



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item 4  
MCPB  
05/29/03

**MEMORANDUM**

**DATE:** May 23, 2003  
**TO:** Montgomery County Planning Board  
**VIA:** Joseph R. Davis, Chief *JRD*  
Michael Ma, Supervisor  
Development Review Division  
**FROM:** Wynn E. Witthans, Planner *WW*  
Planning Department Staff  
(301) 495-4584



**REVIEW TYPE:** Site Plan

**APPLYING FOR:** 27,272 sf Office Space Emergency Health Care Facility  
**PROJECT NAME:** Germantown Professional Building  
**CASE #:** 8-02010B  
**REVIEW BASIS:** Site Plan Review required in the C-T zone

**ZONE:** C-T  
**LOCATION:** Darnestown-Germantown Road, East of Middlebrook Road  
**MASTER PLAN:** Germantown  
**APPLICANT:** Willco Companies  
**FILING DATE:** April 10, 2003  
**HEARING DATE:** May 29, 2003

**STAFF RECOMMENDATION FOR SITE PLAN:** Approval of Site Plan, 27,272 sf of emergency health care facility with the following conditions:

1. Site Plan and Lighting and Landscaping Plan
  - a. Applicant to provide a final lighting plan with highlighted changes to staff prior to signature set. Subsequent lighting plans to highlight all wall pack lighting or any other lighting not shown on the submitted lighting plan. No decorative wall wash lighting is to be allowed on the second phase building.
  - b. The applicant needs to submit a subsurface parking layout for Building 2 for staff review prior to signature set. All cross walks (where pedestrian connections are made from one curb to the other) within the parking lot shall be painted with high contrast paint.

- c. Additional shade trees are required along the southern boundary at 40 feet on center.
2. Signature Set
- a. Submit a Site Plan Enforcement Agreement and Development Program for review and approval prior to approval of the signature set as follows:
    - 1) Development Program to include a phasing schedule if required;
    - 2) Community-wide pedestrian pathways must be completed prior to occupancy of the building..
    - 3) Landscaping associated with the parking lot and building shall be completed as construction is completed.
    - 4) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
    - 5) Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
    - 6) Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
  - 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):
    - 1. Limits of disturbance;
    - 2. Methods and location of tree protection;
    - 3. Conditions of DPS Stormwater Management Concept approval letter;
    - 4. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
    - 5. The development program inspection schedule.
    - 6. Landscaping as shown on the plan.
  - 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.

**SUMMARY OF ISSUES ADDRESSED AT SITE PLAN:**

During the course of Site Plan Review, applicant and staff addressed improved screening towards the adjacent apartments, improved pedestrian circulation and improved vehicular circulation.

The Planning Board first approved a site plan for this parcel known as North Germantown (8-99018) for office and restaurant use, a total of 125, 000 sf. The approval expired.

A second site plan, Germantown Gateway (8- 02010) was approved by the Planning Board for two buildings totaling 125,000 sf. The layout showed one building parallel and one building perpendicular to MD Route 118.

After the approval, the applicant refined the development scheme to a different configuration by shifting more of the building square footage to the first building and removing the second building until this amendment. The applicant applied for and received a staff level approval for this amendment. The current scheme includes the remaining square footage (27,272 sf) in a smaller and relocated second building.

No comments have been received from the public during this review.

### **PROJECT DESCRIPTION: Surrounding Vicinity**

The subject site is located on Germantown-Darnestown Road, approximately 3,000 ft west of the I-270 interchange. The surrounding vicinity features the US Department of Energy complex ¼ mile to the east, the Northlake Commercial Center to the west.

The property, in the C-T zone near the Germantown Town Center, and it lies within the TC-3 analysis area of the Master Plan, about 600 feet east of Middlebrook Road. The Colony Apartment complex is located directly adjacent to the south.

The site is bounded on the east by the Kinder Care Daycare and on the south by the Colony garden apartments. Commercial uses are located to the west.

### **PROJECT DESCRIPTION: Site Description**

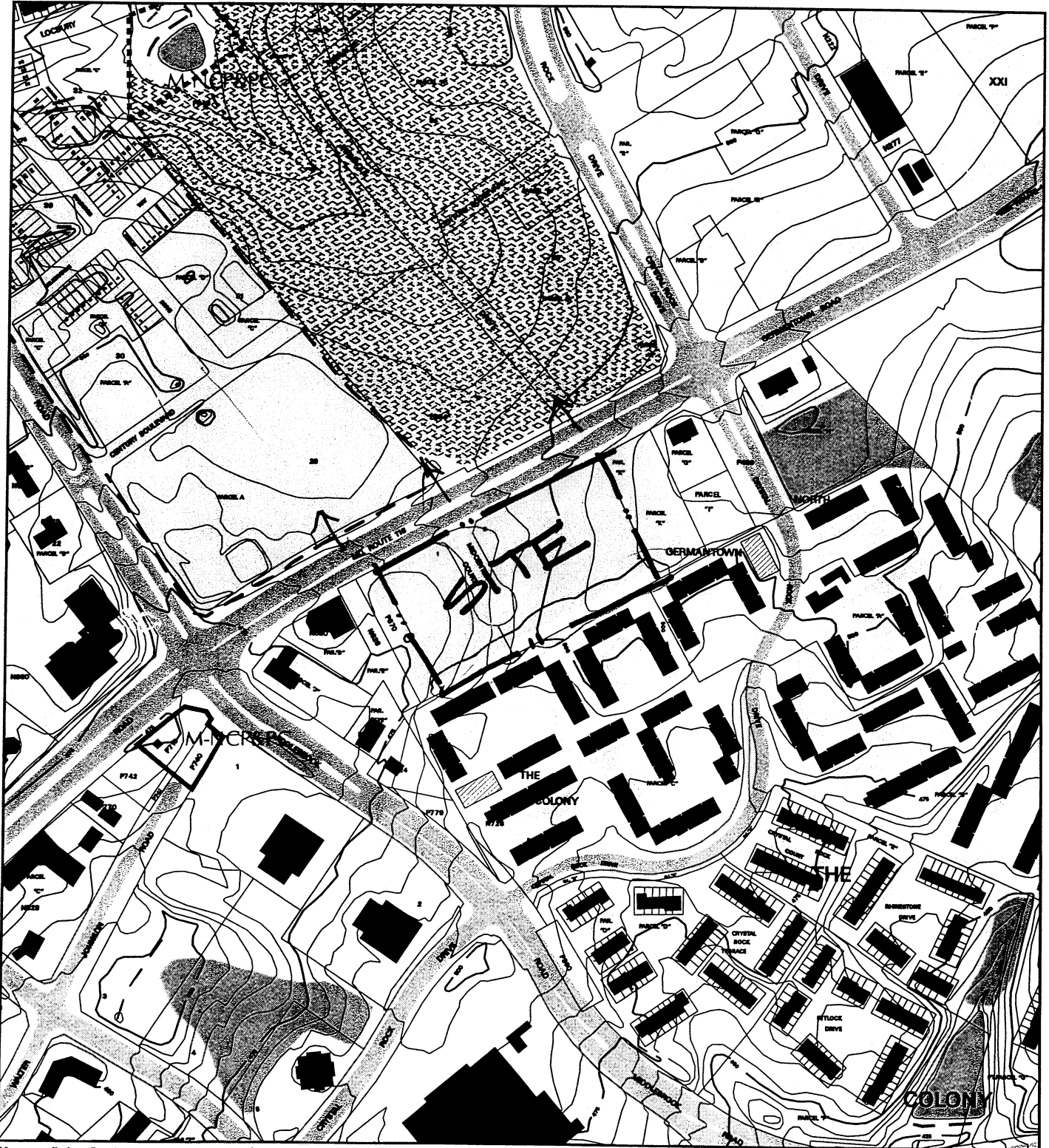
The site, rectangular in shape, was a vacant lot with approximately 650 feet of frontage on its northern boundary at Darnestown-Germantown Road. Currently, the site is under construction with Phase I of the proposed site plan.

A future Germantown Town Center entrance is planned for the site directly opposite the office entry on the north side of the road.

### **SITE PHOTOGRAPH**



VICINITY MAP FOR  
**GERMANTOWN GATEWAY (8-02010)**



Map compiled on October 06, 2001 at 12:50 PM | Site located on base sheet no - 227NW13

**NOTICE**

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

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



1 : 4800

4a

## **PROJECT DESCRIPTION: Proposal**

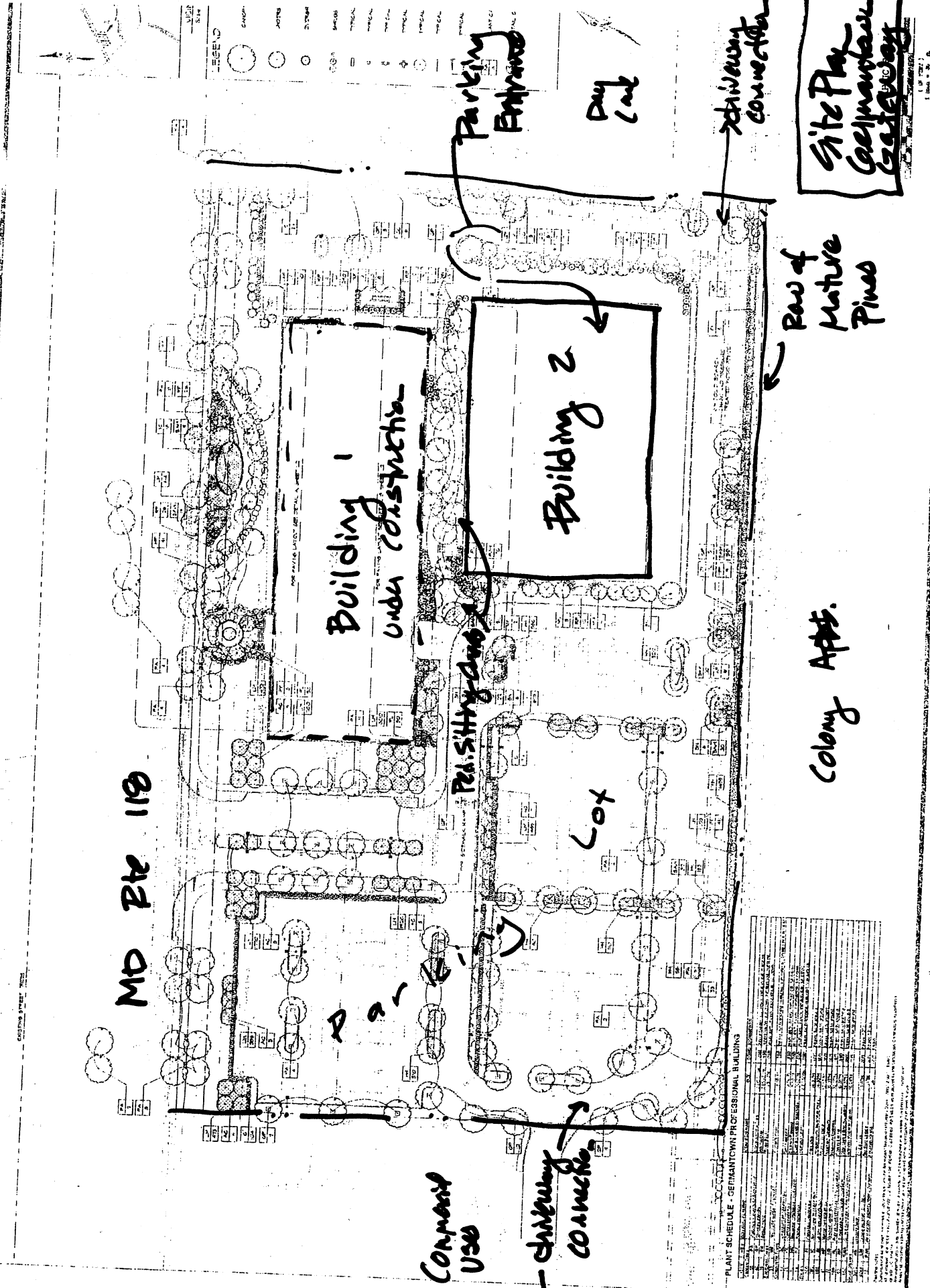
The proposal features a 24 - hour emergency health care facility, the second building on the site following the approval and construction of an office building along MD Route 118. The building is one level – 15 ft – with a one level parking garage below the facility. A 2.5 – 4 foot retaining wall is located on the southern boundary adjacent the apartments. The applicant needs to submit a subsurface parking layout for staff review prior to signature set.

The entry from MD Route 118 features a divided vehicular lane with a median that aligns directly with the Germantown Town Center entrance on the opposite side of MD Route 118, to the north. The first site plan provided for significant enhancements to the streetscape on MD Route 118, with sidewalks and a double row of street trees at the curb, installed per the Germantown Streetscape Guidelines.

A full pedestrian system – sidewalks, crosswalks and paths - is integrated through the site's parking lot with connections to adjacent parcels to the east and west and to the streetscape along MD Route 118. An additional connection is needed to connect to the east.

The employee amenity areas are located between Buildings One and Two and along MD Route 118 and were approved with the earlier site plan. The parking lot and it's landscaping were also part of the earlier approvals. Parking is provided behind the buildings, with connecting driveways to adjacent properties.

Lighting was provided in the earlier scheme is submitted for this scheme as well. It satisfies the IESNA criteria of being under 1.5 footcandles (.95 footcandles average) for the parking area. The lighting also “cuts-off” at the property line, with diminished light levels adjacent to the property line.



6.

## **PROJECT DESCRIPTION: Prior Approvals**

The Planning Board first approved a site plan for this parcel known as North Germantown (8-99018) for office and restaurant use, a total of 125, 000 sf. The approval expired.

A second site plan, Germantown Gateway (8- 02010) was approved by the Planning Board for two buildings totaling 125,000 sf. The layout showed one building parallel and one building perpendicular to MD Route 118.

After the approval, the applicant refined the development scheme to a different configuration by shifting more of the building square footage to the first building and removing the second building until this amendment. The applicant applied for and received a staff level approval for this amendment. The current scheme includes the remaining square footage (27,272 sf) in a smaller and relocated second building.

The original Preliminary Plan approval was 1-94035 (expired) and has been updated by Preliminary Plan 1-02003. It was heard by the Planning Board on November 8, 2001 with the following result:

*Approval, Including Abandonment of Mid Center Court, Subject to the Following Conditions:*

- (1) *Approval under this preliminary plan is limited to maximum of 125,000 Square Feet of Commercial Office space*
- (2) *Compliance with conditions of MCDPS stormwater management approval dated 7/25/01*
- (3) *Access and improvements as required to be approved by MDSHA prior to issuance of access permit*
- (4) *Provide a class 1 shared-use bike on the south side of MD 118 in accordance with the Germantown Master Plan*
- (5) *Final approval of the number and location of building, dwelling unit, on-site parking, site circulation, sidewalks, and bike-paths will be determined at site plan*
- (6) *No clearing, grading, or recording of plats prior to site plan approval*
- (7) *A Lighting and Landscaping plan must be submitted as part of the record plat application for review and approval by staff prior to recording of plat*
- (8) *This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed*
- (9) *The Adequate Public Facility (APF) Review for this preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion*
- (10) *Other necessary easements*
- (11) *Prior to recording of plat Planning Board approval of abandonment resolution*



## **DISCUSSION OF ISSUES**

### **ANALYSIS: Conformance to Master Plan**

The proposal conforms to Master Plan recommendations for the Germantown Town Center area.

The property is located within the TC-3 analysis area of the Germantown Master Plan, approved and adopted in 1989. The Master Plan recommends the area for *low intensity commercial office use, appropriate for office buildings up to three stories in height in order to form a transition between the Center and the adjacent garden apartments at The Colony*. The Kindercare day care center adjoins the property on the east and will be connected by a driveway at the southeast corner of the proposed site. The design also provides a driveway connection to the property on the western edge.

**ANALYSIS: Conformance to Development Standards - CT Zone**

<b>Germantown Gateway 8-02010</b>		
<u>Development Standard</u>	<u>Permitted/Reqd</u>	<u>Proposed</u>
Gross Lot Area	NA	6.03 acres
Gross Floor Area	131,344 sf	97,728 sf Phase I 27,272 sf Phase II 125,000 sf total
<b><u>Building Heights</u></b>	35 ft	35 ft Building I 15 ft Building II
<b><u>Lot Coverage</u></b>	35%	22.8% (59,848 sf)
<b><u>FAR</u></b>	.5 FAR or 131,344 sf	.475 or 125,000 sf
<b><u>Setbacks</u></b>		
To Streets	30 ft (per Master Plan , 10 ft per zone)	Building 1 – 35 ft Building 2 – 200 ft.
To Lot Lines	15 ft	Building 1 – 112 ft Building 2 – 73 ft
Parking	To Adj Lot (non residential zone)– 4 ft To Adj Lot (residential zone) * See below	8 ft 10 ft.
<b><u>Allowable Use</u></b>		
Emergency Health Care Facility	Allowable if <30,000 sf and within a Town Center .	conforms
<b><u>Parking</u></b>		
Building 1	3/1,000 or 293 parking spaces	295
Building 2	5/1,000 or 137 parking spaces	137
	(presumes medial office use generation rate)	432 standard spaces 9 handicapped parking 9 motorcycle spaces 20 bicycle spaces

\* The Zoning Ordinance requires that non-residential parking areas be setback an equal amount to the adjacent residential lot's applicable yard setback. Adjacent to this project are the Colony Apartments zoned PD-13. There are a variety of site plan approvals from the 1970's. The site plans did not specify the yards established for the site, either in type or depth. The PD-13 has no yard requirements that would guide the establishment of the parking setback on this adjacent site plan.

Section 59-E-2.81(b)(2) of the Parking Ordinance states that:

- (2) *If a parking facility adjoins land that is classified in a multi-family zone, only the minimum yard requirement of the multi-family residential zone applies. Any increased setback based on building height that may be specified in the multi-family zone is not applicable to the parking facility.*

Technically, if the PD-13 zone establishes no setback, this would indicate that no setback is required. The proper setback could then be established with a compatibility analysis for the adjacent site plan. To establish a context of similar requirements, Staff reviewed the yards in a comparable zone like the R-30, R-20 and R-10 Multi Family Zones, and found the minimum side-yard is 10 feet. Thus the 10 foot setback established is reasonable and would comply with 59-E-2.81(b)(2). The proposed site plan improves the buffer requirement with the provision of a 6-foot wooden fence and landscaping (shade trees) along the boundary to create compatibility between the parking lot and the Colony Apartment, zoned PD-13. The setback also allows for separation to the existing pines on the Colony Apartment site.

- **FINDINGS for Site Plan Review:**

1. The site plan is consistent with Preliminary Plan 1-02003.
2. The site plan meets all of the requirements of the zone in which it is located. See Project Data Table above.
3. The locations of the buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.

- a. **Location of Buildings**

The building is located optimally for the efficient use of the site and parking lot access to the building. The placement of the one story building closest to the apartments to the south reduces the impact of the view of the building from the apartments. The buildings' placement adjacent to each other creates a sitting area that serves both buildings easily.

The building location provides safe and efficient access and use as it ties in to the circulation systems that connect into and through the site.

- b. **Open Spaces**

The open space is adequate, safe, and efficient. The pedestrian sitting areas will be attractive and will provide for opportunities for on-site outdoor enjoyment. The plan conforms to the DPS approvals for the site SWM concept as approved with the Site Plan 8-02010. See Attachment.

- c. **Landscaping and Lighting**

Landscaping and lighting provides safe and attractive use of the site; the street trees and shrubbery within the parking lot provide for better pedestrian areas and attractive views from off site properties.

The lighting should provide adequate light levels for pedestrian use without interference to adjacent residential land uses. Staff notes that the applicant needs to provide additional detail on the lighting plan to include wall pack and any other lighting on the site if proposed.

- d. **Recreation**

The plan is exempt from recreation requirements.

**e. Vehicular and Pedestrian Circulation**

The vehicular and pedestrian circulation is adequate, safe, and efficient because it provides for continuous pedestrian and vehicular movement through the parking lot, to both buildings, to adjacent properties and to the MD Route 118 street frontage.

A path connection adjacent to the driveway is required to the day care center to the east.

The Class I shared used bikeway on the south side of Darnestown Road was reviewed by staff after the Preliminary Plan approval and found that the bike path is not required (not consistent with established bike path systems).

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

The proposed one story building is compatible in use, scale, and design with the existing office building and with adjacent buildings. The building's low height, at 15 feet, provides a desirable transitional scaled building between the three story existing building and the residential community to the south. The buildings are set back an optimal distance from the apartment buildings at the rear and the proposed building elevation is lower than the apartments thus providing further vertical separation. The entry to the lower garage is not immediately adjacent the apartments, thus limiting it's visual impact.

The treatment of the screening along the southern boundary will improve the compatibility between the CT property and the adjacent apartments. The six-foot wooden fence will be an effective screen that will provide minimal disturbance to the adjacent mature pines on the apartment's boundary. It will be an important screen considering the 24-hour use of the emergency medical center facility. The facility will be bound to follow county noise levels in regards to ambulance sirens, etc.

5. The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

Forest Conservation requirements have been met by off-site forestation established with an earlier approval.

**APPENDIX**

- A. Correspondence referenced in report

MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES  
WATER RESOURCES SECTION

255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153

Date: May 2, 2003

MEMO TO: Michael Ma, Supervisor  
Development Review Committee, MNCPPC

FROM: Blair Lough  
Water Resources Section, MCDPS

SUBJECT: Stormwater Management Concept Plan/100 yr.Floodplain Review  
Site Plan # 8-02010B , Germantown Professional Bldg.  
Project Plan #  
Preliminary Plan # 1-94035 , DPS File # 1-94035  
Subdivision Review Meeting of

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 7-02AM for stormwater management and Executive Regulation 108-92 AM for a 100year floodplain. The following summarizes our findings:

SM CONCEPT PLAN PROPOSED:

- On-site:  CPv  WQv  Both
  - On-site/Joint Use  Central (Regional): waived under 2.a.2.b.
  - Existing  Concept Approved Nov. 25, 1998
- Waiver:  CPv  WQv  Both
  - Approved on

Other

Type Proposed:

- Infiltration  Retention  Surface Detention  Wetland  Sand Filter
- Separator Sand Filter  Non Structural Practices  Other

FLOODPLAIN STATUS: 100 Year Floodplain On-Site  Yes  No  Possibly

- Provide source of the 100Year Floodplain Delineation for DPS approval:
- Submit drainage area map to determine if a floodplain study (> or equal to 30 acres) is required.
- Dam Breach Analysis/100 yr.floodplain study:  Approved  Under Review :
- 100 yr.floodplain study:  Approved  Under Review :

SUBMISSION ADEQUACY COMMENTS:

- Adequate as submitted.
- Provide verification of Downstream notification .

RECOMMENDATIONS:

- Approve  as submitted  with conditions (see comments below).
- Incomplete; recommend not scheduling for Planning Board at this time.
- Hold for additional information. See below
- Comments/Recommendations: Site is currently under construction with approved sediment control permits and swm design.

cc: Steve Federline, Environmental Planning Division, MNCPPC

bll DRC site plan.03/01

*approved design + under construction.*