



October 29, 2004

MEMORANDUM

TO: Cathy Conlan, Acting Supervisor
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning

FROM: Ed Axler, Coordinator/Planner *EA*
Transportation Planning

SUBJECT: Preliminary Plan No. 1-99043-B
Spring Lake Park (Fishers Place)
Twinbrook Policy Area

This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject preliminary plan amendment. The amendment is to add more square footage of office space for the proposed building to be located at 12709/12711 Twinbrook Parkway. The additional office space would not result in increasing the site-generated traffic because the proposed research and development (R&D) type of office space generates a lower rate of trips than a general office space.

The original APF approval was under the *FY 2001 Annual Growth Policy* when the Policy Area Transportation Review was applicable. The number of equivalent jobs in the staging ceiling pipeline is also reduced because research and development office has fewer equivalent jobs per square foot than general office.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the APF test for transportation requirements related to the approval of the preliminary plan amendment:

1. Limit the preliminary plan amendment to, and amend the APF Agreement to reflect a total of 780,000 square feet of non-residential development (or 64,800 additional square feet) consisting of the following:

- a. An additional 185,000 addition square feet for a total of 586,000 square feet of R&D office space which are
 - b. A maximum of 186,000 square feet of general office space, which are 120,200 square feet less than the previous approval.
 - c. A maximum of 8,000 square feet of general retail space, which are the same square feet as the previous approval.
2. Retain the transportation-related conditions of Preliminary Plan No. 1-99043-A as approved by the Planning Board on June 21, 2001, and described in Transportation Planning staff's memoranda dated June 15, 2001 (attached). The applicable conditions as modified for the current plan are as follows:
- a. In the event that the applicant desires to convert any portion of the 586,000 square feet of the R&D office use to general office use, further APF review would be required.
 - b. Participate in funding of a second southbound left-turn lane from Parklawn Drive onto Randolph Road.
 - c. Participate in reconfiguration of the northbound combined left and through-lane into an exclusive left-turn lane from Parklawn Drive onto Randolph Road. The above improvements are associated with the Zoning Case # G-745 for the Montgomery County Conference Center and should be complete within five years.
 - d. Coordinate with the Maryland State Highway Administration's (SHA) project planning study for a grade-separated crossing at the intersection of Rockville Pike (MD 355) and Randolph/Montrose Road. The project limits terminate at this intersection. Coordinate with the Montgomery County Department of Public Works and Transportation (DPWT) regarding the project study for the Montrose Parkway.
 - e. Convert the southbound exclusive right-turn lane to a combined (third) through and right-turn lane onto Twinbrook Parkway. This improvement must include a third through receiving lane on Veirs Mill Road.
 - f. Coordinate with DPWT and SHA, Office of Planning and Preliminary Engineering, regarding a possible bus "queue jumper" lane along Veirs Mill Road. A conceptual design for this transit project is currently under review.
 - g. Coordinate with DPWT regarding traffic control at the two site access points from Twinbrook Parkway and Fishers Lane. A traffic signal warrant studies have been completed. Modify, if necessary, the agreement with DPWT and the Planning Board to participate in the North Bethesda Transportation Management District (TMD). This is to satisfy traffic mitigation requirements for both the *North Bethesda/Garrett Park Master*

Plan and the APF test of the registered loophole property included in the previously approved Pre-Preliminary Plan No. 7-99026.

Participation includes appointing an employee transportation coordinator who will assist in disseminating information on transportation programs, services and participation in the annual employee's surveying efforts.

DISCUSSION

Site Location and Accesses

The site is located on the north side of Fishers Lane east of Twinbrook Parkway. Two access points on Fishers Lane and two access points on Twinbrook Parkway are proposed. DPWT has recommended that the Twinbrook Parkway access closest to Fishers Lane will be limited to right-in and right-out only with the construction of a deceleration lane at this location.

Master Plan Roadways and Bikeways

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

1. Fishers Lane is designated as a business road, B-1, with an 80-foot right-of-way and a planned Class I bikeway.
2. Twinbrook Parkway is designated as an arterial roadway, A-37, with a 104-foot right-of-way and a Class II bikeway.

Transportation Demand Management

This site is within the boundary of the North Bethesda TMD. As a commercial development, applicant is required to participate in the North Bethesda Transportation Management Organization (TMO) in order to assist the North Bethesda TMD achieve and maintain the 39% non-auto driver mode share. Participation would include designating an Employee as a Transportation Coordinator to promote the TMD's programs to employees, participate in the TMD's annual employee's survey, and monitoring the achievement of traffic mitigation goal. The North Bethesda TMD staff is available to provide transportation information, technical advice, and other forms of assistance normally provided by the TMD to sites within North Bethesda.

Prior Planning Board Actions

1. The Planning Board held a public hearing on May 27, 1999, for Preliminary Plan No. 1-99043 and Pre-Preliminary Plan No. 7-99026. The Planning Board's opinion incorporated both plans in approving a total of 564,000 square feet of non-residential development.

- a. The original Preliminary Plan No. 1-99043 was approved to consolidate several lots and replaced the existing general office and general retail uses with a larger-scaled development of general office and research and development uses.
- b. Pre-Preliminary Plan No. 7-99026 incorporated the adjacent registered loophole property with Preliminary Plan No. 1-99043. Pre-Preliminary Plan No. 7-99026 included one (Lot 5, Block B) of the four lots, which was recorded (as Plat No. 190-72) and registered as a loophole property (e.g., at "5635 Fishers Lane" as File No. 10100079 and Tax No. 79593). As a registered loophole property, the APF test was based on the following:

- 1) An additional non-residential development more than 5,000 square feet.

For Policy Area Review, the site is located in a policy area with no available staging ceiling. Thus, a traffic mitigation agreement must be entered into prior to release of building permits. As specified in Section II of the *Annual Growth Policy*, the traffic mitigation goal is to increase the non-auto driver share of employees working in the area.

Participation in the North Bethesda TMD was determined to satisfy the traffic mitigation requirements for the APF test as a registered loophole property because the TMD traffic mitigation goal would be at 39%.

2. The Planning Board held a public hearing on June 21, 2001, for Preliminary Plan No. 1-99043-A. The Planning Board's opinion incorporated both plans in approving a total of 715,200 square feet of non-residential development consisting of the following:
 - a. A total of 707,200 square feet of general office and R&D office uses
 - b. A maximum of 306,200 square feet of general office use
 - c. A minimum of 401,000 square feet of R&D office use
 - d. 8,000 square feet of general retail use
3. Site Plan No. 8-01025 approved on September 20, 2001, for the same non-residential land uses as approved in Preliminary Plan No. 1-99043-A.

Local Area Transportation Review

The applicant's transportation consultant, Lee Cunningham, submitted a traffic statement dated June 21, 2004. As shown on the table below, the Preliminary Plan No. 1-99043-B would generate fewer peak-hour trips compared with the previous approval.

Type of Land Use	Approved Plan No. 1-99043-A			Proposed Plan No. 1-99043-B		
	Square Feet	Morning Trips ¹	Evening Trips ¹	Square Feet	Morning Trips ¹	Evening Trips ¹
Land Use to be Constructed:						
General Office	306,200	513	461	186,000	308	288
R&D Office	401,000	458	423	401,000	639	580
General Retail	8,000	10	40	8,000	10	40
Subtotal	715,200	981	924	780,000	957	908
Existing Land Use to Remain (Already include in the R&D Office above):						
Lot 9=R&D Office	60,000	87	87	60,000	87	87
Existing Land Use to be remove & as "Trip Credit":						
General Office	- 91,431	- 163	- 112	- 91,431	- 163	- 112
General Retail	- 41,241	- 60	- 95	- 41,241	- 60	- 95
Lot 9=Restaurant	+ 800	+ 3	+ 3	- 800	- 3	- 3
Lot 9="7-11" Store	+ 2,300	+ 28	+ 32	- 2,300	- 28	- 32
Lot 9=Gas Station	+ 2,500	+ 10	+ 14	- 2,500	- 10	- 14
Subtotal	-198,272	- 264	- 256	-198,272	- 264	- 256
Total	519,926	717	668	516,926	693	652

¹ Numbers in the column below represent new trips generated by that land use.

The proposed development will generate 693 morning peak-hour trips compared with the 717 trips for the previously approved land use. For the evening peak period, the proposed development will generate 652 peak-hour trips compared with the 668 trips for the previously approved land use. The break down of the existing, previously approved, and currently proposed redistributed land uses by address and lot is given in Appendix No. 1.

Policy Area Review/Staging Ceiling Condition

Based on the *FY 2001 Annual Growth Policy* staging ceiling capacity, the remaining capacity was negative 906 jobs in the Twinbrook Policy Area. As shown on the table below, the revised Preliminary Plan No. 1-99043 would utilize a fewer number of jobs than previously approved for Preliminary Plan No. 1-99043 and Pre-Preliminary Plan No. 7-99026).

Land Use	Square Feet per Job	Approved Plan 1-99043-A		Proposed Plan 1-99043-B	
		Square Feet	Jobs	Square Feet	Jobs
Land Use to be Constructed:					
General Office	225	306,200	1,361	186,000	827
R&D Office	350	401,000	1,148	586,000	1,674
General Retail	400	8,000	20	8,000	20
Subtotal		715,200	2,527	780,000	2,521
Existing Land Use as "Trip Credit":					
R&D Office ¹	350	- 60,000 ¹	- 171	- 60,000 ¹	- 171
General Office ²	225	- 91,431	- 406	- 60,000 ¹	- 406
General Retail ²	400	- 5,600	- 14	- 5,600	- 14
Subtotal		-157,031	- 591	- 157,031	- 591
Total		558,169	2,342	622,969	2,336

¹ Number represents credit for *retaining* the existing land use where the 60,000 square feet is included in the 401,000 or 586,000 square feet above.

² Numbers in column represent credit for *removing* existing land uses.

The proposed amendment is equivalent to 2,336 jobs compared with the previous approval of 2,342 jobs (for 6 fewer jobs).

EA:gw
Attachments

cc: Lee Cunningham
Mary Goodman
Greg Leck - DPWT
Pat Harris – Holland & Knight, LLP
Chuck Kines
Peggy Schwartz

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Appendix No. 1: Changes in the Existing, Previously Approved, and Proposed Land Uses

The break down of the existing, previously approved, and currently proposed land uses by address or lot is as follows:

1. Lot 2, Block B (or 12709 & 12711 Twinbrook Parkway – FDA)
 - a. Existing Land Use (at 12709) **Remove** 25,196 sq. ft. of general office use
 - b. Preliminary Plan 1-99043: 62,000 square feet of general office and R&D office uses
 - c. Preliminary Plan 1-99043-A & Site Plan No. 8-01025, Phase I: 25,000 square feet of R&D office use
Site Plan No. 8-01025, Phase II: 52,000 square feet of general office use and 154,000 square feet of R&D office use
 - d. Minor Administrative Amendment: Delete/relocate the 52,000 square feet of general office use. Reduce the 154,000 square feet by 43,800 square feet for 110,200 square feet of R&D office use.
 - e. Preliminary Plan 1-99043-B, Phase 2: Adding 64,800 more square feet for a total of **175,000 square feet of R&D office use.**

2. Lot 5, Block B (or 5635 Fishers Lane) (Added Lot for 7-99026)
 - a. Existing Land Use: 16,182 sq. ft. of general office use (*removed*)
 - b. Preliminary Plan 7-99026: 220,000 square feet of general office use
 - c. Preliminary Plan 1-99043-A: 162,400 square feet of general office use
Site Plan No. 8-01025, Phase I: 26,000 square feet of R&D office use
5,000 square feet of general retail use
 - d. Minor Administrative Amendment: No change
 - e. Preliminary Plan 1-99043-B, Phase 1: Replace the 26,000 square feet R&D office use with 24,000 additional square feet or a total of **186,000 square feet of general office use.** Add 3,000 more for **8,000 square feet of general retail use.**

3. Lot 6, Block B (or 5625 Fishers Lane)
 - a. Existing Land Use: Remove 41,241 sq. ft. of general retail use
 - b. Preliminary Plan 1-99043: 220,000 square feet of general office use
 - c. Preliminary Plan 1-99043-A or 58,800 square feet of general office use
Site Plan No. 8-01025, Phase I: 90,000 square feet of R&D office use
 - d. Minor Administrative Amendment: No changes
 - e. Preliminary Plan 1-99043-B, Phase 1: Replace the 58,800 square feet of general office use as 60,000 square feet of R&D office use (or 1,200 additional total square feet)

4. Lot 9, Block B (Added Lot for 1-99043R):

Existing retail land uses to be *removed*:

- a. 12729 Twinbrook Parkway: 2,500 sq. ft. of auto filling station
- b. 12733 Twinbrook Parkway: 2,300 square feet of "7-11" retail use
- c. 12739 Twinbrook Parkway: 800 square feet of high turnover sit-down restaurant use

Existing Land Use to be *retained*:

- 12725 Twinbrook Parkway:
- c. Preliminary Plan 1-99043-A &
Site Plan No. 8-01025 Phase I: 60,000 square feet of R&D office use
- e. Preliminary Plan 1-99043-B, Phase 1: Retain the same 60,000 square feet of R&D office use

Proposed *Additional* Land Use *for 1-99043R*:

- 12735 Twinbrook Parkway:
- c. Preliminary Plan 1-99043-A &
Site Plan No. 8-01025, Phase I: 71,000 square feet of R&D office use
- d. Minor Administrative Amendment: No changes
- e. Preliminary Plan 1-99043-B, Phase 1: Add 3,000 square feet for a total of 74,000 square feet of R&D office use

5. Lot 10, Block B (or 12721 Twinbrook Parkway)

- a. Existing Land Use: 15,378 sq. ft. of general office use (*removed*)
- b. Preliminary Plan 1-99043: 62,000 square feet of general + R&D office use
- c. Preliminary Plan 1-99043-A &
Site Plan No. 8-01025: 850-space garage
- d. Minor Site Plan Amendment: Apparently no changes
- e. Preliminary Plan 1-99043B, Phase 1: Now a 996-space parking garage

6. Lot 2, Block I (or 5615 Fishers Lane)

- a. Existing Land Use: 34,675 sq. ft. of general office use (*removed*)
- b. Preliminary Plan 1-99043: None
- c. Preliminary Plan 1-99043-A &
Site Plan No. 8-01025, Phase 2: 33,000 square feet of general office use
3,000 square feet of general retail use
440-space garage
- d. Minor Administrative Amendment: Replace 3,000 square feet of general office use with 189,000 additional for a total of 122,000 square feet of R&D office use
- e. Preliminary Plan 1-99043-B, Phases 1&2: The same 122,000 square feet of R&D office use