



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 10-171
Site Plan No. 81984118A
Project Name: CRI Building
Hearing Date: October 14, 2010

FEB - 1 2011

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on November 1, 1984, Site Plan 819841180 ("Site Plan") was approved for 192,930 square feet on 2.585 acres. The Site Plan required 521 parking spaces, including 10 motorcycle spaces, 20 bicycle spaces, 100 attendant parking spaces and 10 handicap spaces; and

WHEREAS, on December 5, 2008, McShea Management Inc. ("Applicant"), filed a limited site plan amendment application designated 81984118A, CRI Building (the "Amendment") for approval of the following modifications:

1. Addition of 50 surface parking spaces;
2. Reconfiguration of the existing parking garage;
3. The request of a 10% parking waiver; and
4. Revisions to the Lighting and Landscape plans.

WHEREAS, upon the initial review of the submitted plans Staff expressed major concerns with the amount of surface parking being added to the site based on the current transit goals of the White Flint Master Plan. The Applicant was strongly encouraged to re-examine alternative transportation opportunities in order to reduce the total number of proposed surface parking spaces. The Applicant revised their request and resubmitted it by June 2010 with the following modifications:

1. The addition of approximately 23 surface parking spaces;
2. Reconfiguration of the existing parking garage to provide 7 additional parking spaces;
3. The request of a 15% parking waiver; and
4. Revisions to the Lighting and Landscape plans.

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, Suite 100, Silver Spring, MD 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

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WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated October 4, 2010, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report");

WHEREAS, on October 14, 2010, Staff presented the Amendment to the Planning Board at a public hearing ("Hearing") wherein the Planning Board heard testimony and received evidence submitted for the record on the Amendment; and

WHEREAS, the requested modifications to the approved site plan are intended to bring the subject site into full compliance with the development standards of the current Montgomery County Zoning Ordinance. The Planning Board voiced concerns at the public hearing that the deficient parking spaces should have been reviewed as a violation of the approved site plan. The Applicant responded with a detailed explanation of the 100 attendant parking spaces (approved in 1984) being the main reason for the discrepancy. The overall building square footage has not changed, therefore in accordance with the original approval the parking could be provided. However, in accordance with the current standards the attendant parking spaces are considered inefficient. The Applicant acknowledges the need to provide more parking and with the 15% parking wavier will provide a maximum of 445 parking spaces.

WHEREAS, on October 14, 2010, the Planning Board approved the Amendment, subject to the addition of the paragraph listed above to further clarify the main objective, and the following conditions on the motion of Commissioner Dreyfuss, seconded by Commissioner Wells-Harley, with a vote of 5-0, Commissioners Alfandre, Carrier, and Presley voting in favor.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis as set forth in the Staff Report and hereby approves the Site Plan No. 81984118A; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board hereby APPROVES the Amendment, subject to the following conditions:

The following data table indicates the proposed development's compliance with the Zoning Ordinance. Only the standards that are affected by the proposed amendment are listed; a comprehensive modified data table is included on the certified site plan.

Project Data Table for the O-M Zone

Development Standard	Permitted/Required	Proposed for Approval
Lot Area	N/A	112,587 sf. (2.5 acres)
Building Area¹	192,930 sf.	192,930 sf.
Parking & Driveway Setbacks (feet)		
Front	N/A	3 feet
Right-of-Way	N/A	10 feet
Rear	N/A	57 feet
Side	N/A	15 feet
Landscape Strip	10 feet	26 feet (Rockville Pike)
	10 feet	10 feet (Edson Lane)
Total Parking	521 spaces	445 spaces²
Garage Standard Spaces (8.5' x 18')	510 spaces	350 spaces
Surface Standard Spaces (8.5' x 18')	N/A	23 spaces
Small Car Spaces (7.5' x 16.5')	51 (10% max)	29 (5.6%)
Attendant Parking	100 spaces	32 spaces
Handicap Spaces	11 spaces	11 spaces
Motorcycle Spaces ³	10 spaces	10 spaces
Bicycle Spaces ³	20 spaces	20 spaces
Surface Parking Area	N/A	6,750 sf.
Green Area (% of lot)	15%	46.4%
Parking Facility Internal Landscaping (%)	5%	12.3% ⁴

RECOMMENDATION AND CONDITIONS

The proposed modifications to the site plan do not alter the overall design character of the development in relation to the original approval and the site remains compatible with existing and proposed development adjacent to the site. These modifications do not impact the efficiency, adequacy, or safety of the site with respect to vehicular and pedestrian circulation, open space, landscaping, or lighting.

¹ For office general office use, 2.7 parking spaces are required per 1,000 gross square feet (192,930 sf. / 1,000 sf. x 2.7 = 521 required parking spaces).

² The Applicant is requesting a 15% Parking Waiver for the remaining 76 spaces, in accordance to Section 59E-4.5.

³ Not included in the total parking tabulations.

⁴ This calculation is only based on the Surface Parking Area (830 sf. / 6750 sf. = 12.3%)

Conformance with Previous Approvals

1. Preliminary Plan Conformance

The proposed development must comply with the conditions of approval for preliminary plan 119842000 as listed in the Planning Board Resolution unless amended. This includes but is not limited to all references to density, rights-of-way, dedications, easements, transportation conditions, DPWT conditions, and DPS stormwater conditions.

2. Site Plan Conformance

The proposed development must comply with the conditions of approval for site plan 819841180 as listed in the Planning Board Resolution dated November 2, 1984, unless amended.

Environment

3. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated April 16, 2008 unless amended and approved by the Montgomery County Department of Permitting Services.

Transportation & Circulation

4. Transportation:

Transportation Planning Staff recommends the following conditions as part of the review requirements as related to approval of this limited site plan amendment:

- a. The Applicant must limit the existing office building to 192,930 gross square feet as approved under the Preliminary Plan (119842000) and Site Plan (819841180).
- b. The Applicant must provide the following to support a parking waiver of 15% reduction in the number of required parking spaces.
 - i. At least two (2) reserved parking spaces for car/vanpool (i.e. preferably free or at a reduced market rate).
 - ii. A real time information sign and kiosk with information on non-auto commuting options (i.e. mass transit, ridesharing, etc.) to be located in the lobby of the office building near the main entrance.
 - iii. Two (2) inverted-U bike racks located within 50 feet of the main entrance; preferably a weather-protected area to facilitate this non-auto transportation mode alternative.

Site Plan

5. Site Design

- a. Directional arrows shall be painted within the drive aisle(s) and used to reinforce traffic flow patterns.
- b. Incorporate reserved handicap parking within the proposed 23 additional surface parking spaces to be located in close proximity to the bank entrance.
- c. Provide site details for any newly added bike racks and trash cans.

6. Landscaping

- a. The proposed plant materials shall be installed to meet the standards of the American Standards for Nursery Stock (AAN) with regard to the correct size and type as specified within the plant list and planting plan.
- b. An alternate plant list may be provided on the Landscape and Lighting plan to accommodate plant substitutions. The proposed plant material shall be installed with the intent to provide adequate screening from the right-of-way.

7. Lighting

- a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for residential/commercial development.
- b. All onsite light fixtures must be full cut-off fixtures.
- c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- d. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting county roads.
- e. The height of the light poles shall not exceed 16 feet including the mounting base.

8. Development Program

The Applicant must construct the proposed development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to the approval of the Sediment Control Plan, M-NCPPC inspection and approval of all tree-save areas and protection devices.
- b. The development program must include the installation of on-site landscaping and lighting.

- c. Landscaping associated with the surface parking areas shall be completed as construction of the parking areas has been completed.
- d. The development program must provide phasing of stormwater management, sediment and erosion control, and other features.

9. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the final forest conservation exemption, stormwater management concept approval, development program, inspection schedule, and site plan resolution on the approval or cover sheet.
- b. Add a note to the site plan stating that "M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading".
- c. Modify data table to reflect development standards enumerated in the staff report.
- d. Ensure consistency of all details and layout between site plan and landscape plan.

BE IT FURTHER RESOLVED, that the Planning Board adopts the Staff's recommendation and analysis set forth in the Staff Report and FINDS that the Amendment is consistent with the provisions of § 59-D-3.7 of the Zoning Ordinance and that the Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in connection with the originally approved site plan; and

BE IT FURTHER RESOLVED, that all site development elements as shown on CRI Building drawings stamped by the M-NCPPC on August 27, 2010, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this written resolution is FEB - 1 2011 (which is the date that this resolution is mailed to all parties of record); and

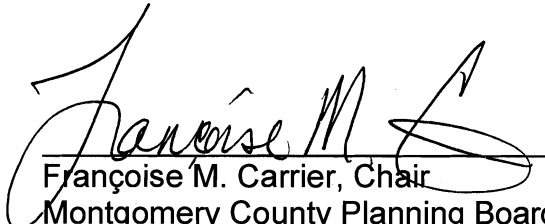
BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

written opinion, 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 Vice Chair Wells-Harley, seconded by Commissioner Presley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Dreyfuss and Presley voting in favor of the motion, and with Commissioner Alfandre absent, at its regular meeting held on Thursday, January 20, 2011, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board