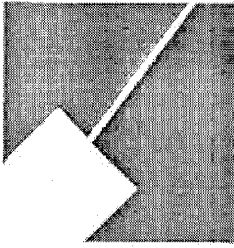


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

April 21, 2006

MEMORANDUM

TO: Joel Gallihue, Zoning Analyst, Development Review Division

VIA: Sue Edwards, Team Leader, I-270 Corridor Team *Sue*

FROM: Nancy Sturgeon, Planner Coordinator, Community-Based Planning Division *N*

SUBJECT: Local Map Amendment G-841 and Development Plan Application

Zoning case G-841 is a Local Map Amendment and development plan application to rezone two recorded parcels from commercial to residential. The parcels are adjacent to the Shady Grove Executive Center office park, which is located west of Shady Grove Road, north of Research Boulevard, east of Omega Drive, and south of an I-270 interchange. The subject site is within the boundaries of the 1990 *Shady Grove Study Area Master Plan*, which is currently being updated.

The 1990 *Shady Grove Study Area Master Plan* area included approximately 2,500 acres that straddled I-270 and included the Shady Grove Metro Station on the eastern edge and the Banks Farm on the western edge. The area east of I-270 was called the "Metro Area" and it included the Shady Grove Metro Station and the King Farm. The area west of I-270 was referred to as the "R&D Village" and included Traville, the Life Sciences Center, the Thomas Farm (now Falls Grove), the Crown Farm, and the Washingtonian Center. King Farm and Falls Grove have been annexed into the City of Rockville. The Washingtonian/Rio Center has been annexed into the City of Gaithersburg and the Crown Farm is in the process of being annexed into Gaithersburg.

Rezoning Request and Project Description

The applicant requests to rezone two parcels from the C-2 Zone (General Commercial) to the PD-44 Zone (Planned Development, High Density Category) through a Local Map Amendment. These "L-shaped" parcels were part of the Shady Grove Executive Center, an office park with six existing office buildings (totaling 710,000 square feet) that range from four to six stories, two parking garages, and surface parking. The 42-acre office park received Preliminary Plan approval in 1985 and Site Plan approval in 1987. The subject parcels total 6.92 acres and represent the planned location of two additional

office buildings that were approved as part of the larger office park but were never constructed. The remaining, unused commercial office space is 210,000 square feet.

The ownership of the subject site is now separate from the rest of the office park. The applicant proposes three residential buildings with up to 371 multi-family residential units. Under the PD-44 Zone, the maximum number of dwelling units per acre that could be allowed would be 44. The applicant is utilizing the 22 percent bonus density allowed when 15 percent Moderately Priced Dwelling Units (MPDUs) are provided. With the bonus, the proposed density is 53.6 dwelling units per acre, which includes 56 MPDUs.

The three buildings are planned to be four, five, and six stories in height. The three and four-story structures will include parking under the buildings. Parking for the six-story building will be accommodated in an adjacent, existing garage that was built for the office park. The parking garage and residential building may be linked with a pedestrian bridge over an internal, private street. The building heights are comparable to the existing office buildings and will be shown in feet when the site plan is submitted through the development review process. Recreation facilities include an outdoor swimming pool and an indoor gym.

Surrounding Uses

Uses immediately surrounding the proposed residential project include the Shady Grove Executive Center office buildings, surface and garage parking, and a hotel. The Homestead Suites Hotel is on the northeast corner of Omega Drive and Research Boulevard. The hotel was the subject of a local map amendment in 1997 (G-740), which rezoned the parcel from C-2 to H-M (hotel-motel). Two of the proposed residential buildings will be adjacent to the hotel, across private, internal streets. Existing trees that will be preserved as a forest conservation area will provide a buffer between the hotel and one of the proposed residential buildings. This same building will be adjacent to an existing office building to the east and an existing parking garage to the south (that, as mentioned above, will be shared by both the residential and office buildings).

Outside of the immediate vicinity of the proposed project are commercial office uses across Shady Grove Road to the east, in the City of Rockville. To the south, across Research Boulevard and Key West Avenue, are office buildings as well. To the northeast is the I-270/Shady Grove Road interchange. To the northwest (Omega Drive to Fields Road) are residential uses along Fields Road, south of Washingtonian Boulevard. The Washingtonian/Rio Center in the City of Gaithersburg is located north of Washingtonian Boulevard and includes retail, entertainment, and hotels.

The Crown Farm is located directly across Omega Drive from the subject site on the west. The 182-acre Crown Farm is in the process of being annexed into the City of Gaithersburg and will develop with a variety of housing types, including single-family, townhouses, and multi-family. A significant amount of commercial is proposed near

Sam Eig Highway and Fields Road. A public high school is also planned on the Crown Farm site and is currently being shown along Omega Drive, across from the subject site.

Master Plan Guidance

The subject property is within the boundaries of the 1990 *Shady Grove Study Area Master Plan*. Many years ago, the site was home to the Shady Grove Music Fair, which was rezoned from residential (RR and R-200) to C-2 in a series of local map amendments between 1960 and 1980. In the mid to late 1980s, the Shady Grove Executive Center received Preliminary Plan and Site Plan approvals for an office park. These development approvals took place while the Master Plan was being developed and the Plan expected the entire site would be built out as an office park.

The site is not specifically discussed in the narrative text of the Plan, but it is shown on several maps. The Plan contains a "Development Profile" (with a map and table on pages 16 and 17) that lists the "Shady Grove Executive Office Center" as an existing/committed commercial area. The Land Use Plan on page 49 (and the large fold-out of the same) identifies the site as employment/office. The zoning maps (pages 74, 76, and the fold-out map) show C-2 for the property with a small strip of O-M along Omega Drive at the northwestern edge of the site. Although the site is not discussed in the text, the Development Profile and land use and zoning maps show that the Master Plan expected the site to be completed as an office park, as was approved in the late 1980s.

Compatibility

When assessing whether a proposed project is compatible with existing development, one area of concern is how the new development will effect or impact existing development, particularly adjacent residential uses. There are no residences in the immediate vicinity of the proposed project. The nearest residences are along Fields Road, approximately one-half mile from the subject site, and include multi-family and townhouses. As described above, the uses surrounding the proposed new residential buildings include existing office buildings, a parking garage, a hotel, and a planned public high school. Residential use will add to the mix of uses in this area, but there may be no particular benefits to the users of combining offices, a hotel, and housing in close proximity. Additional housing near jobs in the I-270 Corridor is beneficial, however.

Another aspect of compatibility is how the proposed project fits in with surrounding development in terms of comparable scale, height, and density. The applicant initially requested PD-60 for the subject site, which the Zoning Ordinance categorizes as urban high density. Staff requested that the applicant address concerns that the site design, as shown on the development plan, appeared dense and crowded. As a guideline, staff suggested that the applicant design the residential project at a density comparable to the 1.5 floor area ratio (FAR) allowed in the existing C-2 Zone. Staff was also interested

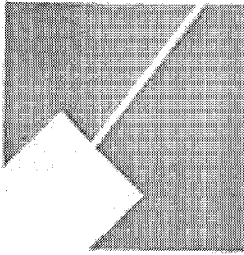
in achieving similar densities to the residential developments in the area, which average 21 dwelling units per acre and the densest project is 31 dwelling units per acre.

The applicant revised the development plan, removing one of the four buildings and reducing the density from 477 to up to 371 dwelling units. With the MPDU density bonus, the proposed project is 53.6 dwelling units per acre, which is higher than residential developments in the area. However, a reduction of over 100 dwelling units and removal of one of the proposed buildings has improved the overall site design, including the provision of green space, tree preservation, the massing and scale of the buildings, and the distance between buildings.

Conclusion

While the rezoning request and proposed housing is not consistent with the Master Plan recommendations for this site, the project will contribute to the Plan goal of providing more housing options near jobs in the I-270 Corridor and the Life Sciences Center. The proposal will also increase the supply of MPDUs, which is a significant public benefit. The applicant has responded to staff concerns regarding the crowdedness of the initial concept plan by decreasing the total number of dwelling units and removing one proposed building. Community-Based Planning staff supports the requested rezoning of the subject site.

NS:tv. G:/Sturgeon/PD-44 (Shady Grove Center; G-841)



MEMORANDUM

TO: Joel Gallihue, Community Based Planning

VIA: Mary Dolan, Environmental Planning *MD*

FROM: Mark Pfefferle, Environmental Planning *MP*

DATE: March 6, 2006

SUBJECT: Preliminary Forest Conservation Plan G-841
Zoning Application No. G-841: Shady Grove Executive Center

Recommendation

Environmental planning staff recommends approval of preliminary forest conservation plan G-841, Shady Grove Executive Center with the following conditions:

1. Applicant to submit a Final Forest Conservation Plan consistent with Section 109.B. of the Forest Conservation Regulation in conjunction with the last approval by the Montgomery County Planning Board.
2. Applicant to submit an amendment to Final Forest Conservation Plan 8-87011A in conjunction with the Preliminary Plan of Subdivision for Parcels R-R and T-T.

Discussion**Environmental Guidelines**

The applicant prepared and submitted a Natural Resource Inventory Forest Stand Delineation (NRI/FSD) consistent with Environmental Guidelines (*Guidelines for Environmental Management of Development in Montgomery County, January 2000*) for Parcels R-R and T-T, Decoverly Hall. Environmental Planning staff approved NRI/FSD 4-05369 on September 27, 2005. The NRI/FSD characterizes the existing conditions on the subject property. There are no streams, wetlands, floodplains, or their associated buffers on the subject property. There is an existing 0.41-acre forest currently protected by a forest conservation easement. Black locust and black cherry trees dominate the forest. The site is not within a Special Protection Area or Primary Management Area.

Forest Conservation – Chapter 22A

Section 22A-11(b) of the Montgomery County code requires applicants that submit a development plan also submit a preliminary forest conservation plan with the development plan. The forest conservation plan must be reviewed by the Planning Board concurrently with the development plan. The forest conservation plan, as amended by the Board, must be a condition of approval of the development application. For a development plan, a Planning Board recommendation to the District Council on the preliminary conservation plan must be made under Section 59-D-1.4.

The land area included in this rezoning case, parcels R-R and T-T, are part of previously approved final forest conservation 8-87011A. Forest conservation plan 8-87011A covers 15.5 acres and includes the 7.01 acres now submitted as part of the development plan. Forest conservation plan 8-87011A was approved using the commercial land use category. The proposed development plan modifies the land use category used in the forest conservation worksheet for the area to be rezoned. The change in land use categories modifies the forest conservation “threshold” and “breakeven” points previously used. Therefore, the approval of this preliminary forest conservation plan will require an amendment to final forest conservation plan 8-87011A. When the amendment is submitted staff will review the plan to ensure the requirements for forest conservation plan 8-87011A are still met. The Planning Board does not need to take a formal action on the amendment to Final Forest Conservation Plan 8-87011A at this time. The Planning Board does need to take a formal action on the forest conservation plan associated with this development plan.

Section 22A-12(f) of the Montgomery County code requires that any site developed as a planned unit development must include a minimum amount of forest on-site as part of meeting its total forest conservation requirements. The applicant is proposing a planned development project and therefore must meet part of its forest conservation requirements on site. The parcels subject to this rezoning case have less existing forest than the afforestation threshold. Therefore, the appropriate threshold for this site is the afforestation threshold. In order to comply with Section 22A-12(f) of the Montgomery County code, the applicant must meet the afforestation threshold on-site.

Section 22A-12(f)(2)(C) of the Montgomery County code requires that properties subject to the minimum retention requirements and with less forest less onsite than the afforestation threshold must retain all forest on-site and afforest up to the minimum standard. Based on this section of the forest conservation law, the applicant must retain the 0.4-acre forest onsite. The applicant initially proposed to meet all forest conservation planting requirements off site and has since modified their plan. The preliminary forest conservation plan now meets the afforestation threshold onsite. This will be accomplished through the retention of the existing 0.4-acre forest¹, by protecting existing tree canopies and critical root zones outside of the forest, and planting of new tree cover on the 7.1-acre site. Staff recommends approval of the preliminary forest conservation plan dated February 14, 2006.

¹ The applicant is proposing to remove 0.03 acres of forest. The forest conservation law allows applicants to indicate the amount of forest and forest clearing to the nearest 1/10 of an acre. The existing 0.41-acre forest can be rounded to 0.4 acres. When the applicant removes 0.03 acres of forest from the 0.41 acres of existing forest 0.38 acres of forest remains. The number can also be rounded to 0.4 acres. Removing 0.03 acres of forest is equivalent to 436 square feet of clearing.

