




Items # 7  
MCPB 04/24/03

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

## MEMORANDUM

DATE: April 18, 2003  
TO: Montgomery County Planning Board  
VIA: Joe R. Davis, Chief  
Development Review Division  
FROM: Michael Ma, Supervisor  
(301) 495-4523

REVIEW TYPE: Amended Site Plan  
CASE NUMBER: 8-95036 B  
PROJECT NAME: Montrose Crossing  
APPLYING FOR: 426,048 square feet of retail, 20,377 square feet of restaurant, 2,400 square feet of office, and a future multi-family project  
REVIEW BASIS: Divisions 59-C-10 and D-3 of Montgomery County Zoning Ordinance  
ZONE: RMX-3C (Residential-Mixed Use Development, Regional Center, Commercial Base)  
LOCATION: Northeast quadrant of the intersection of Randolph Road and Rockville Pike  
MASTER PLAN: North Bethesda-Garrett Park  
APPLICANT: Montrose Crossing, Inc.  
FILING DATE: January 21, 2003  
HEARING DATE: April 24, 2003



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## BACKGROUND

Montrose Crossing is a RMX-3C zoned, mixed-use development. The first two phases of the development, which contain 426,048 square feet of retail, 20,377 square feet of restaurant, and 2,400 square feet of office, have been completed. A high-rise, 150-multi-family-unit project is planned for the final phase (Phase III) of the development. Phase III has not been approved by the Planning Board.

Site plan 8-95036 for Montrose Crossing was approved by the Planning Board with 10 conditions on June 29, 1995. A copy of Planning Board opinion for site plan 8-95036 is attached. Condition 1.a. of the approval requires the applicant to file a site plan application for Phase III before July 1, 2002. The applicant, however, has not fulfilled this condition. Through the subject site plan amendment application, the applicant requests an eighteen-month extension for submitting a site plan application for Phase III to December 1, 2003.

## STAFF RECOMMENDATION:

Approval of 426,048 square feet of retail, 20,377 square feet of restaurant, 2,400 square feet of office, and a future multi-family project with 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. Site Plan Submission for Phase III

The applicant must submit a complete site plan application for Phase III of the subject development on or before December 1, 2003.

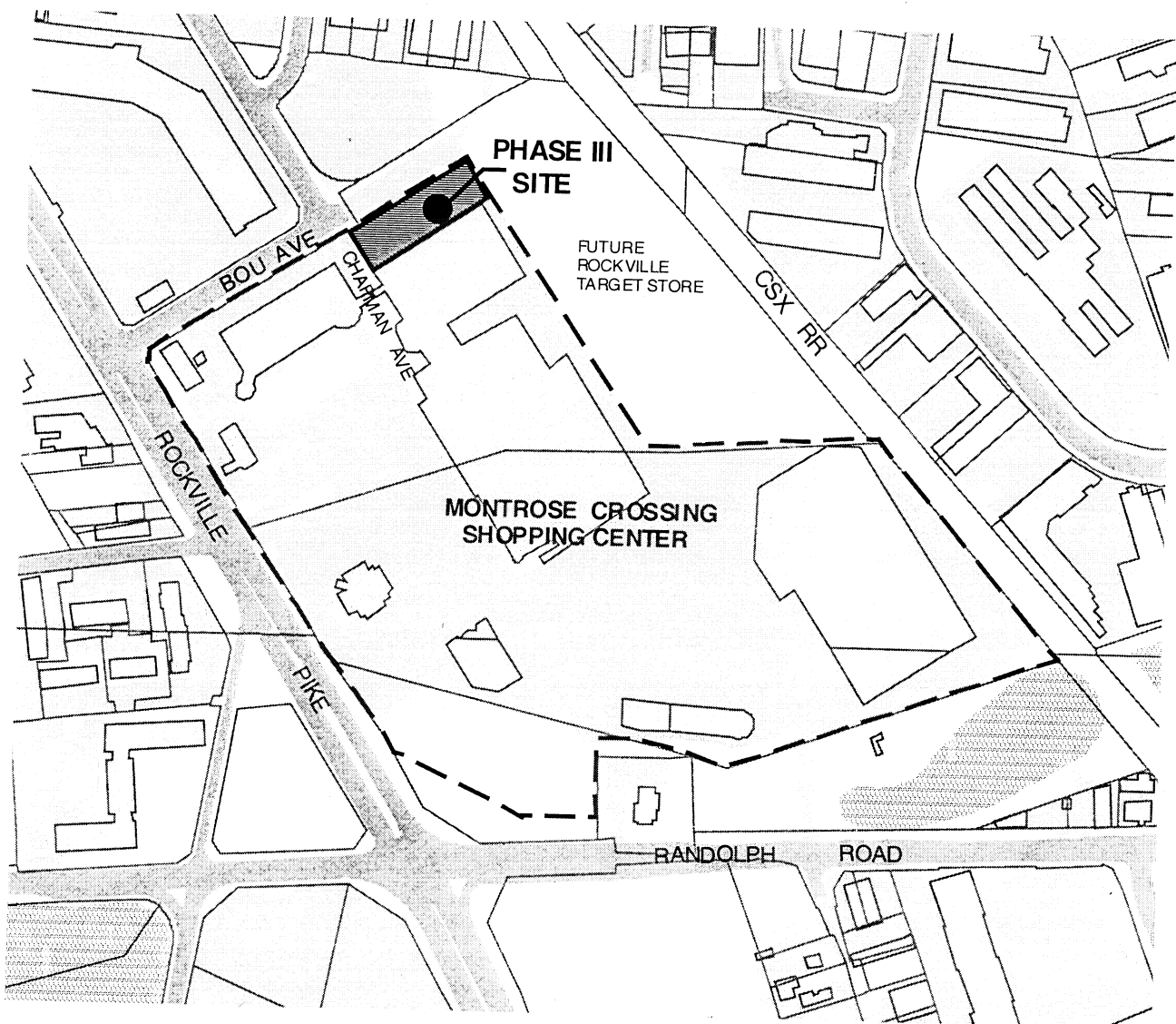
3. Transportation

Phase III of the development is limited to 150 dwelling units (multi-family units for Policy Area Transportation Review and high-rise units for Local Area Transportation Review) as analyzed in the previous site plan approval. Any additional multi-family dwelling units are subject to Adequate Public Facilities-transportation-related review at the time of site plan.

**PROJECT DESCRIPTION: Site Description**

Montrose Crossing is located on the north side of Randolph Road, east of Rockville Pike (MD 355). The majority of the 30-acre site has been developed with retail and restaurant buildings. Chapman Avenue runs through the site from Randolph Road to Bou Avenue. In the southeast quadrant of the intersection of Bou Avenue and Chapman Avenue is the site for Phase III development.

The Phase III site is about .75 acres in area and currently used as a surface parking lot for the shopping center. The site is bounded by the future Rockville Target store to the east and the shopping center's parking garage to the south. Across Bou Avenue from the site is a car wash business within the City of Rockville.



**PROJECT DESCRIPTION:** Prior Approvals

Site plan 8-95036 for Montrose Crossing was approved by the Planning Board with 10 conditions on June 29, 1995. Condition 1.a. of the approval provides:

*Applicant to submit a complete application for site plan review for Phase III (the residential component) on or before July 1, 2002, unless the Board has granted an approval extending the submission schedule for some additional reasonable timeframe. Applicant must establish grounds for why the residential component is not feasible.*

The applicant has not submitted a site plan application for Phase III.

**ANALYSIS:**

**Applicant's Request**

In their letter to the planning staff dated January 9, 2003 (attached), the applicant's representatives indicated that the applicant had not been able to fulfill the required condition for Phase III of the development due to the acquisition of the Giant Food Company (the applicant) by the Ahold International Company and related personnel changes. Over the past several months, Ahold has pursued various developers with regard to the residential component of the development. It is in final negotiations with a developer to enter into an agreement to construct a high-rise residential building for this last phase.

The applicant requests an eighteen-month extension of the site plan submission requirement for Phase III to give the potential developer sufficient time to prepare a complete site plan application, which will be submitted to the Planning Board soon.

**Transportation Review**

The site was registered as a loophole property with Registration No.12290860 and Tax No. 135245. Therefore, the original site plan was subject to a less-stringent APF test compared with a typical subdivision review.

As a registered loophole property, the non-residential impact of site-generated traffic at nearby intersections was only analyzed when the additional number of site-generated peak-hour trips is 50 or more than that generated by previously-approved land uses after January 1, 1982, for non-residential retail uses, which is the case for the original Montrose Crossing site plan 8-95036. Therefore, a traffic study was required to satisfy LATR for the original site plan, Montrose Crossing. To satisfy PATR in a moratorium policy area, the applicant constructed Chapman Avenue between Bou Avenue and Randolph Road.

As a part of the Adequate Public Facilities (APF) review for Site Plan 8-95036, Phase III of Montrose Crossing was for 150 high-rise apartments that are not covered by the loophole closure law. Any additional multi-family dwelling units are subject to APF-transportation-related review at the time of site plan. Detailed transportation background information and analysis for the subject development are included in the Transportation Planning staff memo dated April 16, 2003, which is attached.

## **Staff Position**

Staff met with the applicant of Montrose Crossing and the potential developer for Phase III on April 9, 2003. The developer provided the staff with information regarding their previous projects and their development concept for the proposed high-rise residential project. The developer plans to submit a complete site plan application within 2 to 3 months. Based on the information we received at the meeting, staff believes the applicant's request for extension is reasonable and recommends approval of the extension.

## **ATTACHMENT**

- A. Planning Board Opinion for Site Plan 8-95036.
- B. Applicant's letter dated January 9, 2003
- C. Transportation Planning staff memo dated April 16, 2003.

MONTGOMERY COUNTY PLANNING BOARD

\* \* \* R E V I S E D \* \* \*  
O P I N I O N

**DATE REVISED OPINION MAILED:** August 15, 1995

**SITE PLAN REVIEW #8-95036**

**PROJECT: MONTROSE CROSSING PHASE IB AND PHASE II**

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*Action: Approval subject to conditions. Motion was made by Commissioner Aron, seconded by Commissioner Baptiste, with a vote of 5-0, Commissioners Aron, Baptiste, Hussmann, Holmes and Richardson voting for.*

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The date of this written opinion is August 15, 1995 (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 September 14, 1995 (which is thirty days from the date of this written opinion). If no administrative appeal is filed, then this site plan shall remain valid indefinitely.

On April 21, 1995, Montrose Crossing Inc. submitted an application for the approval of a site plan for property in the RMX-C3 zone. The application was designated Site Plan Review #8-95036.

On June 29, 1995, Site Plan Review #8-95036 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 on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, and which is make a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan meets all of the requirements of the zone in which it is located.
2. The locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient.

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

The Montgomery County Planning Board approves Site Plan Review #8-95036 as follows:

APPROVAL of 2,400 square feet of commercial office, 20,377 square feet of restaurant, and 426,048 square feet of commercial retail, subject to the following conditions:

1. Applicant to record covenant against the property providing the following:
  - a. Applicant to submit a complete application for site plan review for Phase III (the residential component) on or before July 1, 2002, unless the Board has granted an approval extending the submission schedule for some additional reasonable timeframe. Applicant must establish grounds for why the residential component is not feasible.
  - b. During site plan review of Phase III, the Planning Board and Applicant must establish a definitive construction schedule for initiation and completion of Phase III.
  - c. Applicant must not seek approval of any additional retail development beyond the amount approved in Project Plan 9-94003 until the Board has determined that Phase III is under construction.
  - d. Use of the property for the area of the Phase III portion of the site (or such other location acceptable to the Board and Applicant) must be limited to residential purposes consistent with the RMX-3C Zone and approved site plan for Phase II, although the area presently designated for residential use may be utilized for interim parking use.
  - e. Covenant must be recorded prior to any initial building permit for Phase III; survive annexation; and run for 30 years.
2. Relocate parking along Montrose Parkway right-of-way at Levitz site to provide a ten-foot landscape strip in compliance with Section 59-E-2.71 of the Zoning Ordinance.
3. Submit a Site Plan Enforcement Agreement and Development Program for review and approval prior to approval of the signature set as follows:
  - a. Development Program to include a phasing schedule as follows:

- 1) Landscaping associated with each section of the parking lot and each building shall be completed as construction of the building is completed.
  - 2) Sidewalks, tree pits, iron fencing, and other streetscape elements of Chapman Avenue along site frontage to be completed as construction of the street is completed.
  - 3) Streetscape along Rockville Pike (MD 355) including single row of trees and bikepath to be completed in first phase of development.
  - 4) Clearing and grading schedule.
- b. Enforcement Agreement to reference Adequate Public Facilities Ordinance agreement as outlined in the August 8, 1995 (Revised) Transportation Planning Division memo.
4. The following information must be clearly shown on the signature set of site and landscape plans and must be incorporated into the sediment and erosion control plan for staff review prior to approval by MCDEP:
- a. Conditions of DEP Concept approval letter dated February 28, 1995;
  - b. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
  - c. The development program inspection schedule;
  - d. Limit of disturbance line.
5. Incorporate the following items into the signature set of site, landscaping, and lighting plans:
- a. Details for special paving of brick or other high quality pavers and colored concrete, bike racks, trash receptacles, and planting. Tree calipers shall be 3"-3 1/2" on Chapman Avenue, East-West Street, Rockville Pike and Bou Avenue.
  - b. A single row of street trees 35' on center, on Rockville Pike (MD 355), except along the existing Chevy Chase Bank frontage, and at the Randolph Road intersection;
  - c. Street trees on Chapman Avenue as shown on landscape plan revised by the Applicant on June 29, 1995;



- d. Details for ten-foot wide bikepath on Rockville Pike to include demarcation by color, signs, and logo, per Project Plan approval, subject to MCDOT approval and public utility easements;
  - e. Note indicating that compactor color shall match color of Building C to improve views from Bou Avenue;
6. The applicant may proceed with clearing and grading on August 29, 1995 provided a complete signature set has been submitted to staff by July 29, which includes plans and documents reflecting all conditions of Planning Board approval. Applicant shall agree to make adjustments to the documents as reasonably required by staff. If applicant does not submit signature set by July 29, 1995, clearing and grading may not commence before thirty days from submittal.
7. Prior to signature set, applicant must submit a Declaration of intent in a form specified in Chapter 22A and deemed acceptable to the Planning Board, or designee stating that the development:
  - a. is being conducted on an existing, single lot;
  - b. is not subject to a special exception approval;
  - c. will not result in the cumulative cutting, clearing, or grading of more than 40,000 square feet of forest; and
  - d. will not result in the cutting, clearing, or grading of any trees or forest that are subject to the requirements of a previously approved forest conservation plan or tree save plan.
  - e. Declaration to further acknowledge that should any additional regulated activities under Chapter 22A occur on the lot which in the aggregate would result in the cutting, clearing, or grading of forest in excess of 40,000 square feet, then this exemption will expire. In such event, the entire area of the recorded lot as configured at the time this site plan was approved must be included in the forest conservation calculations and reviewed by the Planning Board for compliance with Chapter 22A. All persons having a fee interest in the lot will be required to participate in the requires forest conservation, afforestation, reforestation, and maintenance.
8. Comply with conditions of Transportation Planning Division memo dated August 8, 1995, (revised).

9. Before any sale of a portion of a lot can be consummated, applicant must ensure that County and State laws governing subdivision and resubdivisions are met.
10. Prior to construction of Building A above WMATA tunnel, applicant to submit to staff documentation confirming concurrence by WMATA.

**LINOWES AND BLOCHER LLP**

ATTORNEYS AT LAW

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January 9, 2003

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BY HAND DELIVERY

Mr. A. Malcolm Shaneman  
Maryland-National Capital Park  
and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Request for Extension of Validity Period for Site Plan No. 8-95036 - Phase III  
Montrose Crossing

Dear Mr. Shaneman:

Pursuant to our recent meeting, we are hereby submitting a request for extension of the above referenced Site Plan for Phase III of the Montrose Crossing Project. As you may recall, pursuant to the Site Plan Opinion dated August 15, 1995 (a copy is attached hereto as Exhibit "A"), the Applicant was to submit a complete Application for Site Plan Review for Phase III (the residential component) on or before July 1, 2002. Although the Applicant continues to believe the residential component is an important and viable part of the shopping center, with the relatively recent purchase of the Giant Food company by the Ahold international company, there was a change in personnel and an initial related loss of institutional knowledge.

However, there is now a renewed focus on the relevant issues for numerous properties including Montrose Crossing. In fact, over the past several months, Ahold has pursued various developers with regard to the residential component of the project and is in final negotiations with a developer to enter into an agreement to construct the residential component. Unfortunately, this did not occur prior to the expiration date of July 1, 2002.

Accordingly, we therefore are respectfully requesting that the Planning Board grant the Applicant an eighteen month extension from July 1, 2002, such that Applicant be required to submit a complete Application for Site Plan Review for Phase III on or before December 1, 2003. This will allow the Applicant and a serious residential developer sufficient time to finalize an agreement and move forward with development of this important project.

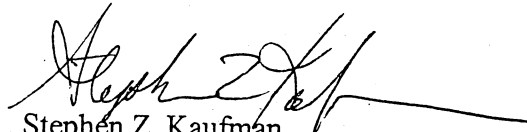
■ LINOWES AND BLOCHER LLP

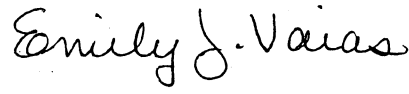
Mr. A. Malcolm Shaneman  
January 9, 2003  
Page 2

If you have any questions, please feel free to contact us.

Sincerely,

LINOWES AND BLOCHER LLP

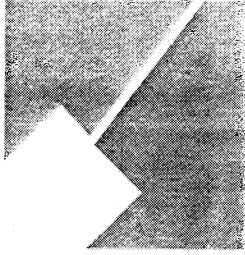
  
Stephen Z. Kaufman

  
Emily J. Vaias

EJV:sbw

Enclosures


cc: Mr. Cary Adams  
Mr. David Patalita




April 16, 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. 8-95036-A  
Montrose Crossing, Phase III  
North Bethesda Policy Area

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**CURRENT AND PAST REGULATORY BACKGROUND**

Proposed residential development is on a parcel that was recorded before January 1, 1982, (i.e., before the current criteria for the adequate public facilities (APF) test were enacted). Even though the applicant is now proposing residential development, the original property owner of this non-residentially-zoned land could have and did register as a loophole property -- referring to the Emergency Bill 25-89 and Subdivision Regulation 89-1 ("Loophole Legislation") under Section 8-31(a)(1), enacted on July 24, 1989. The site is located on part of Parcel "A" in the RMX zone. Therefore, for the previously approved non-residential development, a less strict APF test was used compared with a typical subdivision review under Section 50-35(R) of the County Code.

However, for the Phase III residential development associated with this site plan amendment, the APF test as a registered loophole property was and still is not applicable. Similarly, the applicant for this residential development is not subject to Local Area Transportation Review (LATR) and Policy Area Transportation Review even though the development may be located in a moratorium policy area because of Section 50-20(c)(4)(i) in the County Code (page attached). The site is in the North

Bethesda Policy Area that has recently been and still is in moratorium for residential development.

The Phase III residential development may not be subject to the APF test, but is subject to Chapter 59-D-3.4(b) of the Zoning Code (page attached). The Planning Board's approval of the subject site plan amendment includes the required finding of compatibility and safety (i.e., a traffic operations and safety review).

## **RECOMMENDATIONS**

Transportation Planning staff recommends the following conditions as part of the APF-transportation-related requirements associated with approval of this site plan amendment:

Limit the site plan amendment to up to 150 apartments (multi-family units for Policy Area Transportation Review (PATR) and high-rise units for LATR) as analyzed in the previous site plan approval. Any additional multi-family dwelling units are subject to APF-transportation-related review at the time of site plan.

## **DISCUSSION**

### **1. Site Location and Accesses**

The site is located in the northeast quadrant of the intersection of Rockville Pike (MD 355) and Randolph Road. The site vehicular accesses are from Bou Avenue at Chapman Avenue, Rockville Pike, and Randolph Road at Maple Avenue and at the future Nebel Street Extended. Pedestrian access is available from the public sidewalks along the adjacent roadways.

### **2. Prior Status as a Registered Loophole Property**

The original application of the subject site was for over 5,000 square feet of non-residential development on the overall site, Parcel "A". Parcel "A" at 12051 Rockville Pike in Rockville was registered as a loophole property with Registration No. 12290860 and Tax No. 135245. Therefore, the original site plan was subject to a less-stringent APF test compared with a typical subdivision review.

As a registered loophole property, the non-residential impact of site-generated traffic at nearby intersections was only analyzed when the *additional* number of site-generated peak-hour trips is 50 or more than generated by previously-approved land uses after January 1, 1982, for non-residential retail uses. As discussed in the Prior Regulatory Actions section below, such is the case for the original site plan. Therefore, a traffic study was required to satisfy LATR for the original site plan, Montrose Crossing.

To satisfy PATR in a moratorium policy area, the applicant constructed Chapman Avenue between Bou Avenue and Randolph Road.

3. Prior Regulatory Actions

The overall site, Parcel "A", was owned by B.F. Saul Real Estate Investment Trust and then sold to GFS Reality. The specific subject site, as a portion of Parcel "A", was leased back to B.F. Saul Real Estate Investment Trust. The Planning Board held a public hearing on October 13, 1994, for Annexation Petition No. ANX 94-0119 to annex the specific site into the City of Rockville. At that time, the applicant proposed 117,000 square feet of general retail use. The subject site was never annexed.

The regulatory actions for the adjacent and remaining portion of Parcel "A" were as follows:

- a. The original Flagship Center consisted of 388,255 gross square feet of general retail uses.
- b. Building Permit No. 93-11-22-0061 was released on January 4, 1994 to add a front enclosure to the existing Giant Supermarket of 3,391 gross square feet. With the addition, the gross square feet of the Flagship Center was increased to 391,646.
- c. Project Plan No. 9-94003, Montrose Crossing (renamed from the Flagship Center), was approved by the Planning Board on February 2, 1995, for a net increase of 7,566 gross square feet of general retail uses. The net increase was equivalent to an addition of 14,355 gross square feet and removal of 6,789 gross square feet (or a total of 399,212 gross square feet).
- d. Site Plan No. 8-95018, Montrose Crossing - Phase Ia, was approved by the Planning Board on March 2, 1995, for a net increase of 7,566 gross square feet of general retail uses. The net increase was equivalent to an addition of 14,355 gross square feet and removal of 6,789 gross square feet (or a total of 399,212 gross square feet).
- e. Site Plan No. 8-95036, Montrose Crossing - Phases Ib and II, was approved by the Planning Board on June 29, 1995, for a net increase of 74,344 gross square feet of general retail uses. The net increase was equivalent to an addition of 115,684 gross square feet and removal of 41,340 gross square feet (or total of 462,599 gross square feet).
- f. As a part of the APF review for Site Plan No. 8-95036, Phase III of Montrose Crossing was for 150 high-rise apartments that are not covered by the loophole closure law.

4. Master Plan Roadways and Bikeways

In accordance with the *North Bethesda/Garrett Park Master Plan*, the master plan roadways and bikeways are as follows:

- a. Nebel Street is classified as a four-lane industrial/business street, B-5, with an 80-foot right-of-way and eight-foot multi-use Class I bikeway.
- b. Bou Avenue is not classified in the master plan.
- c. Chapman Avenue is classified as a four-lane business district road, B-4, with a 70-foot right-of-way. However, the segment of Chapman Avenue between Randolph Road and Bou Avenue was designed and built by the Montrose Crossing applicant as a 36-foot two-lane undivided road in accordance with their approved project plan and two site plans for Montrose Crossing.
- d. Rockville Pike is designated as a six-lane major roadway, M-61, with a 134-foot right-of-way and a Class I bikeway on the east side.
- e. Randolph Road is designated as a four-lane arterial, A-90, with a 100-foot right-of-way and an on-road Class II bikeway.

5. On-Going Roadway Improvements

The following roadway improvements are in planning, design, or construction:

- a. The Montgomery County Capital Improvements Program (CIP) Project No. 509995, Conference Center Intersection Improvements:

To satisfy the conditions of Zoning Case No. G-745, County Council's Resolution No. 13-1411 on August 4, 1998, the intersection improvements are as follows:

- Montrose Road - Randolph Road and Rockville Pike (MD 355): Construct a right-turn lane and second left-turn lane on eastbound Montrose Road.
- Randolph Road and Parklawn Drive: Add a second southbound left-turn lane on Parklawn Drive at Randolph Road and convert the two northbound approach lanes on Parklawn Drive from a left-turn/through lane and a through/right-turn lane to an exclusive left-turn lane and a through/right lane. DPWT's CIP Project for the Conference Center improvements at this intersection was put on hold until the Maryland State Highway Administration (SHA) and



DPWT design plans for other projects along Randolph Road without construction funding are finalized.

- Randolph Road and Nebel Street: Construct an eastbound right-turn lane on Randolph Road.

The applicant for Site Plan No. 8-01002, Home Depot and now Target, is required to provide a second northbound left-turn lane from Nebel Street onto westbound Randolph Road in order to mitigate their site-generated traffic.

The Conference Center and additional intersection improvement will be subject to changes because alternative designs are being studied for SHA and DPWT design plans for other projects along Randolph Road without construction funding.

b. Montrose Parkway West:

Montrose Parkway West is an east-west arterial approximately parallel to Montrose Road. The Montgomery County CIP Project No. 500311, Montrose Parkway West, is now funded for construction for the four-lane divided section between Montrose Road near Tower Oaks Boulevard and Executive Boulevard.

c. Interchange at Rockville Pike and Montrose Road - Randolph Road and the CSX Railroad:

SHA is now reviewing Alternate 9 designs for this interchange project and will be starting detailed design. The limits of the detailed design study are from "Old" Old Georgetown Road to Maple Avenue.

The applicant for Site Plan No. 8-01002, Home Depot and now Target, had coordinated with the SHA interchange project at Rockville Pike and Montrose Road - Randolph Road and the CSX Railroad.

d. DPWT's Congested Intersection Initiative Projects:

- Site No. 3a: Randolph Road and Nebel Street
- Site No. 3bw: Randolph Road and Parklawn Drive (West)

Alternative designs are under study to integrate both intersections with SHA's interchange study at MD 355, Montrose Road - Randolph Road, and the CSX Railroad and DPWT's Montrose Parkway East and Randolph Road Facility Planning Projects. For the intersection of Randolph Road and Nebel Street, DPWT's Nebel Street Extended Facility Planning Project is also being evaluated for integration into the

roadway network design. DPWT's CIP Project for the Conference Center intersection improvements at the intersection of Randolph Road and Parklawn Drive was put on hold until the other design plans for SHA's and DPWT's projects are finalized.

e. Montrose Parkway East:

Montrose Parkway East is an east-west arterial parallel to Randolph Road. The Montgomery County CIP Facility Planning Project, Montrose Parkway East, is now under facility planning.

f. Nebel Street Extended:

Nebel Street Extended is a north-south business district street connecting Randolph Road with Bou Avenue. The Montgomery County CIP Facility Planning Project, Nebel Street Extended, was completed and design funding was added to the CIP on November 26, 2002, as part of the "Go Montgomery" package.

Only the first two projects are fully funded or have expenditures for construction within the next five years and can be considered in place for LATR (e.g., in a traffic study).

6. Site-Generated Traffic

For the proposed high-rise apartments, the site-generated peak-hour trips during the weekday morning peak period (6:30 to 9:30 a.m.) and evening peak period (4:00 to 7:00 p.m.) are as follows.

High-Rise Apartment Units	Peak-Hour Trips	
	Morning	Evening
55 or 150 Units	55	63
Additional 50 Units	14	17
<b>Total 200 Units</b>	<b>69</b>	<b>80</b>

7. Congestion Levels at Nearby Intersections

As discussed in the attached Transportation Planning Staff memorandum dated Final Revision August 8, 1995, the previous APF review for Site Plan No. 8-95036 included 150 high-rise apartments.

8. Policy Area Transportation Review/Staging Ceiling Condition

In the North Bethesda Policy Area, there are negative 131 housing units available under the *FY 2003 Annual Growth Policy* transportation staging ceiling as of March 31, 2003.

9. Transportation Demand Management

This site is within the boundary of the North Bethesda TMD.

If the County Council adopts the reestablishment of the annual Transportation Management Fee, the applicant of this new multi-family residential development would have to pay the fee to the North Bethesda TMD. The pending legislation would re-implement the recommendation in the North Bethesda-Garrett Park Master Plan and the requirements under County Code 42A-25, Ridesharing. The applicant of such multi-family residential development would be required to submit a traffic mitigation plan for the North Bethesda TMD.

The North Bethesda TMD is operated by a private nonprofit organization, the North Bethesda Transportation Action Partnership. The TMD is not an entity to join, per se, but instead an organization in which to participate by cooperating in:

- a. Conducting the annual employee survey.
- b. Appointing a transportation coordinator.
- c. Promoting alternative transportation modes to residents on the site.
- d. Paying the annual Transportation Management Fee to the North Bethesda TMD given the County Council's renewal of TMD's enabling legislation.

The Stage II goal is to achieve and maintain the 30% non-driver traffic mitigation goal for residents in the planning area.

EA:ct

Attachments

cc: Larry Cole  
Shahriar Etemadi  
Mary Goodman  
Dan Hardy  
Greg Léck  
Karl Moritz  
Peggy Schwartz  
Holger Serrano