



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

JAN 25 2010

MCPB No. 09-156
Preliminary Plan No. 12002095A
Century Technology Campus
Date of Hearing: December 17, 2009

RESOLUTION¹

WHEREAS, pursuant to Montgomery County Code Chapter 50, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review preliminary plan applications; and

WHEREAS, on August 11, 2009, Trammel Crow Company ("Applicant"), filed an application for approval of a preliminary plan amendment to consolidate four recorded parcels and create one recorded parcel on 51.8 acres of land in the I-3 Zone; located on Century Boulevard at the intersection of Cloverleaf Center Drive, ("Property" or "Subject Property"), in the Sector Plan for the Germantown Employment Area ("Master Plan"); and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 12002095A, Century Technology Campus ("Preliminary Plan" or "Application"); and

WHEREAS, Staff issued a memorandum to the Planning Board, dated December 7, 2009, setting forth its analysis, and recommendation for approval, of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on December 17, 2009, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

¹ This Resolution constitutes the written opinion of the Board in this matter and satisfies any requirement under the Montgomery County Code for a written opinion.

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, N.C. Planning Board, Legal Department 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

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WHEREAS, on December 17, 2009, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Alfandre; seconded by Commissioner Wells-Harley; with a vote of 3-0, Commissioners Alfandre, Hanson, and Wells-Harley voting in favor, Commissioner Presley absent, and one seat vacant.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board approved Preliminary Plan No. 12002095A to create one recorded parcel on 51.8 acres of land in the I-3 Zone; located on Century Boulevard at the intersection of Cloverleaf Center Drive, ("Property" or "Subject Property"), in the Sector Plan for the Germantown Employment Area ("Master Plan"), subject to the following conditions which supersede the conditions of the preliminary plan approval 120020950:

1. Total development under the subject Preliminary Plan is limited to 510,702 square feet of general office as analyzed in the traffic study and 21,000 square feet of space for accessory mechanical and storage uses.
2. The Applicant must dedicate, and the record plat must reflect, an additional 4 feet of right-of-way where needed along Century Boulevard to provide the master-planned minimum right-of-way width of 134 feet.
3. The Applicant must provide all necessary roadway improvements for Century Boulevard as contained in the Montgomery County Department of Transportation (MCDOT) letter dated November 18, 2009. The Applicant will ultimately be responsible for part of the cost of the future realignment and reconstruction of the cross section of Century Boulevard along the property frontage. The extent of this requirement will be determined at the time of subsequent applications.
4. The Applicant must reserve 50 on-site parking spaces located on the surface parking lot near the intersection of Century Boulevard and Cloverleaf Center Drive to users of the CCT. The location and nature of these spaces may change with subsequent applications.
5. The Applicant must record a record plat that places the 80-foot-wide right-of-way segment on the southern boundary of the property in reservation for a minimum of 3 years for the future CCT and a potential local roadway (B-19). The Applicant may reconstruct and maintain existing surface parking in the reservation area until the County or other entity is prepared to construct the contemplated improvements.
6. The record plat must reflect the 80-foot-wide right-of-way for the future extension of the CCT along the southern border of the site along with a note describing it as the maximum extent for the potential right-of-way shown in the Sector Plan for the future CCT.
7. The Applicant must coordinate with MCDOT regarding the Century Boulevard subdivision road participation project (SRP-71, CIP 508000) north of this site to coordinate roadway improvements.

8. To satisfy the requirements for development located on an I-3 zoned property, the Applicant must execute a Traffic Mitigation Agreement with MCDOT and the Planning Board prior to submission of the certified site plan.
9. The record plat must reflect a public use and access easement over all private streets and adjacent parallel sidewalks.
10. The Applicant must comply with the conditions of approval of the MCDOT letter dated November 18, 2009. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
11. The Applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS) stormwater management concept approval letter dated July 22, 2009. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
12. The Applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s), as applicable.
13. Except for the demolition of existing structures, no clearing, grading, or recording of plats prior to certified site plan approval.
14. Final approval of the number and location of buildings, on-site parking, site circulation, sidewalks, and bikepaths will be determined by the site plan.
15. The record plat must reflect denial of access along the I-270 property frontage.
16. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board Resolution.
17. The Applicant must provide a ten-foot public utility easement parallel, contiguous and adjacent to the right-of-way of Century Boulevard, unless an alternative alignment is agreed upon by the applicable utility companies at the request of the M-NCPPC prior to certification of the site plan and recordation of the plat.
18. All necessary easements must be shown on the Record Plat.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The Preliminary Plan substantially conforms to the sector plan.*

Sector Plan Conformance

The subject property is located within the Employment Corridor of Germantown on a signature site along I-270. The newly approved and adopted, but not yet implemented, Sector Plan for the Germantown Employment Area (Sector Plan) designates this site within the Cloverleaf District, which is envisioned to redevelop into a

compact, mixed-use, transit-based neighborhood. The Sector Plan identifies the following applicable recommendations:

- Creating Germantown as a Corridor City with a unique quality of place;
- Designing and funding the Corridor Cities Transitway as an essential feature of Germantown’s future;
- Creating Germantown as a strategic location for employment in the County;
- Creating transit-served, mixed-use communities;
- Enhancing Germantown’s natural environment; and
- Encouraging high-quality design that enhances character and identity.

The buildings and parking that currently exist on the site are inconsistent with the new Sector Plan. This application proposes to remove many of the existing buildings and utilize existing parking where possible. The recommended land use distribution is 50-60 percent commercial uses and 40-50 percent residential uses for each property in the Cloverleaf District. The Sector Plan also recognizes that employment uses should be oriented to take advantage of visibility from I-270. A conceptual phasing plan was submitted to ensure that interim uses of the site would not preclude full build-out of the recommended land uses and maximum amount of development. The Board has determined this initial phase provides approximately 49 percent of the Sector-Plan-recommended employment uses for this site, and thus verifies that the Sector Plan’s land use and design recommendations will still be achievable by subsequent phases of development.

Employment Development

The subject site encompasses approximately 51.76 acres (after dedication) of the Sector Plan’s 130-acre Cloverleaf District, which is recommended to develop with an average density of 1.0 FAR under the TMX-2 zone that will be put in place with the newly approved sector plan. This application proposes development at 0.22 FAR for office and storage uses under the current I-3 zone, which allows up to 0.5 FAR.

During the master planning process, Staff used the following land uses and development amounts at maximum build-out on this site to evaluate local transportation impacts and the jobs to housing ratio:

Sector Plan Modeling of the Century Technology Campus		
Land Use	Amount of Development (s.f)	Jobs @ 350 s.f.
Office	725,000	2,071
Retail	100,000	285
Day Care	10,000	28
Hotel	100,000	285

Other	100,000	285
Total Non-residential	1,035,000	2,954
Residential	1,055	N/A

Both the Planning Board and County Council emphasized the importance of employment at transit-served locations. The Board finds that this application, the first phase for the projected mixed-use development, begins to fulfill the Sector Plan objective of providing employment at transit-served properties. The Board further finds that subsequent phases should address the need for additional employment and housing needs.

Parking

The subject application proposes an excess of 377 parking spaces above the requirements enumerated in Section 59-E of the Zoning Ordinance.

Parking Analysis				
Building	Building Size (s.f.)	Originally Proposed Parking Spaces	Revised Proposed Parking Spaces	Required Parking Spaces (3 per 1,000)
Building B	172,895	1,816	1,686	519
Building C	159,039			477
Building E	129,267			388
Building #6	49,501	526	224	149
Total	510,702	2,342	1,910	1,533

To meet the Sector Plan recommendations, parking should typically not exceed the minimum required in the Zoning Ordinance. Staff has worked with the Applicant to address this in a number of ways:

1. The fifty spaces required for transit parking must be provided in the western lot near the intersection of Cloverleaf Center Drive and are not attributable to this project;
2. As shown above, the number of parking spaces has been reduced to 1,686 in the lots to the north and west of proposed buildings B and C;
3. 302 parking spaces to the west of Building #6 have been removed from the plan; and
4. As a condition of the concurrent site plan approval, 70 additional spaces will be removed from the total built by not constructing the small proposed lot in the southeast corner of the site.

The resulting total number of spaces built would be 1,788, which is still more than the required number of parking spaces. In this particular case, however, the Board finds

that the revised and conditioned parking facilities are appropriate based on three unique factors. First, much of the parking that is proposed already exists on site. Second, the existing site is largely covered by parking lots and buildings and the new parking will not impact significant pervious areas, instead being concentrated on existing impervious areas. Third, the phased nature of this project will result in a highly-intense and largely impervious site in the future. The proposed and conditioned vegetative screening and stormwater management facilities sufficiently mitigate the visual and environmental impacts of these interim surface lots.

Zoning

The Applicant proposes to develop the property under the current I-3 zoning, but the property will be rezoned to TMX-2 by sectional map amendment as recommended in the Sector Plan. The Board finds the proposed development in this phase will not limit future achievement in later phases of the greater mix of uses including retail, services, residential, entertainment, and research and development that are envisioned by the Sector Plan.

Therefore, the Board finds the proposed plan substantially conforms to the Master Plan.

2. *Public facilities will be adequate to support and service the area of the proposed subdivision.*

Roads and Transportation Facilities

The site is located on the east side of Century Boulevard opposite its intersection with Cloverleaf Drive with two vehicular access points from Century Boulevard. The access points and the vehicular circulation system shown on the plan are adequate to provide sufficient capacity for safe and efficient circulation into and from the site. In particular, parking and drives are sufficiently separated for through movement and safe maneuvering. Egress from the site may be required to expand to two lanes to provide dedicated right-turn and through/left-turn lanes. But this and other circulation details will be decided at later phases as density increases on and around this site.

Five-foot sidewalks exist within the right-of-way for Century Boulevard along the frontage of the two adjacent properties, and the Applicant will continue these sidewalks along the subject property's frontage. The proposed bus shelter and sidewalks connecting the internal pedestrian circulation system and the sidewalks along Century Boulevard will ensure easy and safe access for pedestrians to and from the site. Therefore, the Board finds the proposed and conditioned pedestrian facilities and circulation system are safe and adequate.

Master Plan Roadway, Corridor Cities Transitway, and Right-of-way

The newly approved 2009 Germantown Master Plan recommends a minimum right-of-way width of 134 feet for Century Boulevard to accommodate the Corridor Cities Transitway (CCT). The master plan also recommends 80 feet of right-of-way on the south side of the subject property and crossing I-270 for a future access roadway and a CCT spur to the east. The Applicant will dedicate the necessary right-of-way to achieve the master planned width along their frontage on Century Boulevard and place the recommended 80 feet of additional right-of-way on the southern property boundary into reservation for the maximum of three years. There is a CIP project (SRP-71, CIP 508000) to widen Century Boulevard north of the subject property. The applicant will need to coordinate with MCDOT on this CIP project.

Local Area Transportation Review

A traffic analysis was prepared to determine the impact of 510,702 square feet of general office use on the area transportation system. The 21,000 square-foot existing storage shed that will remain on-site does not generate any trips.

Nine locations were identified as critical intersections affected by the proposed development. These intersections were examined to determine whether they operate within the applicable congestion standard of 1,600 Critical Lane Volume (CLV) for the Germantown Town Center and 1,425 CLV for the Germantown West Center Policy Areas. The site trips were added to the existing and background traffic (traffic generated by the approved but un-built developments in the area) to determine the total future traffic condition. The total future traffic was assigned to the critical intersections and the result of the CLV calculations for these intersections is summarized below.

Intersection Capacity Analysis with CLV Under Various Development Schemes During the Peak Hour						
	Existing		Background		Total	
	AM	PM	AM	PM	AM	PM
MD 118/Wisteria Drive	902	1,300	1,167	1,310	1,168	1,524
MD 118/Middlebrook Road	921	1,289	964	1,454	983	1,468
MD 118/Crystal Rock Drive	806	1,013	825	1,019	825	1,045
MD 118/Aircraft Drive	741	891	750	964	756	1,010
MD 118/I-270 SB Off Ramp	903	1,062	1115	1,111	1,175	1,122
Father Hurley Blvd./ I-270 SB Off Ramp	378	421	664	534	698	587
Father Hurley Blvd./ I-270 NB Off Ramp	556	596	909	704	943	731
Crystal Rock/Cloverleaf Center Drive	566	651	677	713	934	923
Father Hurley Blvd./Crystal Rock Drive	903	1,062	1115	1,111	1,242	1,121

As shown in the above table, all analyzed intersections are currently operating within acceptable CLV standards during the morning and evening peak hours. All MD 118 intersections except the I-270 southbound ramp are located in the Germantown Town Center Policy Area (congestion standard of 1,600 CLV) while all other intersections are located in the Germantown West Policy Area (congestion standard of 1,425 CLV). Acceptable levels of traffic conditions are projected to be maintained under the background and total proposed development conditions.

Policy Area Mobility Review (PAMR)

This application is not subject to the PAMR test because the site is located within the Germantown West Policy Area where there is no PAMR trip mitigation requirement according to Adopted 2009-2011 Growth Policy.

Therefore, the Board finds that the proposed plan satisfies the LATR and PAMR tests. The Board also finds that with the proposed dedication and improvements vehicle and pedestrian access and circulation of the subject property will be safe, adequate, and efficient.

Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed office buildings. The site is served by public water and sewer. Gas, electric and telecommunications services are also available to serve the property. Police

stations, firehouses and health services are currently operating within the standards set by the Growth Policy Resolution currently in effect. The Application has been reviewed and approved by the Montgomery County Fire and Rescue Service which has determined that the property has adequate access for emergency vehicles. The property is within a school cluster that is currently in moratorium. However, the preliminary plan approval does not include any residential uses.

- 3. The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.*

The lots have been reviewed for compliance with 50-29(a) of the Subdivision Regulations. The Planning Board finds that the size, shape, width, and area of the lots were appropriate for their location within the subdivision.

- 4. The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

A Preliminary Forest Conservation Plan (with preliminary plan 120020950) was approved in August 2002 and a Final Forest Conservation Plan (with site plan 820030070) was approved in June 2003. At that time the Applicant was proposing to remove 0.81 acres of the existing 3.86 acres of on-site forest and retain 3.05 acres of forest. The Final Forest Conservation Plan (FFCP) approved at that time had a 5.77-acre planting requirement. Both the retained and proposed planted forest areas associated with that FFCP are protected by a Category I conservation easement recorded by plat 23328. The existing FFCP will be revised slightly by the site plan amendment that is being reviewed concurrently with the preliminary plan amendment. No significant trees or forest will be impacted by this minor revision to the Category I conservation easement. Therefore, the Board finds the preliminary plan satisfies the requirements of the Forest Conservation Law.

- 5. The Application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services (MCDPS) that the Stormwater Management Concept Plan approval meets MCDPS' standards.*

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on July 22, 2009. The stormwater management concept consists of on-site channel protection via two dry ponds; on-site water quality control via two sand filters, a volume based stormfilter, two hydrodynamic devices, and numerous micro-bioretenment facilities. Onsite recharge is provided.

BE IT FURTHER RESOLVED, that this Preliminary Plan will remain valid for 60 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended) and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed; and

BE IT FURTHER RESOLVED, that the date of this Resolution is JAN 25 2010 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Wells-Harley, seconded by Commissioner Alfandre, with Commissioners Hanson, Alfandre, and Wells-Harley voting in favor of the motion, and Commissioner Presley absent, with a four-member Board, at its regular meeting held on Thursday, January 14, 2010, in Silver Spring, Maryland.



Royce Hanson, Chairman
Montgomery County Planning Board