



MEMORANDUM

DATE: July 22, 2005

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Development Review Division

Catherine Conlon, Supervisor *CAC*
Development Review Division

FROM: Richard A. Weaver, Coordinator (301) 495-4544 *RAW*
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Preliminary Plan approval for up to 250,000 square feet of retail use and 10,000 square feet of commercial office space.

PROJECT NAME: Burtonsville Shopping Center

CASE NO. 1-04109

REVIEW BASIS: Pursuant to Chapter 50, the Subdivision Regulations and Chapter 59, the Zoning Ordinance

ZONE: C-2

LOCATION: In the Northwest Quadrant of the intersection of Columbia Pike (US 29) aka Burtonsville Boulevard and Spencerville Road (MD 198)

MASTER PLAN: Fairland

APPLICANT: BMC Property Group

ENGINEER: LSA

HEARING DATE: July 28, 2005

Staff Recommendation: Approval, subject to the following conditions:

- 1) Limit redevelopment on the property as part of this preliminary plan to a shopping center consisting of 250,000 square feet of retail space and 10,000 square feet of commercial office space.
- 2) Consistent with the 1997 Approved and Adopted *Fairland Master Plan*, dedicate and show on the final record plat right-of-way along:
 - a. US 29 (Burtonsville Boulevard) to provide either a minimum of 50-100 feet from the roadway centerline or 100-200 feet from the opposite roadway right-of-way line.
 - b. Spencerville Road to provide either a minimum of 60 feet from the roadway centerline or 120 feet from the opposite roadway right-of-way line.
 - c. Burtonsville Access Road to provide either a minimum of 30 feet from the roadway centerline or 60 feet from the opposite roadway right-of-way line, as appropriate.

The final record plat shall also reflect dedication of necessary truncation at intersection corners.

- 3) The applicant shall resolve all outstanding issues and satisfy all conditions/comments pertaining to the Montgomery County Department of Public Works and Transportation (DPWT) approval letter dated July 21, 2005, (Attachment A) and shall provide written notification to both the Development Review Division and the Transportation Planning staff prior to the final record plat that all outstanding issues are resolved.
- 4) Satisfy all preliminary plan conditions included in the State Highway Administration (SHA) letter dated June 7, 2005. (Attachment B) All roadway/intersection improvements required by SHA shall be installed/constructed and in place prior to the release of any building permit associated with this preliminary plan.
- 5) Complete required traffic signal warrant studies. If approved by SHA, design/install a fully operational traffic signal at applicant's expense at:
 - a. the site access driveway intersection with the local lanes of US 29
 - b. the Burtonsville Access Road intersection with MD 198.

The timing for the installation for these signals shall be coordinated as required by SHA and DPWT.

- 6) All SHA and DPWT site frontage, site access and roadway/intersection improvement design concerns related to this development shall be addressed fully to the satisfaction of the respective agencies prior to the final record plat. Any physical improvement along the proposed alignment for Burtonsville Access Road shall conform to applicable DPWT design for the roadway.
- 7) Construct an eight-foot-wide shared-use path and an eight-foot-wide tree panel on US 29 (Burtonsville Boulevard) along the entire property frontage. Extend this shared-use path and tree panel further north from the property line to the PEPCO power line right-of-way

(or to the Patuxent Trail [PB-41]). The shared-use path shall be offset two feet from the property line.

- 8) Construct a five-foot wide sidewalk and an eight-foot tree panel on MD 198 along the entire property frontage. The sidewalk shall be offset two feet from the property line.
- 9) Manage all shopping center related vehicular traffic, queues and parking within the property without spillover to US 29, MD 198, and Burtonsville Access Road.
- 10) All on- and off-site sidewalk/shared-use path ramps and crosswalks shall conform to Americans with Disabilities Act (ADA) standards.
- 11) The development on the site shall have adequate lead-in sidewalks from US 29, MD 198, and Burtonsville Access Road.
- 12) The development on the site shall have a pedestrian friendly internal street network, which will be in substantial conformance with the Fairland Master Plan guidelines, and shall meet the minimum requirements for the internal streetscape/sidewalks as required by the Building Officials and Code Administrators International Code used for Montgomery County.
- 13) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits, including:
 - a. 2.83 acres of offsite reforestation or forest bank to be identified by applicant and approved by M-NCPPC staff prior to approval of record plat.
 - b. Final forest conservation plan to include a reconfiguration of the proposed SWM pond to provide more forest retention near the northern part of the pond, if feasible. If additional forest retention is not feasible, provide documentation to demonstrate why the additional retention is not feasible.
 - c. Applicant to provide landscaping in consultation with MNCPPC staff and MCPS staff for perimeter of adjacent school site.
- 14) Applicant is bound to the elements of the Illustrative Circulation Plan dated June 2004, regarding general street cross sections, sidewalks locations, sidewalk widths, sidewalk amenities, street trees and crosswalk treatment.
- 15) Obtain a waiver of the setbacks from MCDPS for parking facilities along the zoning line immediately to the west of the proposed shopping center prior to building permits. If a waiver cannot be secured, parking facilities must comply with setbacks as per Section 59-E-2.81 of the Zoning Ordinance.
- 16) Compliance with the conditions of the MCDPS stormwater management approval dated July 13, 2005.
- 17) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 18) Other necessary easements.

SITE DESCRIPTION:

The 27.15-acre property is located in the northwest quadrant of the intersection of Columbia Pike (US 29) and Spencerville Road (MD 198). The majority of the site is unrecorded; the portion in the immediate corner of the 29/198 intersection is recorded by plat. It

is within the Patuxent River watershed (Use I waters). The eastern portion of the site is a shopping center. About 14.37 acres of the property is in forest cover. A small stream traverses the northwestern portion of the property. A severely eroded gully lies along part of the property line that is adjacent to the elementary school. The gully connects into the stream immediately offsite. The gully was most likely created from uncontrolled stormwater runoff from the existing shopping center and the adjacent elementary school site.

PROJECT DESCRIPTION

This application is a request to redevelop the existing Burtonsville Shopping Center. The property is zoned C-2 and under the proposed development scenario, will not be required to undergo Site Plan review. The Fairland Master Plan makes specific recommendations regarding the redevelopment of the site as detailed in the Community Based Planning memorandum. One overriding theme of the master plan guidance is the need for a pedestrian friendly design. While recognizing that the project will not be subject to Site Plan review, staff did request and receive an Illustrative Circulation Plan to show the general concepts of internal street cross-sections, sidewalk widths, setbacks, amenities and crosswalks. Sidewalks with associated lead walks along the U.S. 29 and MD 198 frontages are also provided.

Access to the property is to be accommodated at two locations: one on U.S. 29 and the other on MD 198 (loop road). The layout of the buildings on the property is conceptual and is shown as a number of building pads within the parking lots to provide flexibility for future tenants. The plan proposes 809 underground parking spaces and 521 surface parking spaces. The Montgomery County Department of Permitting Services will need to review and approve a Parking Facilities Plan as part of the building permit review for this site. The plan as shown will require a waiver of the required setback for parking facilities from the adjacent residential (RC) zone. The decision on the waiver will be made by DPS. Staff's recommended conditions require the Applicant to:

- 1) Obtain approval of a waiver from the Director of MCDPS prior to issuance of building permits and as part of the Parking Facilities Plan review, or
- 2) Meet the minimum setback requirements as required under 59-E-2.81.

RELATIONSHIP TO THE FAIRLAND MASTER PLAN

The proposed plan complies with the recommendations of the Fairland Master Plan. For a complete discussion of the master plan, refer to Attachment C for the entire Community Based Planning Staff Report.

TRANSPORTATION:

Site Location, Vehicular Access, Pedestrian, and Transit Amenities

The site is located within the northwest quadrant of the local lanes of Columbia Pike U.S. 29 (Burtonsville Boulevard)/MD 198 intersection (just west of the new U.S. 29 Relocated/MD

198 interchange currently under construction). Access to the site is proposed from both Burtonsville Boulevard and MD 198 (through the future Burtonsville Access Road). Currently, several bus routes (Metrobus routes Z3, Z5, Z8, Z9, Z29, and MTA Routes 915 and 929) provide service along US 29 and MD 198 in the area. The Burtonsville Park and Ride Lot is located within the northeast quadrant of US 29 (Burtonsville Boulevard)/MD 198 intersection next to the Burtonsville Crossing Shopping Center.

Master Plan Roadways and Bikeway/Pedestrian/Trail Facilities

The Approved and Adopted 1997 *Fairland/Cloverly Master Plans* include the following nearby master-planned roadway, bikeway, pedestrian, and trail facilities:

1. US 29 local lanes or Burtonsville Boulevard, to the east of the property, as a six-lane divided Major Highway (M-10a) from south of MD 198 to Dustin Road (to the north). A minimum right-of-way width of 100 to 200 feet is recommended for this section of the roadway. A Class I bikeway is also recommended in the master plan for this section of local US 29.
2. Sandy Spring Road/Spencerville Road (MD 198), as a four-lane divided major highway (M-76) with a minimum right-of-way width of 120 feet, and with a Class I bikeway (PB-34) to the south side of the roadway between Old Columbia Pike/US 29 and the Prince George's County line. The 2005 Countywide Bikeways Functional Master Plan recommends a Shared- Use Path for MD 198 between Layhill Road to the west in Cloverly and the Prince George's County line to the east (SP-20 and SP-21).
3. Old Columbia Pike, as a two-lane Primary Road (P-25c) with a minimum right-of-way width of 70 feet between MD 198 to the north and Briggs Chaney Road to the south, and with sidewalks. As recommended in the Master Plan, four-foot wide sidewalks are provided along both sides of Old Columbia Pike. The roadway is also a Class II bikeway facility (EB-13; BL-12 in the 2005 Countywide Bikeways Functional Master Plan).
4. Burtonsville Access Road, to the north of MD 198 between MD 198 and the access road to Burtonsville Elementary School, as a two-lane Business District Street (B-7), with a minimum right-of-way of 60 feet.
5. Riding Stable Road, as a two-lane Primary Road (P-47) with a minimum right-of-way width of 70 feet, and with a rural open-section to the north of MD 198 and a Class III bikeway (PB-61) between MD 198 to the south to the Prince George's County line/Brooklyn Bridge Road to the north.
6. McKnew Road, as a two-lane primary road (P-26) with a minimum right-of-way width of 70 feet, and with sidewalks between MD 198 and Sugar Pine Court on both sides. The portion of McKnew Road to the south of Sugar Pine Court is currently built to master plan recommendations with sidewalks on both sides.

7. Cedar Tree Drive, as a two-lane primary road (P-45) with a minimum right-of-way width of 70 feet, and with a Class III/I bikeway (PB-46) between MD 198 and the Fairland Recreational Park/Prince George's County Line. A Class I bikeway (PB-47 – Cedar Tree Drive Connector) that connects Cedar Tree Drive through Fairland Recreational Park with Robey Road is also recommended in the master plan. The existing portion of Cedar Tree Drive (between MD 198 and Islewood Terrace) is built as a two-lane Primary Road to master plan recommendations with sidewalks on both sides and a Class III bikeway.
8. Blackburn Road to the east of US 29, as a two-lane Primary Road (P-44) with a minimum right-of-way 70 feet, and with sidewalks.
9. Greencastle Road, between US 29 to the northwest and Prince George's County Line to the southeast, as a four-lane Arterial (A-110) with a minimum right-of-way width of 80 feet. The master plan also recommends sidewalks and a Class I bikeway (PB-52) along Greencastle Road between Old Columbia Pike (to the west of US 29) and Prince George's County Line. The 2005 Countywide Bikeways Functional Master Plan recommends a Dual Bikeway for the section of Greencastle Road between US 29 and Robey Road (DB-11), and a Shared-Use Path for the section of Greencastle Road between Robey Road and Prince George's County line (SP-23).
10. Peach Orchard Road (to the west of the site in Cloverly) as a two-lane Primary (P-10) between MD 198 to the north and Briggs Chaney Road to the south with a minimum right-of-way width of 70 feet, and with a Class III bikeway (PB-37).
11. Patuxent Trail, as an unpaved trail (PB-41) within the PEPCO right-of-way to the north of the site.

On-going Transportation Projects

The SHA Consolidated Transportation Program, and the DPWT Capital Improvement Program includes the following nearby projects:

1. The US 29/MD 198 interchange project, from north of Dustin Road to south of MD 198. Construction of this project started in June 2002 and is near completion and open to traffic. The project is scheduled for completion in Fall 2005.
2. The MD 28/MD 198 Corridor Improvement Planning Study is ongoing. SHA anticipates release of the draft environmental document for the project in Fall 2005. The study is funded for project planning only.
3. The Burtonsville Access Road project, to the north of MD 198 between MD 198 and the access road to the Burtonsville Elementary School is fully funded, and is scheduled to start construction in Spring 2007.

Local Area Transportation Review

Site Generated Traffic

Peak-hour trips associated with the proposed new shopping center consisting of 250,000 square feet of retail uses and 10,000 square feet of commercial office space were estimated for the weekday morning peak-period (6:30 a.m. to 9:30 a.m.) and the evening peak-period (4:00 p.m. to 7:00 p.m.), and are summarized in Table 1. The net increase in trips generated by the proposed development reflect trip credits for the existing shopping center on the property that include a 50,000 square-foot retail center and a 6,000 square-foot nursery retail/outdoor furniture sales center.

As shown in Table 1, the proposed retail/office density on the property was estimated to generate a total of 285 and 1,168 peak hour trips during the respective weekday morning and evening peak periods. With applicable credit for retail uses currently on the property, the proposed uses on the property were estimated to generate a total of 154 and 683 net new-peak hour trips during the respective weekday morning and evening peak periods.

**TABLE 1
SITE TRIP GENERATION
PROPOSED BURTONSVILLE SHOPPING CENTER REDEVELOPMENT**

Trip Generation	Weekday Peak Hour	
	Morning	Evening
Proposed Development		
Primary ("New") Trips	204	824
"Pass-by" Trips	81	344
Total Trips	285	1,168
Existing Development		
Primary ("New") Trips	86	304
"Pass-by" Trips	45	181
Total Trips	131	485
Net New Site Trip Generation		
Primary ("New") Trips	118	520
"Pass-by" Trips	36	163
Total Trips	154	683

Source: Burtonsville Shopping Center Traffic Study Supplement. Kimley Horn and Associates, Inc. July 23, 2004.

- Congestion Levels at Nearby Intersections

A summary of the Critical Lane Volume (CLV) analysis results for the study intersections for the weekday morning and evening peak hours during the respective peak periods based on the analysis presented in the traffic study is provided in Table 2.

**TABLE 2
SUMMARY OF CRITICAL LANE VOLUME CALCULATIONS
PROPOSED BURTONSVILLE SHOPPING CENTER REDEVELOPMENT**

Intersections	Traffic Conditions					
	Existing		Background		Total	
	AM	PM	AM	PM	AM	PM
1. US 29 (Local, Existing)/MD 198 ¹	1,913	1,990	--	--	--	--
2. US 29 NB Ramps/MD 198 (Future) ¹	--	--	1,090	1,279	1,092	1,292
3. US 29 SB Ramps/MD 198 (Future) ¹	--	--	1,364	1,257	1,379	1,314
4. US 29/Burtonsville Crossing Shopping Center Drwy ²	1,628	1,310	629	675	639	706
5. US 29/Blackburn Rd ¹	1,123	1,242	1,251	1,321	1,254	1,343
6. US 29/Greencastle Rd ¹	1,524	1,321	1,545	1,345	1,549	1,367
7. MD 198/Riding Stable Rd ¹	1,011	1,129	1,038	1,198	1,046	1,216
8. MD 198/McKnew Rd ¹	1,220	1,149	1,315	1,310	1,322	1,333
9. MD 198/Cedar Tree Dr ¹	1,093	974	1,150	995	1,157	1,018
10. MD 198/Old Columbia Pk ¹	1,114	1,306	1,186	1,395	1,213	1,498
11. MD 198/Peach Orchard Rd ³	1,128	1,377	1,190	1,444	1,198	1,491
12. Old Columbia Pk/Greencastle Rd ¹	812	1,041	840	1,072	846	1,107
13. MD 198/Burtonsville Access Rd (Future w/Imps) ¹	--	--	--	--	1,075	1,146
14. US 29 (Local, Existing)/Site Drwy (Future w/Imps) ²	--	--	--	--	430	505

Source: Burtonsville Shopping Center Traffic Study Supplement. Kimley Horn and Associates, Inc. July 23, 2004.

Note: Congestion Standard for ¹Fairland/White Oak Policy Area: 1,550; ²Rural (Patuxent) Policy Area: 1,450; ³Cloverly Policy Area: 1,525.

As shown in Table 2, the weekday morning and evening peak-hour capacity analysis presented in the traffic study indicated that under Total traffic conditions (with applicant funded intersection operational/physical improvements [potential installation of signal/turn lanes at the MD 198/Burtonsville Access Road and US 29/Site Driveway intersections] subsequent to further SHA/DPWT review), CLV at the study intersections were below the FY 2004 congestion standard for the respective policy areas. Therefore the application satisfies the LATR requirements of the APF test.

Policy Area Transportation Review (PATR)/Staging Ceilings

Rural policy areas such as the Patuxent Policy Area are not assigned any transportation staging ceilings. Therefore, the proposed development is not required to meet the PATR test.

ENVIRONMENTAL:

Patuxent Primary Management Area

The Patuxent River Primary Management Area (PMA) is a water quality protection area defined in the Environmental Guidelines for land in the Patuxent River watershed. It is a set area adjacent to any stream within the Patuxent River watershed where the Guidelines recommend certain land use activities and measures as part of a development project to protect and enhance water quality conditions of the stream system. One of these measures is a 10 percent imperviousness guideline limit for lower-density land development projects within the part of the PMA that is outside any environmental buffer. Development in zones that create high impervious uses, such as commercial zones, are considered to be in "nonconformance". There is no imperviousness guideline limit in the Environmental Guidelines for development in high density zones. However, best management practices to reduce and minimize water quality impacts are recommended

Approximately 11.1 acres of the subject site lies within the PMA. Most (8.8 acres) of the PMA is zoned RC. About 2.3 acres of the PMA is zoned C-2. The C-2 portion of the PMA is not subject to the 10 percent imperviousness guideline limit because it is considered to be a non-conforming zone.

The RC portion of the PMA is subject to the 10% imperviousness guideline limit. This part of the PMA meets that guideline limit because no impervious surfaces are proposed, except for possibly a small SWM facility access path. The path (approximately 5720 square feet) would create about 1 percent imperviousness within the PMA.

The proposed SWM concept includes a wet pond that would provide quantity and quality controls not only for the shopping center development, but for a large portion of the adjacent elementary school (including most of the school building). The concept also includes eliminating the severely eroded channel and several dry wells located throughout the commercial part of the site. Staff believes this SWM concept meets the Environmental Guidelines

recommendation for using best management practices for a commercial use (i.e, high-impervious use) that lies partly within the PMA.

Forest Conservation

The applicant proposes to retain about 4.58 acres of the 14.4 acres of forest. The retention area includes the environmental buffer and lies entirely within the PMA. The reforestation requirement is 4.80 acres, of which 1.97 acres will be located onsite. The remaining 2.83 acres of reforestation will be met offsite or with credits from a forest bank. The forest retention area and forest planting area on the site will be placed in a Category I conservation easement. Staff believes the proposed preliminary forest conservation plan meets the Forest Conservation Law requirements and recommends conditional approval of the plan.

SCHOOLS:

By letter dated January 24, 2005, (Attachment D) Montgomery County Public Schools (MCPS) requested the applicant provide a vegetated buffer and construct a fence along the perimeter of the school site. The applicant has been in contact with the school system and has advised that the area around the school will be, for the most part, afforested and protected with a forest conservation easement. Landscaping, to meet the concerns of MCPS, can be accommodated within the area identified "Proposed Landscape Buffer" adjacent to the eastern border of the school property and as shown on the preliminary plan. The applicant has acknowledged that there will be continued discussion regarding the placement of a fence and any gates requested by MCPS.

CONCLUSION:

As demonstrated in the staff report this plan complies with the recommendations of the Fairland Master Plan. Further staff believes that it complies with all applicable sections of Chapter 50, the Subdivision Regulations. The plan provides safe and adequate access, and can be served by adequate public facilities. With the waiver of setbacks that will be reviewed by MCDPS, the plan will comply with Chapter 59, the Zoning Ordinance. Staff recommends approval of the plan subject to the conditions cited above.

Attachments:

- Attachment A – MCDPWT Letter
- Attachment B – SHA Letter
- Attachment C – Community Based Planning Memo
- Attachment D – MCPS Letter
- Attachment E - Vicinity Map
- Attachment F – Preliminary Plan
- Attachment G - Correspondence