

**MEMORANDUM**

TO: Montgomery County Planning Board

FROM: Development Review Division

SUBJECT: Twinbrook Commons – Preliminary Plan No. 1-04054

DATE: April 30, 2004

The preliminary plan for Twinbrook Commons is to be considered by the Planning Board on Thursday, May 6. This project is within two jurisdictions: Montgomery County and the City of Rockville and is separated by the CSX rail lines at the current Twinbrook Metro station. The property is owned by WMATA and is being developed in accordance with a Joint Development Agreement between WMATA and Twinbrook Commons, L.L.C. The preliminary plan anticipates a total of 615,000 square feet of office, 160,000 square feet of retail and 1,280 residential units. The portion of the project in the County includes 140,000 square feet of retail and 1,114 multi-family residential units.

Given the size and scope of the project and the multi-jurisdictional coordination required between the applicant, WMATA, and the City of Rockville, the applicant is requesting a phased or extended validity period of twelve (12) years. (Attached) Staff reviewed the request and finds that the extended validity period is appropriate. The applicant is coordinating with the City of Rockville to replicate the same validity period for the portion of the property within the City. (See attached email)

The project is being considered under the Alternative Review Procedures for Metro Station Policy Areas. Attached you will find the Transportation Planning memorandum outlining the transportation issues associated with this project. Transportation Planning staff will be available at the hearing to address any questions of the Board.

Staff is recommending approval of the application with the conditions cited on the Blue Sheet. If there are any questions associated with this preliminary plan, please contact Richard Weaver of the Development Review Division at X4544.

Attachments

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Item #12

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April 13, 2004

PATRICIA A. HARRIS
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VIA UPS

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

Re: Twinbrook Commons -- Preliminary Plan No. 1-04054
Request for Extended Validity Period

Dear Mr. Shaneman:

On behalf of Twinbrook Commons, LLC and in connection with the Planning Board's consideration of the above-referenced Preliminary Plan, we respectfully request a 12-year adequate public facilities validity period, pursuant to Subdivision Ordinance Section 50-20 (c)(3). As outlined in detail below, the justification for the 12 year validity period is the scope of the Twinbrook Commons project as well as the project's complexity.

Scope of Project

Approximately ten acres of the Twinbrook Commons project is located within the City of Rockville and the remaining 16 acres is located within Montgomery County. The entire project involves approximately 615,000 square feet of office use, 160,000 square feet of retail use and 1280 residential units. That portion of the project located in the County, as reflected on the Preliminary Plan, includes 1,114 residential units and 140,000 square feet of retail. As you

WMATA's approval for all aspects of the project. Unlike other development projects that involve a fee owner and a ground lessee, WMATA is a large quasi-governmental agency with its own internal review processes and procedures. Thus, in addition to any public approval process, the Twinbrook Commons project is also subject to a separate internal review and approval process by WMATA. This additional step complicates every component of the development process and requires the applicant to allot additional time to every phase of the development.

Another aspect of Twinbrook Commons which adds to its complexity is the fact that a substantial portion of the project is located within the City of Rockville. Not only does the Applicant need to pursue and obtain separate development approvals from both the County and the City, it must also coordinate the development approvals, since the staging of the development integrates both the east and the west sides of the site. For instance, the very first phase of development proposed within the County is dependent upon obtaining approval from the City of Rockville to construct the WMATA parking structure on the west side of the site and constructing the parking structure. This staging is necessary in order that Twinbrook Commons may continue to provide the same number of WMATA parking spaces as currently exists, as required by the Joint Development Agreement with WMATA.

Phasing

As currently contemplated, Twinbrook Commons LLC anticipates a four-phase buildout for Twinbrook Commons. In terms of the residential component, the first three phases will each involve the development of approximately 250 residential units, and the fourth phase will contain the balance of 364 residential units. It is anticipated that the retail phasing will involve 20,000 square feet in Phase I, 30,000 square feet in Phase II, 40,000 square feet in Phase III and the remaining 50,000 square feet in Phase IV. One of the four primary public spaces will be constructed in connection with each phase of development and the stormwater management to accommodate each phase will be constructed concurrent with the respective phase. The total number of existing WMATA parking spaces (approximately 1,100) will be maintained throughout the entire buildout.

In terms of timing, Twinbrook Commons LLC's expects to file a Site Plan application for Phase I of the residential component within three months of obtaining Preliminary Plan approval, with the intention of commencing the development as soon as the Site Plan approval and corresponding permits are approved.

I t c m # 1 2

Weaver, Richard

From: Spalding@rockvillemd.gov
Sent: Wednesday, April 28, 2004 7:50 PM
To: Weaver, Richard
Cc: Pat_Harris.RKV@ci.rockville.md.us; SParker@rockvillemd.gov; AChambers@ci.rockville.md.us; LMarcus@ci.rockville.md.us; SBBlock@rockvillemd.gov
Subject: APF Limitation on Twinbrook Commons

Rich,

Pat Harris asked me to let you know where we stand in our discussions on the approval validity period regarding Twinbrook Commons. Currently the City does not have an expiration period in the ordinance regarding preliminary development plans (PDP) although one could be applied as a condition of the PDP. We have been discussing the validity period of the PDP approval with JBG to replicate the County's APF validity period of 12 years. In addition, the current draft of the City's APFO contains a provision that would add time limitations on APF approval for preliminary development plans.

Please let me know if you have any questions or recommendations for us to consider as we continue to discuss this with JBG.

Thanks,
Bob

Robert J. Spalding, AICP
Chief of Planning
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4/29/2004