. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
 - ii. Site Plan Enforcement Agreement to address conditions of approval in Transportation Planning staff memo of April 12, 2001.
 - B. 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):
 - i. Conditions of DPS Stormwater Management Concept approval letter
 - ii. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
 - iii. The development program inspection schedule.
 - C. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
 - D. No clearing or grading prior to M-NCPPC approval of signature set of plans.
2. Applicant shall work with staff and MCDPWT to design the Rockville Pike streetscape to include a landscape panel with double row of trees between the curb and the sidewalk
3. Applicant shall work with MNCPPC staff and MCDPWT staff to design a median, adjacent to the subject site, which will accommodate the median breaks described in the Transportation Planning staff memo dated April 12, 2001 addressing the Preliminary Plan condition for the subject project. The execution of the median shall be part of the disposition of the DAP payment. The median design shall be designed to enhance the attractiveness of Old Georgetown Road.
4. Also as part of the disposition of the DAP payment, Applicant shall work with staff of MNCPPC, MCDPWT and SHA to design the improvements for the intersection of Old Georgetown Road and Rockville Pike to be equally as attractive and safe for pedestrians as for vehicles.
5. Applicant shall work with MNCPPC staff to continue the streetscape concept (paving materials, street furniture, etc.) similar to the Windsor Villa Apartments, along the full street frontage of the subject site.



February 21, 2003

MEMORANDUM

TO: Michael Ma, Supervisor
Development Review Division

VIA: Ronald C. Welke, Supervisor
Transportation Planning

FROM: Ed Axler, Planner/Coordinator
Transportation Planning

SUBJECT: Site Plan No. 8-01017-A
White Flint Place
White Flint Policy Area

This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject site plan amendment which was approved as Preliminary Plan No. 1-01039 under the Alternative Review Procedure (ARP) for Metro Station Policy Areas.

RECOMMENDATIONS

Transportation Planning staff recommends the following additional conditions to the previously approved subdivision-related conditions as part of the APF review for transportation requirements related to approval of this site plan amendment:

1. Approve 15% reduction in the number of required parking spaces for the commercial portion of the development in accordance with Montgomery County Code Section 59-E-3.31.(a)(1) (Credits for general office buildings – Sites within share-a-ride districts). For the proposed commercial uses, the 663 required parking spaces given the proposed mix of land use would be reduced to 563 spaces (i.e., 15% or 100 fewer spaces).
2. Grant a parking facilities plan waiver in accordance with Montgomery County Code Section 59-E-4.5, (Waiver - Parking Standards). For the proposed commercial uses, the reduced 563 parking spaces would be further reduced to 459 spaces (i.e., additional 15.7% or 104 less spaces).

3. Enter into a Parking Reduction Agreement (PRA) with Park and Planning and the Montgomery County Department of Public Works and Transportation (DPWT) to implement a program to reduce the need for additional parking spaces by promoting alternative transportation modes to the persons working in the proposed development.
 - a. The PRA shall include the conditions listed in Section 59-E-3.31.(a)(1) which are discussed below.
 - b. For the parking reduction waiver of an additional 15.7%, provide additional mitigation measures to be determined by staff.
 - c. In the event that the parking demand exceeds the available spaces, the applicant shall implement the following mitigating measures:
 - (1) Managed parking using attendants to increase the parking capacity (e.g., by parking vehicles behind one another in tandem, etc.).
 - (2) Shuttle service to public transportation facilities and available off-site satellite parking areas.
4. Amend the previously executed Traffic Mitigation Agreement (TMA), to seek participation by all of the persons working in the proposed development. The applicant has already executed a TMA dated April 11, 2002, and it was recorded in the Land Records.
5. Amend the Site Plan Enforcement Agreement to reflect the conditions of this site plan amendment.

DISCUSSION

Policies Supporting the Proposed Parking Reduction

The proposed reduction in parking spaces could be offset by an anticipated site-generated vehicular trips based on the site's unique location. White Flint Place is located in the northeast quadrant of the intersection of Rockville Pike (MD 355) and Old Georgetown Road and across the street (i.e., Old Georgetown Road) from the White Flint Metro Station. The walking distance from the site is even closer than the "less than 800 feet" in proximity to a metro station as referenced in the table in Section 59-E-3.2.

Complimentary to the reason above, vehicular trips during weekday morning and evening peak periods would be discouraged with the reduced number of available on-site parking spaces. Those motorists would be encouraged to use alternative transportation modes (e.g., car/vanpooling or using transit).

The parking policy discussed above is consistent with goals of the following area-wide organizations:

1. The trip-reduction goals of the North Bethesda TMD as discussed in more detail below.
2. The "Smart Growth" policy to encourage higher-density development near and served by Metro stations.

County Code Provisions Supporting the Parking Reduction

In lieu of the requested 30.7% parking waiver under Section 59-E-4.5 of the County Code, the Planning Department staff recommends a 15% parking credit in accordance with Section 59-E-3.31.(a)(1) and an additional 15.7% through a parking waiver in accordance with Section 59-E-4.5. Other developers such as one of two NRC buildings (Preliminary Plan No. 1-88239, White Flint North) obtained parking reductions under the provision of Section 59-E-3.31.(a)(1) of the County Code. Under this section, a 15% parking credit can be obtained for an office building located in a share-a-ride district for the original number of required spaces. Those developers were required to do the following:

1. Participate in a share-a-ride district (i.e., but not an outreach area) that has the same boundaries as the North Bethesda TMD per Executive Regulation No. 7-95.
2. Enter into a written TMA with the Planning Board and DPWT.
3. Make an annual payment into the higher of the Ridesharing Account of Mass Transit Facility Fund (MTFF) fee. On an annual basis, the payments into Ridesharing Account of MTFF can be dedicated from any payment due Transportation Management Fee. The TM Fee had expired, but may be reestablished at later time.
4. Provide for contingency parking at an alternative location if the demand for site-generated parking exceeds the available number of on-site parking spaces.

Finally, the County Code does provide for reductions for the shared parking needs of office and residential development uses where offices tend to use mostly weekday daytime parking and residential developments do not need as much weekday daytime parking.

Current Transit Subsidies Program and Tax Credits

DPWT's Commuter Services Section is currently implementing the Super Fare Share (SFS) transit subsidy program for employers located in a share-a-ride district. The County's SFS program is for the first five years and is now funded annually. At this time funding is such that:

1. In the first year, the employer pays \$1.00 per month per participating employee while the County pays \$64 per month per participating employee for a maximum of \$65 per month per employee.
2. For the next four years, the County matches the employers transit subsidy of up to \$32.50 on a 50-50 basis for a maximum of \$65 per month per employee.

To satisfy Recommendation No. 3.b., the applicant would continue funding transit subsidies beyond the first five years of the SFS.

However to offset the employer's cost of the transit subsidies, the employer is eligible for the following tax credits:

1. A federal limit of up to \$100 per month per employee for tax-free transit benefits.
2. A state's tax credit for 50% of the employer's contributions up to a maximum of \$30 per month per employee.

To satisfy Recommendation No. 3.a., these measures to reduce the need for additional parking spaces should be coordinated with the on-site "Transportation Management Coordinator" (TMC). The TMC provides information on alternative transportation modes in lieu of making a vehicular trip and /or the North Bethesda Transportation Management District (TMD).

Background Information

1. Transportation Demand Management (TMD)

This site is within the boundary of the North Bethesda TMD. For the commercial development, participation is required in the North Bethesda Transportation Management Organization (TMO) to encourage commuters and assist the North Bethesda TMD in achieving and maintaining the 39% non-driver traffic mitigation goal for Stage II of the *North Bethesda/Garratt Park Master Plan* development. For residential development, participation is not required but encouraged.

Participation would include designating a transportation coordinator to implement planning and coordinating with the North Bethesda TMO staff, collecting data on results of the plan, and monitoring achievement of traffic mitigation as anticipated by the Master Plan. The North Bethesda TMO staff provides transportation information, technical advice, and other forms of assistance to participating sites within North Bethesda.

2. Prior Regulatory Actions

- a. The District Council adopted Zoning Case No. G-726 on September 10, 1996, to change the zoning from R-90 to TS-M. Zoning Case No. G-726 included two phases where Phase I is the adjacent Windsor Villas project and Phase II is this site. For Phase II on this site, the land use mix was approved for 455,441 square feet of non-residential space (e.g., 400,411 square feet of general office space and 55,000 square feet of general retail space) and 154,850 square feet of residential use (e.g., 129 high-rise apartments). Windsor Villas (previously known as Jefferson Villas) was approved as Preliminary Plan No. 1-97073 on June 26, 1997, for 261 apartments.

- b. A Planning Board Hearing was held on November 9, 2000 for Development Plan Amendment (DPA) No. DPA-01-1 to amend the previous DPA to reflect the land uses discussed in Regulatory Action 2.a above. With the Planning Board's and the Hearing Examiner's recommendations, the District Council adopted the amended DPA on January 16, 2001, to permit 259,430 square feet of non-residential space and between 500 and 525 residential units (e.g., high-rise apartments) on Phase II.
- c. The Planning Board approved Preliminary Plan No. 1-01039 and Site Plan No. 8-01017 at its April 19, 2001 public hearing for the following:
 - 1) Up to 249,911 square feet of general office use, 10,550 square feet of general retail use (which includes 2,270 square feet of café/deli), 8,249 square feet of quality sit-down restaurant, 49,129 square feet of health club, and up to 480 high-rise apartments.
 - 2) Or other mix of land uses not to exceed 407 peak-hour trips during the weekday morning peak period and 727 peak-hour trips during the weekday evening peak period.
- d. The Planning Board staff administratively revised the signature set in July 2002, for a land use mixture consisting of 252,799 FAR or gross square feet of general office use (e.g., ancillary retail may include 2,270 square feet of café/deli) and 16,534 gross square feet of non-FAR commercial cellar space (e.g., including general retail use and/or quality sit-down restaurant), and 453 high-rise apartments. The health club was deleted from the signature set.

EA:ct

cc: Sande Brencher
Tariq El'Baba
Peter Gartlan
Mary Goodman
Wes Guckert
Greg Leck
Peggy Schwartz
Emily Vaias