



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Montgomery County Department of Park and Planning

January 13, 2005

MEMORANDUM

TO: Montgomery County Planning Board

VIA: John A. Carter, Chief ^{JAC}
Community-Based Planning Division

FROM: Kristin O'Connor, ^{KO} Bethesda-Chevy Chase/North Bethesda Team
Community-Based Planning Division (301/495-4555)

SUBJECT: City of Rockville Annexation Petition ANX2004-00136 located adjacent to the Twinbrook Metro Station (Ardennes Avenue and Twinbrook Parkway); 1992 North Bethesda-Garrett Park Master Plan area; Reclassification from the County's TS-R Zone to the City's RPC (Rockville Pike Commercial) Zone; 16.95 acres.

STAFF RECOMMENDATION: Approve transmittal of the following comments to the City of Rockville Mayor and City Council as part of the public hearing record:

1. The proposed RPC (Rockville Pike Commercial) zoning classification is not substantially different from the County's TS-R Zone and will not adversely affect the overall implementation of the approved and adopted North Bethesda-Garrett Park Master Plan.
2. The County Council does not need to review this annexation petition prior to final action by the City since the corresponding zones in the County and City permit similar uses and there are no major land use or zoning issues. The staff report, therefore, can be transmitted directly to the City of Rockville as input for the public hearing record.
3. Continue all County APF requirements below approved under the AGP's Alternative Procedures for Metro Station Policy Areas:
 - a. Fund the previously identified, LATR transportation infrastructure for improvements at nearby intersections with the equivalent amount that the County would collect for the applicant's developer impact tax.
 - b. Implement the required traffic mitigation program to reduce the number of peak-hour vehicular trips generated by the land uses (during the weekday morning and evening peak periods) for a trip reduction goal of 50%.

- c. Adjust the transportation improvements and traffic mitigation program for any change in land uses that would result in more peak-hour trips generated in the critical peak direction during the weekday peak periods (i.e., 7:00 to 9:30 a.m. and 4:00 to 7:00 p.m.).
4. Comply with the standards of the Montgomery County Department of Public Works and Transportation (DPWT), the North Bethesda/Garrett Park Sector Plan, and the Countywide Bikeways Functional Master Plan regarding the construction of master-planned roadways and bikeways and adequate pedestrian facilities. Also, comply with the urban design recommendations for streetscaping of master-planned and non-master-planned (i.e., Ardennes Avenue) roads in the Twinbrook area. Connect the County and City pedestrian and bicycle networks (i.e., from the approved Street "B" into the City's Lewis Drive).
5. Participate with the City of Rockville Transportation Management District's programs and activities that are similar to those sponsored by the North Bethesda Transportation Management District.
6. Guarantee the adequate and continuous public use for access and circulation to the annexed segment of Ardennes Avenue's right-of-way. Coordinate with all utility and DPWT representatives for the continued necessary easements regarding the utilities in their current or relocated placement. Delineate all utility easements and show them on a complete record plat of the annexed right-of-way upon completion of the annexation process.
7. Fulfill quantity and quality stormwater management requirements with the City of Rockville.

The applicant will meet all of the binding elements in the approved Local Map Amendment and Development Plan.

BACKGROUND AND LOCATION

The subject petition has been submitted in accordance with provisions of Article 23A of the Annotated Code of Maryland, which specifies procedures for annexation to a municipal corporation. The subject property is 16.95 acres, located adjacent to and part of the Twinbrook Metro Station. The annexation will be combined with approximately 10 acres of land that is currently within the jurisdiction of the City of Rockville to create what is referred to as "The Twinbrook Commons" project. The site is adjacent to a residential community to the north, within the City of Rockville corporate limits. The land has frontage on Ardennes Avenue and a portion of which is included within the annexation petition; Twinbrook Parkway to the west; Parklawn Drive to the south and the CSX and Washington Metropolitan Area Transit Authority (WMATA) tracks to the east. The land is currently owned and used by WMATA for the Twinbrook Metro Station, on the red line. The site is mostly paved and used as Metro parking.

The petition requests that the Mayor and Council classify the parcel as RPC, Rockville Pike Commercial (RPC). The applicants want to develop the property, along with the property in the City, with 1,706 residential units, 325,000 square feet of office, and 220,000 square feet of commercial retail.

The proposed development will require additional land use approvals from the City of Rockville. A scheduled public hearing was held on January 10, 2005 at the Mayor and City Council to discuss the annexation petition, the rezoning, and Preliminary Development Plan (PDP). A Discussion and Instruction session will be held on February 22. At this time, the proposal will undergo a new development review process and the City will make final decisions that include, but are not limited to, the number of dwelling units and the amount of commercial office and retail space.

The applicants have received prior approvals from the Montgomery County Planning Board for their proposal and they include:

1. Zoning Application No. G-810: Montgomery County Council adopted on January 13, 2004, rezoning the property from the R-90 Zone to the TS-R Zone.
2. Abandonment Case AB-660: Planning Board's hearing held on February 5, 2004, for a small portion of Parklawn Drive.
3. Preliminary Plan No. 1-04054: Planning Board approved on May 6, 2004 where the APF review was approved under the AGP's Alternative Review Procedure at Metro Station Policy Area:
 - a. Mitigation 50% of the weekday vehicular peak-hour trips if the trips were determined from separate stand-alone land uses not located nearby a Metrorail Station.
 - b. All LATR intersection improvements to be built by the County with the funds collected from the applicant's developer impact tax.
4. Site Plan No. 8-05011- Planning Board approved Phase 1 on December 9, 2004.

MASTER PLAN AND ZONING

The approved and adopted 1992 North Bethesda-Garrett Master Plan specifies that the area conforming to the WMATA property (the transit station and parking lot) be rezoned from R-90 as a base zone to TS-R, Transit Station Residential (p. 48). The site was granted TS-R zoning by the Montgomery County Planning Board in January 2004. For further detail on the TS-R Zone as it compares to the RPC Zone, please see Table 1. Overall, the TS-R Zone encourages a residential, mixed-use development that is transit-oriented. The Plan recommends no more than 60 units per acre on this property (with a maximum FAR of 1.9 with structured parking). The Plan also specifies a step down in height and significant buffering and setbacks in order to ensure compatibility with the existing Twinbrook residential neighborhood (p. 49-50).

The property is located within the City of Rockville Urban Growth Area (Attachment 3). Although very few properties have been annexed within the North Bethesda Area since the early 1990s, the redevelopment of the Metro site is noted in the 2002

Comprehensive Master Plan as having an impact on the City and therefore the entire property is recommended for annexation. The property, known as Sub-area 1 in the Plan, is recommended for the RPC Zone. The annexation of the site “was strongly recommended because of the property’s proximity to the Twinbrook neighborhood and the City’s desire for the station property to develop under the City’s plans in its entirety” (p. 3-5). The Plan confirms the zoning for the west side of the tracks as RPC/Metro Performance District and specifies that if the east side is annexed, that the site be placed in the Metro Performance District and be zoned RPC and RPR zones and developed under the Optional Method of Development.

Table 1. Comparison of Development Standards

Items	TS-R Zone	RPC Zone +Text Amendment	County Approved Project
Lot Area	18,000 sf	10 Acres	16.95 Acres
Setbacks			
- Side	None	Equal to Building Height	Varies
- Rear	None	Equal to Building Height	Varies
Building Height	None	170'	143'
FAR	2.5	None	1.9
Dwelling Units/acre	150 du/acre	60 du/acre	60 du/acre
Open Space			
- Public Use Space	10%	Public Art Requirement	10%
- Recreational Uses	25%	None	25%

PUBLIC FACILITIES AND SERVICES

The subject property is within the Washington Suburban Sanitary Commission (WSSC) service district. Although the City of Rockville also has utilities that transverse the site with an established easement, the Twinbrook Commons development, located within this annexation area, will be served by WSSC.

Montgomery County provides no services to the property that would require compensation following annexation. There are no public facilities located on the property and neighborhood school capacity is not an issue. Any improvements necessitated by future development such as storm drains and stormwater management facilities will be the full responsibility of the applicant.

TRANSPORTATION

The Twinbrook Commons development was approved with the AGP, Alternative Review Procedures at Metro Station Policy Areas. The goal of the traffic mitigation program is to reduce the number of trips generated by the land uses by 50% during the morning and evening peak periods.

The applicant had prepared a draft Trip Reduction Agreement (TRA) to implement actions to satisfy the AGP mitigation requirements. The trip reduction actions, required in the TRA, encourage commuters to use alternative transportation modes and discourage them from driving their vehicles alone.

The Transportation Action Partnership for North Bethesda and Rockville, Inc. includes the North Bethesda Transportation Management District and Rockville Transportation Management District. Although not as established as the North Bethesda Transportation Management District, the Rockville Transportation Management District recommends participation to achieve and maintain a traffic mitigation goal. (For more information, see the Transportation Memorandum as Attachment 4.)

ENVIRONMENT

The site is not heavily wooded as it is mostly paved and used as parking for the Metro station. The applicant will meet all requirements for the Forest and Tree Preservation Ordinance (FTPO) and the Environmental Guidelines during each step of development. There are no steep slopes on this site, nor are there streams or stream valley buffers. The subject site is in the Lower Rock Creek watershed, a seriously degraded watershed, with uncontrolled runoff and impaired habitat. (See Attachment 5.)

COMMUNITY CONCERNS

In response to the residential community north of the project and the concerns of the Mayor and City Council regarding density, height, traffic, affordability, and ownership, the applicant has proposed to make additional modifications to their plans which include: reducing four, 14-story buildings to 12 stories around the village green, increasing the setback and shift the garage orientation near the townhouses, adding a green screen to parking garage facade, introducing lofts and live/work units to the residential mix, seeking a musical theatre for the development, changing an office building to residential to reduce traffic impact, providing green roofs, adding a transit resource center, and adding a community room for the Twinbrook Civic Association to meet and conduct their meetings.

COUNTY REVENUE IMPLICATIONS

The property that is petitioning for the annexation is owned by the WMATA and is a tax-exempt property. The property is not being billed for County taxes, and therefore, there is no issue related to County park taxes. (See Attachment 6 for more details.)

CONCLUSION

Staff recommends that the Planning Board support Annexation Petition ANX2004-00136 and the rezoning of the subject property to the City of Rockville's RPC Zone, as the land use recommendations are consistent with both the Rockville Master Plan and the 1992 North Bethesda-Garrett Park Master Plan.

Attachments

Attachment 1: Vicinity Map

Attachment 2: Proposed Annexation Area

Attachment 3: Rockville Urban Growth Area

Attachment 4: Transportation Memorandum

Attachment 5: Environmental Memorandum

Attachment 6: Research and Technology Division Memorandum