

PROJECT DESCRIPTION: Prior Approvals

Preliminary Plan

Preliminary Plan 1-91039 for Westfarm Technology Park was approved by the Planning Board with conditions on July 18, 1991, for 14 lots. A copy of Planning Board opinion is attached (Appendix A). The Adequate Public Facilities Ordinance approval for the Preliminary Plan was extended from July 31, 2003 to July 31, 2009 by the Planning Board on November 4, 1999.

Site Plan

A Site Plan application (8-04002), which proposes a 252,000-square-foot, research-and-development office park scheme (Oakridge Corporate Center-Flex Park) on the subject site, was filed by the applicant concurrently with the subject application in July 2003. The Planning Board, on January 8, 2004, approved Site Plan 8-04002 with conditions. A copy of Planning Board opinion is attached (Appendix B).

ANALYSIS: Conformance to Development Standards

PROJECT DATA TABLE

(I-1, I-3 and U.S. 29/Cherry Hill Road Employment Area Overlay zones)

Development Standard	Permitted/ Required	Proposed
Development Method		Standard
Lot Area (ac.):		
I-1 zoned	--	10.34
I-3 zoned	--	<u>24.98</u>
Total		35.32
Gross Floor Area (sq. ft.):		
Building 1	--	120,000
Building 2	--	94,000
Building 3	--	120,000
Building 4	--	<u>94,000</u>
Total		428,000
Proposed Uses (sq. ft.)		
Office		418,000
Restaurant		6,500
Retail		3,500
Min. Street Frontage (ft.)	150	100 ¹
Max. Floor Area Ratio (FAR) ² :	0.5	0.393
Min. Green Space (%) ² :		
Parcel RR	35	57.6
Parcel SS	35	60.2

Max. Parking Coverage (%) ² :		
Parcel RR	45	15
Parcel SS	45	30.5
Impervious Area (%):	--	31.78
Max. Building Height (ft.):	100	58
Min. Building Setbacks (ft.):		
from commercial/industrial	25	101
zones other than I-3 or R&D		
from I-3 zone	49	10 ¹
from arterial road in I-3 zone	25	58
Min. Parking Setbacks (ft.):		
from commercial/industrial	25	38
zones other than I-3 or R&D		
from I-3 zone	20	0 ¹
from arterial road in I-3 zone	35	35
Min. Number of Parking Space:		
Office @ 3 per 1,000 s.f.	1,254	
Retail @ 3.5 per 1,000 s.f.	13	
Restaurant @ 25 per 1,000 s.f.	<u>106</u>	
Total	1,373	
Surface parking		846
Garage parking		<u>628</u>
Total		1,474 ³
Bicycle	20	27
Motorcycle	20	20
Min. Parking Lot Internal Green (%)		
Parcel RR	5	15
Parcel SS	5	10

1 Planning Board may approve a reduction.

2 based on I-3 zoned land only.

3 Including 25 handicapped-accessible spaces

Conformance to Master Plan

This project is zoned I-3/I-1 and within the US 29/Cherry Hill Employment Area Overlay Zone. The proposed land uses, office/retail/restaurant, are consistent with the Fairland Master Plan recommendations for the US 29/Cherry Hill Employment Area as discussed in pages 72 -78 of the plan. There are no particular recommendations with respect to this property.

Local Area Transportation Review

With the approval of Preliminary Plan No. 1-91039 for all of the original WestFarm I-3 lots and the approval of Preliminary Plan No. 1-91038 for all of the original WestFarm I-1 lots (both approvals extended to July 31, 2009 by the Planning Board at its November 4, 1999 public hearing), a traffic study for this Site Plan to analyze the traffic impact at nearby intersections (per the Local Area Transportation Review Guidelines) is not required. However, the applicant is required to submit a traffic statement stating that the density currently proposed on the I-3/I-1 zoned parcels does not exceed the previously approved general office density ceiling. The applicant's consultant submitted a traffic statement dated June 25, 2003 documenting the above.

As established by the WestFarm Development Administration Agreement dated May 11, 1990, currently, there is approximately 820,400 square-feet of total, and 457,608 square-feet of GBLLC-owned remaining approved I-3 zoned density (without considering the amount of development approved under Site Plan No. 8-04002 for the subject site). Similarly, as established by the WestFarm Trip Reduction Agreement dated May 15, 1990, currently, there is approximately 690,500 SF of total, and 258,297 square-feet of GBLLC-owned remaining approved I-1 zoned density (without considering the amount of development approved under Site Plan No. 8-04002 for the subject site).

To determine the I-3 office density "draw-down" associated with the subject Site Plan, the total weekday evening peak hour trips for the site with the retail/restaurant components were compared with that for an equivalent general office density. After accounting for "pass-by"/"diverted"/"linked" trips associated with the proposed retail and restaurant uses on the site, staff determined that the proposed uses on the site would generate evening peak hour trips that are generally equivalent to that generated by a 428,000 square-feet office use. Based on the above analysis, the "draw-down" associated with the subject Site Plan was estimated at 428,000 square-feet of general office. As detailed in the above paragraph, currently, there is adequate remaining approved I-3 zoned density available for this "draw-down".

Traffic Mitigation Requirements

In 1988, the County Council asked the Planning Board to undertake a master plan review of the traffic congestion issues in eastern Montgomery County. As a result:

1. A Trip Reduction Amendment to the 1981 Eastern Montgomery County Master County was adopted by the County Council in 1990, and
2. A Development Administration Agreement was approved by the Planning Board in 1990 to comply with the Master Plan amendment referenced above and to reduce the FAR to 0.4 for WestFarm's I-3 properties.

To satisfy the above requirements and that of Section 59-C-5.436, Special Trip Reduction Guidelines for I-3 Projects, WestFarm as well as Kaiser Permanente entered into a Traffic Mitigation Agreement (dated October 11, 1994) with the Planning Board and the DPWT for the approved, subdivided, and platted I-3 lots in the WestFarm Technology Park. The goal of the

traffic mitigation program was to reduce the employee peak-hour trips by 8% below the number reflected in the standard trip-generation rates.

Policy Area Transportation Review/Staging Ceiling Conditions

The Fairland/White Oak Policy Area had staging ceiling capacity for 1,939 jobs as of June 30, 2004, under the FY 2004 Annual Growth Policy (AGP). However, the “jobs” associated with the proposed subject non-residential land use have been approved already and is factored in the staging ceiling calculations for the Fairland/White Oak Policy Area, and will result in no change to available capacity. For information purposes, it is noted that the proposed use with 428,000 square-feet of general office space is equivalent to approximately 1,712 jobs (using 250 square-feet per job).

Forest Conservation

Of the 20.8 acres of forest, the applicant proposes to retain 5.8 acres. This is 0.8 acre less than the forest retention for the approved flex park proposal. Reforestation requirements will be met on-site through a combination of reforestation, tree-save areas, and landscaped trees. Of the 14 large and specimen trees, five will be retained. These trees are along the edges of the property and near the environmental buffer. The forest conservation plan meets the requirements of the Forest Conservation Law, and staff recommends approval of the preliminary forest conservation plan with conditions.

Environmental Guidelines

The total environmental buffer on the property is 9.1 acres. About 30 percent of this buffer (2.8 acres) is covered by the in-stream SWM pond. As with the approved flex park site plan, the current site plan proposes three encroachments into the buffer: a 5-foot wide paved path around the SWM pond, a sand surface volleyball court next to the path on a non-wooded part of the buffer near the northern edge of the pond, and part of a parking structure near building no. 3. The total amount of permanent buffer encroachments by these three features would be 0.55 acre, which is 0.06 acre (or about 2,614 square feet) more than that shown with the flex park site plan. If the encroachments are offset by planting at least 0.55 acre of forest in addition to the reforestation required under the Forest Conservation Law, staff believes the encroachments are acceptable in this case. This is because a large part of the buffer is covered by the SWM pond which is in-stream and man-made. Part of the pond (the dam embankment and emergency spillway) must always be mowed to keep trees from growing and weakening the dam structure.

The part of the parking garage that is proposed to encroach into the environmental buffer would fill in about 0.10 acre (4360 square feet) of an existing, 0.39-acre (16,772 square feet) wetland area that appears to receive groundwater from the adjoining forested upland slope. Since the upland slope will be developed and primarily covered in impervious surfaces, the natural recharge function of the slope will be eliminated and the wetland may dry up. The proposed buffer encroachment (wetland and its buffer) by the parking garage is 14,353 square feet (0.33 acre). Staff believes the encroachment would be acceptable if, in addition to reforesting an area equal to the encroachment (as discussed in the preceding paragraph), some of the stormwater runoff from the development is directed into a created groundwater recharge area adjacent to the

remaining wetland to help maintain groundwater flows to the wetland. The applicant is proposing to take stormwater runoff from the parking garage, provide water quality treatment, and discharge the treated runoff into a groundwater recharge structure just uphill of the remaining wetland. Staff recommends that the proposed structure be reviewed and approved by MCDPS.

FINDINGS: For Site Plan Review

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required.*

An approved development plan or project plan is not required for the proposed I-1/I-3 zoned development.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

If amended in accordance with recommended conditions, the Site Plan meets all of the requirements of the I-1, I-3 and U.S. 29/Cherry Hill Road Employment Area Overlay zones as demonstrated in the project Data Table above.

3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

- a. **Buildings**

The proposed development consists of four four-story office buildings with surface parking lots around the buildings and a four-level parking garage in the northern end of the site. The four office buildings are clustered to form a central amenity space, which connects to the main open space in the western portion of the site.

- b. **Open Spaces**

The plan proposed 25 acres of green space throughout the site, including stream buffers, the existing pond, landscaped green space, and forest conservation areas.

The stormwater management concept for the proposed development consists of (1) on-site channel protection measures via the existing Westfarm regional pond, and (2) on-site water quality control via stormfilter chambers with additional storage pipes. Rooftop runoff may be piped directly to the regional pond where water quality will be provided via retention. Additional water quality will be provided via improvements to the existing regional pond, through the installation of shallow wetland areas.

c. Landscaping and Lighting

The proposed landscaping for the development consists of a mix of shade, evergreen and flowering trees along the street frontage and internal driveways, within the central green areas and sitting/picnic areas, and in the parking areas. The plan proposes four types of outdoor lights throughout the site: two pedestrian lighting fixtures with 12-foot-high poles and two parking lot lighting fixtures with 30-foot-high poles. A lighting distribution plan should be prepared in accordance with IESNA standards to ensure appropriate outdoor lighting will be provided throughout the development.

d. Vehicular and Pedestrian Circulation

Vehicular and pedestrian access to and from the proposed development is proposed via two driveways off Plum Orchard Drive, which has sidewalks and tree panels on both sides of the road. The main entrance driveway is proposed with a center island that separates the inbound and outbound traffic flow near the northeast corner of the site. The second site access driveway is proposed to the northwest corner of the site. Several Metrobus R and Z routes serve this area and have bus stops along Plum Orchard Drive, Broad Birch Drive, and Cherry Hill Road. The plan also proposes an extensive pathway system throughout the site to link the building entrances with the public street, internal parking lots, the proposed recreation facilities and other site amenity features.

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

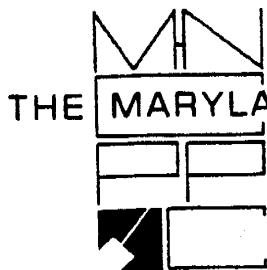
The subject property is part of Westfarm Technology Park. It is bounded by a Maryland State Highway Administration facility to the east, I-1 zoned development to the northwest, and I-2 zoned properties to the south and southwest. Across Plum Orchard Drive from the site to the north is a shopping center, Orchard Center. The proposed office/retail uses will be compatible with its surrounding development in terms of land use, layout, and general development character.

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

Of the 20.8 acres of forest on the site, the applicant proposes to retain 5.8 acres. This is 0.8 acre less than the forest retention for the approved flex park proposal. Reforestation requirements will be met on-site through a combination of reforestation, tree-save areas, and landscaped trees. Of the 14 large and specimen trees, five will be retained. These trees are along the edges of the property and near the environmental buffer. The forest conservation plan meets the requirements of the Forest Conservation Law, and staff recommends approval of the preliminary forest conservation plan with conditions.

APPENDIX

- A. Planning Board opinion of Preliminary Plan 1-91039 for Westfarm Technology Park
- B. Planning Board opinion of Site Plan 8-04002 for Oakridge Corporate Centre – Flex Park



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Action: Approved Staff Recommendation with Modifications
(Motion of Comm. Keeney, seconded by Comm. Floreen, with
a vote of 5-0; Comms. Keeney, Floreen, Bauman, Baptiste
and Richardson voting in favor.)

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-91039

NAME OF PLAN: WESTFARM TECH. PARK (I-3)

On 03-15-91, WESTFARM ASSOC. LTD. PART., submitted an application for the approval of a preliminary plan of subdivision of property in the I3 zone. The application proposed to create 14 lots on 112.99 ACRES of land. The application was designated Preliminary Plan 1-91039. On 07-18-91, Preliminary Plan 1-91039 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 upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-91039 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-91039, subject to the following conditions:

1. Agreement with Planning Board to limit development to a maximum density of 0.4 FAR. Averaging of the 0.4 FAR over all lots may be allowed provided that all other requirements of the I-3 zone are met. (The adequate public facilities agreement will implement the development administration agreement previously entered into between the applicant and the Planning Board)
2. Conditions of DEP stormwater management concept dated 4-8-91
3. No clearing or grading prior to site plan approval
4. Size and location of buildings to be determined at site plan
5. Environmental issues including delineation of stream buffers and final tree preservation plan to be resolved at site plan

6. Denied access to Cherry Hill Road
Record plat to show 100-year floodplain and 25' building restriction line
8. Access and improvements as required to be approved by MCDOT
9. Prior to site plan approval, provision of an environmental manhole easement in the general vicinity of the intersection of Broadbirch Drive and Cherry Hill Road on Parcel BBB, the exact location to be determined by consultation between applicant and C & P, subject to staff approval
10. Necessary easements

MONTGOMERY COUNTY PLANNING BOARD

OPINION

DATE MAILED: January 12, 2004
SITE PLAN REVIEW #: 8-04002
PROJECT NAME: Oakridge Corporate Centre – Flex Park

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

The date of this written opinion is January 12, 2004, (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 February 12, 2004 (which is thirty days from the date of this written opinion. If no administrative appeal is timely filed, this Site Plan shall remain valid as provided in Section 59-D-3.8.

On January 8, 2004, Site Plan Review #8-04002 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. *An approved development plan or project plan is not required for the proposed development.*
2. *The Site Plan meets all of the requirement of the I-1, I-3 and U.S. 29/Cherry Hill Road Employment Area Overlay zones;*
3. *The location of the buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrians and vehicular circulation systems are adequate, safe, and efficient;*
4. *Each structure and 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** 252,000 square feet of flex and office space in three two-story buildings on 35.3 acres and reduced building and parking setbacks with the following conditions:

1. Transportation

- a. Limit the proposed development to 252,000 square-feet of flex or general office on Parcels RR, SS and MMM.
- b. Participate in the traffic mitigation program for the entire Westfarm Technology Park to satisfy the Westfarm Traffic Mitigation Agreement, as amended on October 11, 1994.
- c. Modify the main site driveway intersection with Plum Orchard Drive to provide a minimum 20-foot-wide outbound driveway (to accommodate a left-turn lane and a right-turn lane) and a minimum 17-foot-wide inbound driveway, subject to approval of Montgomery County's Department of Public Works and Transportation (DPWT) and/or the Montgomery County Department of Permitting Services (DPS).
- d. Provide lead-in sidewalks and crosswalks at the site driveway intersections with Plum Orchard Drive in coordination with the DPWT.
- e. Provide adequate sidewalks, handicapped access ramps and crosswalks within the site in coordination with the DPS.
- f. Coordinate with DPWT, Division of Transit Services, on the installation of the proposed bus shelter on Plum Orchard Drive at the main site driveway.

2. Environmental Planning

- a. Category I conservation easements shall be placed over forest retention areas, forest planting areas, and environmental buffer areas. Easements shall be recorded in the land records prior to issuance of any building permit.
- b. Revise the preliminary forest conservation plan as follows:
 - i. Revise forest conservation plan worksheet to include SWM easement area.
 - ii. Show how required reforestation amount will be met.
 - iii. Provide 0.49 acre of forest planting in addition to the reforestation required under the forest conservation law. This planting area to be placed in a Category I conservation easement.
- c. Compliance with the conditions of approval for the final forest conservation plan. The applicant shall satisfy all conditions of the forest conservation plan prior to recording easements in the land records and DPS issuance of sediment and erosion control permit. Conditions include, but are not limited to, the following:
 - i. Provide sediment and erosion control plan with final forest conservation plan.
 - ii. Show proposed grading and limits of disturbance for shelter on the west side of the stormwater management pond. No forest clearing shall occur to locate the shelter.
 - iii. Retain the services of a licensed arborist with experience in protecting trees near significant fill slopes to provide recommendations for protecting tree no. 13 (31-inch white oak). Measures to be incorporated into the final forest conservation plan and to include, but not limited to, a retaining wall.
 - iv. Relocate part of the 12-inch sewer line in the back of Building 2 to avoid clearing of forest in forest preservation area no. 2.
 - v. For each tree-save area that is to be credited towards the reforestation requirement, provide supplemental planting at the minimum rate of 7 trees and 20 shrubs per 2500 square feet unless it is determined at the pre-planting meeting that existing trees and shrubs meet this criterion.
- d. Provide a groundwater recharge area for wetland adjacent to parking lot on north side of property. Design of recharge area to be reviewed and approved by DPS.

- e. Paved path within environmental buffer area shall be located as shown on the approved site plan and be no more than 5 feet wide.
- f. Volleyball court shall be made of pervious material.

3. Department of Permitting Services

The proposed development is subject to Stormwater Management Concept approval conditions dated May 12, 2003.

4. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of signature set of plans.

5. Site Plan Enforcement Agreement

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

Development Program to include a phasing schedule as follows:

- a. Tree planting along internal driveways shall progress as driveway improvement is completed, but no later than six months after completion of the proposed building.
- b. Campus-wide pedestrian amenities shall be completed as follows:
 - i. The proposed recreation facilities around the pond only, including the loop pathway, a shelter, a footbridge, a broadwalk, sitting areas, and picnic areas, shall be completed prior to occupancy of the first building.
 - ii. The green space and associated sitting areas between Building 1 and Building 2 shall be completed prior to occupancy of Building 2.
 - iii. The remaining pedestrian amenities shall be completed prior to occupancy of the third building.
- c. Landscaping, sidewalks and outdoor lighting associated with each parking lot and building shall be completed as construction of each facility is completed.
- d. Clearing and grading to correspond to the construction phasing, to minimize soil erosion and forest loss.
- e. Coordination of each section of the development and roads.
- f. Phasing of stormwater management, sediment/erosion control, recreation, forestation, community paths, or other features.

6. Signature Set

Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Limits of disturbance.
- b. Forest Conservation easement areas.
- c. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- d. The development program inspection schedule and Site Plan Opinion.
- e. An outdoor lighting distribution plan in accordance with IESNA standards.
 - i. The proposed lighting levels shall not exceed 5:1 max/min ratio.
 - ii. The height of the light pole shall not exceed 30 feet.
- f. Details of the proposed footbridge, retaining wall, bike rack, bench, picnic table, paving of sitting/picnic areas, terrace planting, and bus shelter.
- g. The minimum size for the proposed shade trees to be 2.5 to 3 inches caliper.
- h. Correct building setback and parking information.
- i. Handicapped ramps and crosswalks throughout the site.

- j. Additional landscaped islands to break long, continuous parking bays.
- k. Show the existing sidewalk along Plum Orchard Drive and construction materials for the lead walk between Plum Orchard Drive and Building 1.