

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

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**MCPB
ITEM #9
10/10/05**



MEMORANDUM

DATE: September 29, 2005

TO: Montgomery County Planning Board

VIA: Rose Krasnow
Development Review Division

FROM: Catherine Conlon, Supervisor (301-495-4542)
Development Review Division *CAK*

REVIEW TYPE: Amendment to Preliminary Plan of Subdivision

APPLYING FOR: New APF validity period for the 117,175 square feet of office space remaining from previous approval

PROJECT NAME: Rock Spring Park

CASE NO. 11998091C (formerly 1-98091C)

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

ZONE: I-3

LOCATION: On the west side of Rockledge Drive, 500 feet north of Democracy Boulevard

MASTER PLAN: North Bethesda/Garrett Park

APPLICANT: Elizabethan Court Associates I & II

ATTORNEY: Linowes and Blocher

ENGINEER: VIKA, Inc.

FILING DATE: June 2, 2005

HEARING DATE: October 10, 2005

Staff Recommendation: Approval, to revise the previous conditions of approval as follows:

- 1) Limit the preliminary plan amendment to a total of 463,651 square feet of general and medical office use consisting of the following:
 - a. A maximum of 98,550 square feet of medical office space; and
 - b. A maximum of 365,101 square feet of general office space.
- 2) Prior to release of building permit, applicant shall execute a revised Traffic Mitigation Agreement (TMA) with the Planning Board and the Montgomery County Department of Public Works and Transportation to satisfy the trip mitigation requirements of the master-planned North Bethesda Transportation Management District and the *I-3 Trip Reduction Guidelines*.
- 3) The Adequate Public Facilities (APF) review for this preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion for this amendment.
- 4) All other applicable conditions of approval included in the Planning Board's opinion dated September 7, 1999, as amended, remain in full force and effect.

PROJECT DESCRIPTION

The approved preliminary plan for this property includes 463,651 square feet of general and medical office use, consisting of four office buildings located on the west side of Rockledge Drive north of Democracy Boulevard (Attachment A). Two of these buildings, totaling 247,926 square feet, were constructed in the early 1990's (consisting of the 6-story Camalier Building and the 6-story Champlain Building). The third building was completed in 2001 and consists of 98,550 square feet of medical office space (the "Suburban Hospital Building"). The final and fourth building will consist of the 117,175 square feet of office space which is the subject of this preliminary plan amendment (Attachment B).

This property is recorded as Parcel 14 on Plat No. 21681 and was approved pursuant to the FY 2000 Annual Growth Policy (AGP) Alternative Review Procedures for Expedited Development Approval ("Pay-and-Go"). The revised language of the FY 2001 AGP clarified that projects which received preliminary plan approval prior to October 28, 1999 under "Pay-and-Go" had four years to receive building permits. Based on the September 7, 1999 approval date for this project (previous preliminary plan opinion in Attachment C), the Adequate Public Facilities (APF) review for the fourth building (including the 117,175 square feet of remaining office use) expired on October 7, 2003.

This preliminary plan amendment has been submitted pursuant to Section 50-20(c)(3)(iii) to request establishment of a new APF validity period to permit construction of the remaining

office square footage (Attachment D is applicant's letter). In support of this request, a new Traffic Study to satisfy Local Area Transportation Review was submitted and has been reviewed by Transportation Planning staff (Attachment E).

DISCUSSION

Local Area Transportation Review

The proposed 117,175 square feet of additional general office use would generate 191 peak-hour trips during the weekday morning peak period (6:30 to 9:30 a.m.) and 189 peak-hour trips during the weekday evening peak period (4:00 to 7:00 p.m.). A traffic study was required to satisfy Local Area Transportation Review because the proposed additional office building would generate 30 or more peak-hour trips during the weekday morning and evening peak periods.

Based on the results of the traffic study, the critical lane volumes (CLV) for each analyzed intersection in the study area do not exceed their congestion/CLV standard during the weekday morning and evening peak hours. The traffic conditions analyzed include the existing, background (existing traffic plus traffic from approved, but unbuilt developments), and total traffic conditions.

Traffic Mitigation Requirements

The subject site is located within the boundary of the North Bethesda Transportation Management District (TMD). Pursuant to the previous Preliminary and Site Plan approvals, the applicant entered into a Traffic Mitigation Agreement (TMA) dated May 10, 2005 to participate in the North Bethesda TMD and the *I-3 Trip Reduction Guidelines*. Based upon Transportation Planning's review of the new Traffic Study, the TMA must be amended prior to release of a building permit for the final office building.

Adequate Public Facilities Validity Period

The applicant has requested a new validity period for the Adequate Public Facilities (APF) review of this preliminary plan of 12 years from the date of mailing of the opinion for this amendment. Transportation Planning staff completed a new APF review for this amendment and concludes that a 5-year APF validity period is appropriate. The current APF review was based on the submitted traffic study that projected the existing, background, and site-generated trips for approximately five years into the future. In addition, the last phase of the development which is included in this preliminary plan amendment includes less than 150,000 square feet, which is the point at which the AGP stipulates that additional APF validity may be warranted for a non-residential development. Staff believes an APF validity period of five years is consistent with the intent of the AGP and Section 50-20 in this instance.

CONCLUSION

Based on the review and approval of the new Traffic Study for the remaining 117,175 square feet of office use for the subject property, staff finds that the preliminary plan amendment meets the requirements of Chapter 50, the Subdivision Regulations, and recommends approval with the specified conditions.

Attachments:

Attachment A – Site Vicinity Map

Attachment B – Approved Preliminary Plan

Attachment C – Preliminary Plan Opinion dated 9/7/1999

Attachment D – Applicant's 6/2/05 Letter Requesting Amendment

Attachment E – Transportation Planning Memo