

MEMORANDUM

DATE: September 21, 2006

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief, Development Review Division *RK*
Carlton Gilbert, Zoning Supervisor *CG*

FROM: Dan Janousek, AICP (301-495-4564) *DJ*

REVIEW TYPE: **Development Plan Amendment**

CASE NUMBER: DPA-06-04

PROJECT NAME: White Flint Place

APPLICANT: The Donohoe Companies

LOCATION: NE Corner of Rockville Pike and Old Georgetown Road

ZONE: TS-M

SECTOR PLAN: White Flint Sector Plan

FILING DATE: May 15, 2006

PUBLIC HEARING: October 16, 2006, 2nd Floor,
Council Office Building, Rockville, MD

STAFF RECOMMENDATION:

APPROVAL of the Development Plan Amendment.

The staff makes note that there is no opposition to the Development Plan Amendment at this time and recommends that the amendment be placed on the first available District Council agenda without the necessity of a public hearing by the Hearing Examiner. The terms and conditions of all of the applicable prior regulatory approvals and agreements will remain in effect, except as affected by the conditions of this Development Plan Amendment.

SUMMARY

The applicant, The Donohoe Companies, seek to amend the subject Phase 2A portion of the Development Plan for White Flint Place. The proposal will add 2,400 sq. ft. of non-residential ancillary commercial use to Phase 2A (The Gallery). This proposal will replace residential development on the first floor of the building. The development is already constructed.

Overall, Phases 2A and 2B include the residential developments known as The Gallery and The Sterling. The 2,400 square feet of proposed additional development will increase the overall non-residential use in Phases 2A and 2B to a total of 17,400 sq. ft. (includes 10,000 sq. ft. of cellar space). There is no change to the building footprint or the development plan's overall 2.4 FAR, open space, or active/passive recreation space. Minor exterior changes are proposed to include signage. Parking will be increased slightly for Phase 2A with a new minimum requirement of 509 parking spaces (569 parking spaces are being provided).

Technical Staff agrees with the applicant who maintains that the traffic counts are not significantly affected by the proposal. The commercial use is "ancillary" in nature (to be primarily utilized for the convenience of the residents and workers in the buildings). The overall peak hour automobile trips for the entire project are lower than that which was previously approved because not as many housing units were constructed as planned originally.

Description

The record indicates this property was previously known as the Montouri property, which was re-zoned to the TS-M Zone in September of 1996 (Resolution No. 13-654). Phase 1 (Windsor Villa) is constructed. Phase 2A (The Gallery) and Phase 2B (The Sterling) are also constructed (although not fully occupied). Combined, Phases 2A and 2B consist of the western 4.76 acres of the subject Phase 2 property.

Background

Previous Amendment

This property was divided into divisions known as Phases 2A and 2B by the District Council by resolution 14-735 (DPA-01-01). The previous amendment raised the overall FAR to 2.4.

Figure 1. Site Location

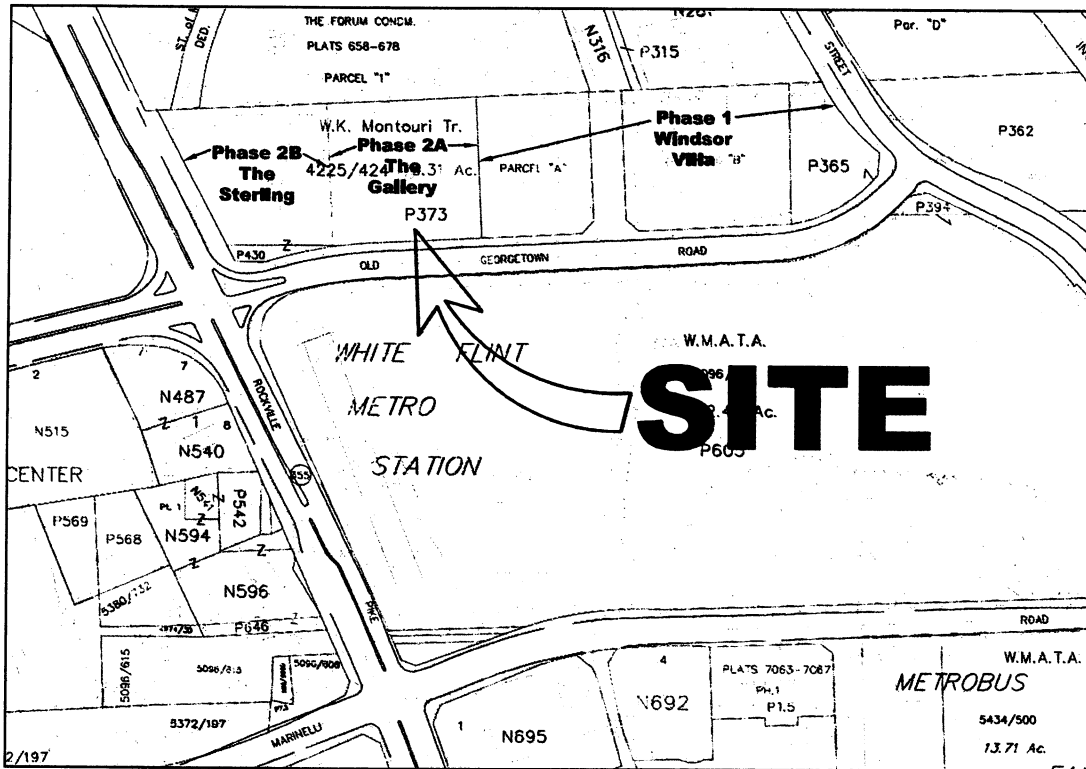


Figure 2. Previously Approved Development Plan Amendment DPA-04-01

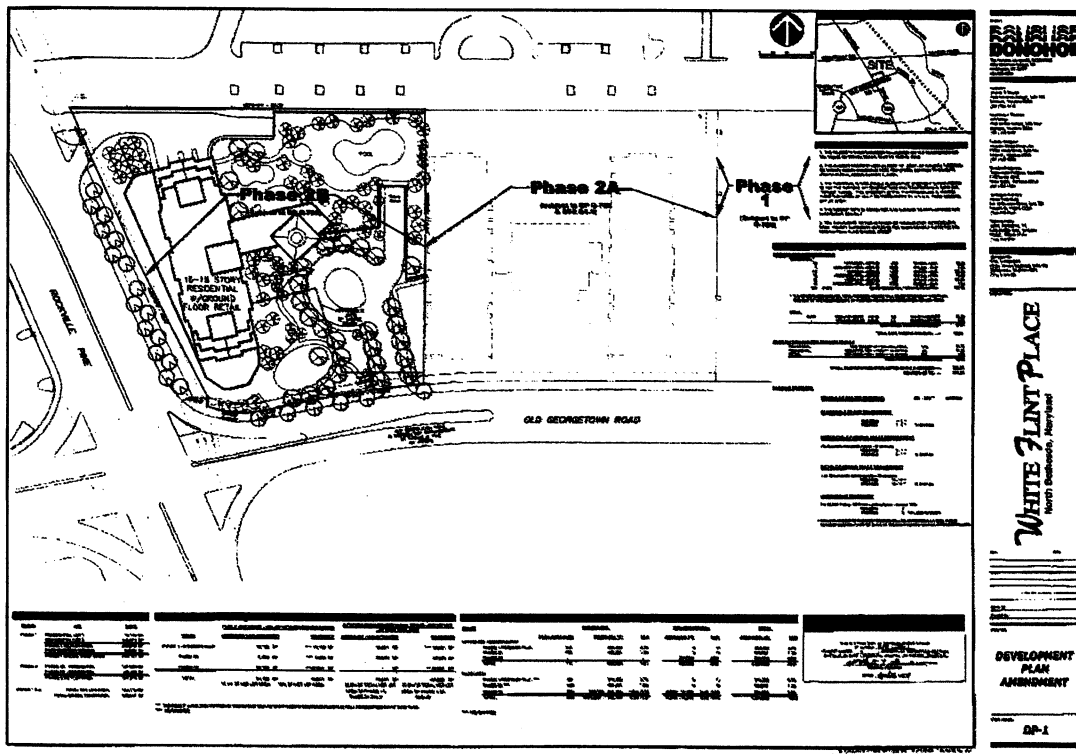


Figure 3. Subject Proposed Development Plan Amendment DPA-06-04

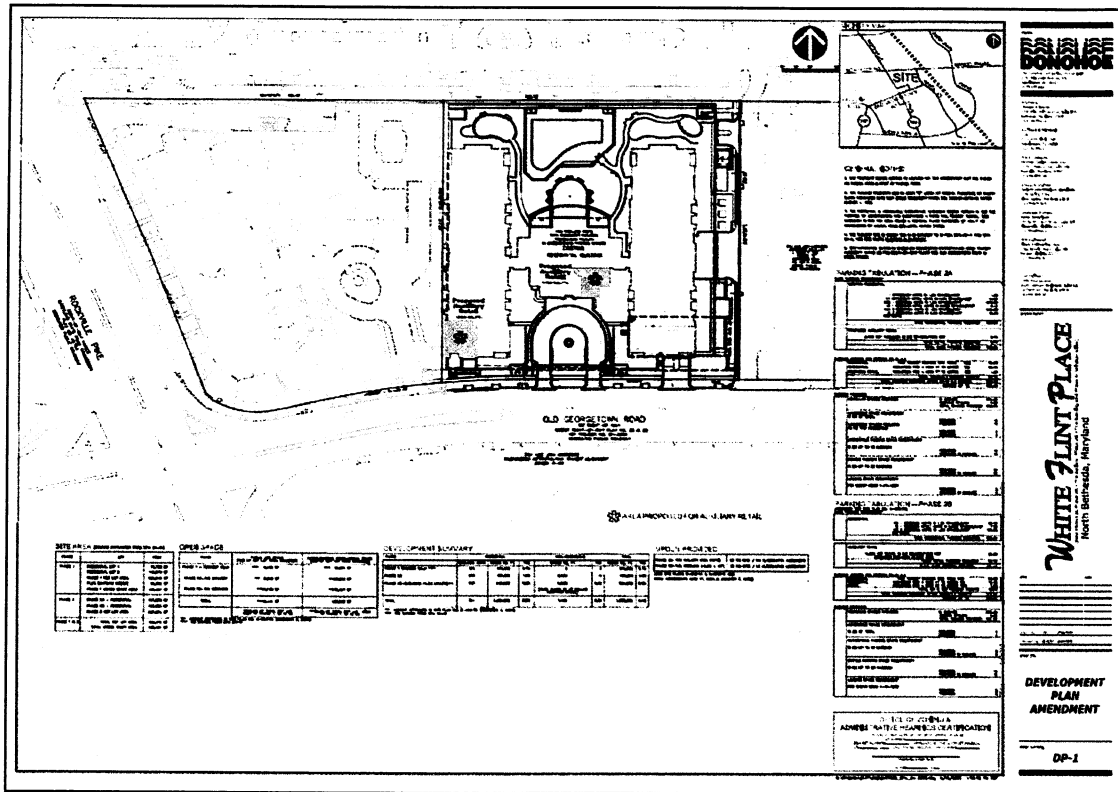
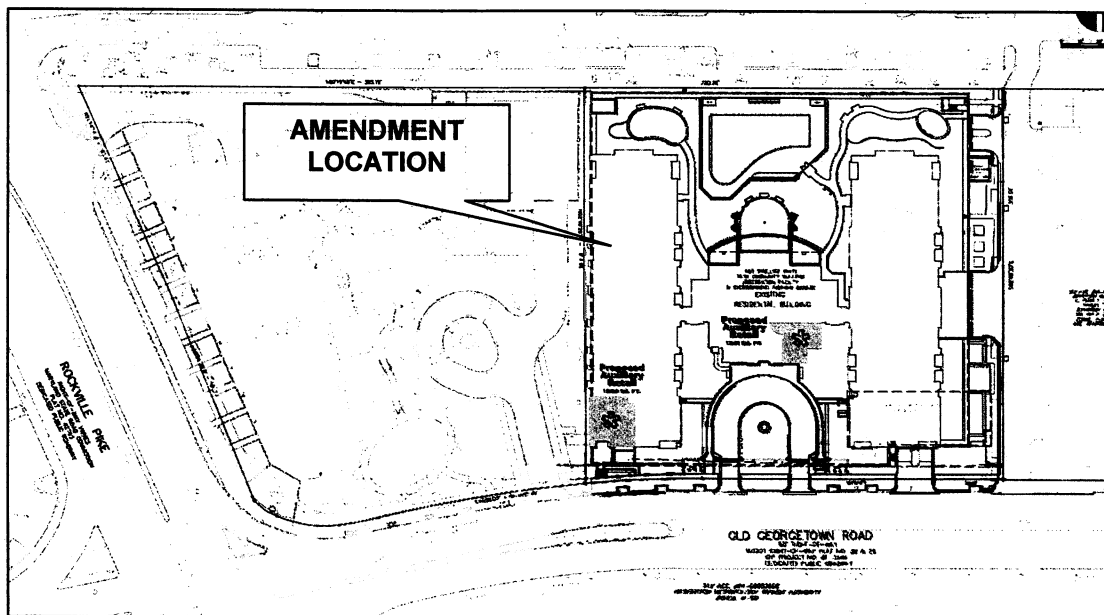


Figure 4. Subject Proposed Development Plan Amendment DPA-06-04 (close up)



Proposed Development Plan

Non-Residential

This development plan is currently approved for “residential” and “non-residential” development. The proposal will increase non-residential to a total 17,400 square feet, which is slightly more than the previously approved range of non-residential development, between 10,000 and 15,000 square feet (see Table 2, Page 8). This non-residential component will contain “ancillary retail” uses. It will be located on the first floor of the residential towers (see Figure 5, Page 6). There are no previously approved non-residential uses for Phase 2A.

Residential Uses

For Phase 2A, the proposal will reflect a swap of 2,400 square feet of residential space, for the same amount of auxiliary commercial space. The total amount of residential development shown on the plan will reflect the reduction (from 498,201 square feet to 495,801 square feet).

The Phase 2B development resulted in 197 residential units, which is 38 fewer residential units than originally planned and approved. This number is reflected in the current proposal. It should be noted that the units that were constructed are larger units than those originally planned. There are more 2-bedroom units, and no 2-bedroom MPDUs. Efficiency units were not constructed as originally planned.

Floor to Area Ratio (FAR)

There is no change to the building footprint or the development plan’s overall FAR, density, open space, or active/passive recreation space, than that which was previously approved for Phase 2A and 2B. The total FAR for the Development Plan (all phases) will be 2.4 FAR (2.39 Residential plus .01 Non-Residential) (emphasis added).

Overall, with all phases accounted for, the total residential square footage (Phases 1, 2A and 2B) is approved at 1,088,058 square feet. The proposal will reduce the overall residential square footage from a maximum of 1,088,058 square feet to a maximum of 1,085,658 square feet.

Figure 5. Ancillary Retail Location in Proposed Development Plan Amendment DPA-06-04 (close up)

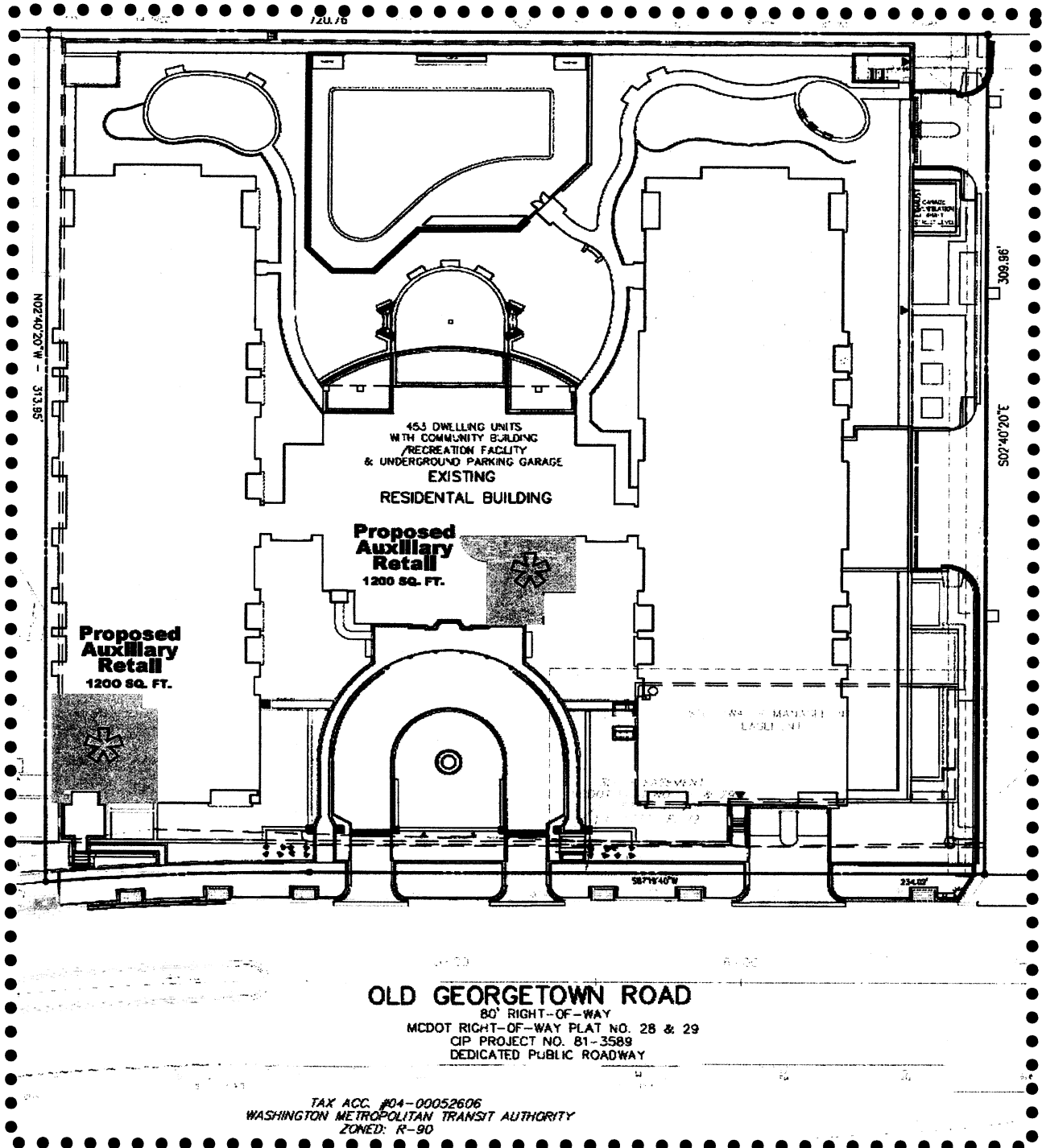


Table 1. RESIDENTIAL DEVELOPMENT

<p>SUBJECT PROPOSAL DPA-06-04</p> <p><i>Note: All Phases Constructed</i></p> <p>Square Footage</p> <p>Dwelling Units</p> <p>FAR</p>	<p>Phase 2B</p> <p>THE STERLING <i>Western portion of Phase 2</i></p> <p>249,555 sq. ft. (5,000 sq. ft. more than previously approved)</p> <p>197 DU</p> <p>.55 FAR</p>	<p>Phase 2A</p> <p>THE GALLERY <i>Eastern portion of Phase 2</i></p> <p>495,801 (2,400 less than previously approved)</p> <p>453 DU</p> <p>1.09 FAR</p>	<p>Phase 1</p> <p>WINDSOR VILLA</p> <p>340,302</p> <p>261 DU</p> <p>.75 FAR</p>	<p>TOTAL RESIDENTIAL DEVELOPMENT REQUESTED FOR APPROVAL</p> <p>1,085,658 (2,600 sq. ft. more than previously approved)</p> <p>911 (38 DU less than previously approved)</p> <p>2.39 FAR</p>
<p>PREVIOUS APPROVED DEVELOPMENT DPA-04-1</p> <p>Square Footage</p> <p>Dwelling Units</p> <p>FAR</p>	<p>Range: 239,555 sq. ft. to 244,555 sq. ft.</p> <p>235 DU</p> <p>Range: .53 FAR to .54 FAR</p>	<p>498,201 sq. ft.</p> <p>453 DU</p> <p>1.09 FAR</p>	<p>340,302 sq. ft.</p> <p>261 DU</p> <p>.75 FAR</p>	<p>TOTAL PREVIOUS APPROVED BY THE COUNCIL</p> <p>Range: 1,078,058 sq. ft. to 1,083,058 sq. ft.</p> <p>949 DU</p> <p>Range: 2.36 FAR to 2.37 FAR</p>

DU = "Dwelling Units"

Table 2. NON-RESIDENTIAL DEVELOPMENT

<p>SUBJECT PROPOSAL DPA-06-04</p> <p><i>Note: All Phases Constructed</i></p> <p>Square Footage</p> <p>FAR</p>	<p>Phase 2B</p> <p><i>THE STERLING</i> <i>Western portion of Phase 2</i></p> <p>5,000 sq. ft.</p> <p>< 0.01 FAR</p>	<p>Phase 2A</p> <p><i>THE GALLERY</i> <i>Eastern portion of Phase 2</i></p> <p>2,400 sq. ft.</p> <p>< 0.01 FAR</p>	<p>Phase 1</p> <p><i>WINDSOR VILLA</i></p>	<p>TOTAL NON-RESIDENTIAL DEVELOPMENT REQUESTED FOR APPROVAL</p> <p>17,400 sq. ft.</p> <p>Approximately 0.01 FAR</p>
<p>PREVIOUS APPROVED DEVELOPMENT DPA-04-1</p> <p>Square Footage</p> <p>FAR</p>	<p>10-15,000 sq. ft.</p> <p>Between 0.02 FAR and 0.03 FAR</p>	<p>-</p> <p>-</p>	<p>-</p> <p>-</p>	<p>10-15,000 sq. ft.</p> <p>Between 0.02 FAR and 0.03 FAR</p>

ADDITIONAL REVIEW REQUIREMENTS

The applicant will revise the preliminary plan and site plan to reflect the change in land use and density.

COMMUNITY ISSUES

There are no community issues specifically affecting this application. Staff recommends that the Hearing Examiner place the subject amendment on the first available District Council agenda without the necessity of a public hearing.

ANALYSIS

The subject site is zoned TS-M and is subject to zoning case G-726, DPA-01-01 and DPA-04-01, and site plans 8-01017A and 8-01017B. Staff believes that the development plan amendment application satisfies all of the requirements for a development plan in Section 59-D-1.61(a)-(e) and is proper for the comprehensive and systematic development of the county. Analysis provided by Environmental Technical Staff indicates that there are no serious environmental issues associated with this

application (see attached memorandum). Analysis provided by Transportation Technical Staff indicates that there are no serious transportation issues associated with this application (see attached memorandum) that would warrant denial.

The original Montgomery County Planning Board opinion for White Flint Place, Preliminary Plan 1-01039, resulted in a trip cap of 407 peak hour trips during the weekday morning peak hour and 727 peak hour trips during the evening peak period. The current application significantly reduces the number of automobile trips generated by the proposal.

The proposal contains a total of 17,400 sq ft of non-residential space (includes 10,000 sq. ft. cellar space), 197 high-rise units in one building and 453 high-rise units in another building. The retail and apartment uses generate a total of 237 morning peak hour trips and 353 evening peak hour trips. Both of these trip totals are less than the previously approved trip cap of 407 in the morning and 727 in the evening. The applicant will provide 569 parking spaces in Phase 2A, and 291 spaces in Phase 2B, for a total of 860 parking spaces. This amount of parking meets the County's minimum parking requirement.

Phase 2A has been constructed pursuant to 8-01017A. It is known as The Gallery. The proposed development plan will amend the existing buildings on Phase 2A to include 2,400 sq. ft. of retail use in the existing buildings at the locations shown on the proposed development plan amendment. The proposed amendment does not change Phases 1 or 2B. There is no change to the building footprint or the development plan's overall FAR, density, open space, or active/passive recreation space, than what was previously approved. The total FAR for the Development Plan will be 2.4 FAR (2.39 Residential plus .01 Non-Residential) (emphasis added). Minor exterior changes are proposed to include signage. Parking for Phase 2A (the location of the non-residential development request) will change to 569 parking spaces provided.

The applicant maintains that the traffic counts are not affected, as the proposed commercial use is "ancillary" in nature and only used for the convenience of the residents and workers in the buildings. An addition of only 3 peak hour trips is anticipated with their amendment to add 2,400 sq. ft. of retail use.

Because Phase 2B is almost completely constructed, the applicant is providing more updated information on the actual development of that phase. This actual development is shown on the proposed subject amendment. Phase 2B has 197 dwelling units (not 235 as previously approved). This development will require less parking spaces (273 as opposed to the 314 approved). The applicant will provide 291 spaces as opposed to the 340 originally approved for Phase 2B.

Again, the applicant will revise the preliminary plan and site plan to reflect the change in land use and density.

CONCLUSION

Upon review of the amendment, staff concludes that it conforms to the land use and zoning recommendations of the Sector Plan, and it is consistent with the purpose clause for the TS-M Zone. It satisfies the development standards for the Zone. The plan is appropriate for the location, and the proposed changes will be compatible with the surrounding development. For these reasons, staff recommends approval of DPA-06-04.