



MONTGOMERY COUNTY PLANNING DEPARTMENT
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**Staff Report: Preliminary Plan Amendment 11994004A: Town Center at Germantown
 Site Plan Amendment 81999021A: Town Center at Germantown**

ITEM #: _____

MCPB HEARING DATE: July 17, 2008

REPORT DATE: July 2, 2008
REVISED July 10, 2008



TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief
 Cathy Conlon, Supervisor
 Robert Kronenberg, Supervisor
 Development Review Division

FROM: Patrick Butler *P.B.*
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APPLICATION DESCRIPTION:

Proposal to amend the Preliminary Plan to increase the maximum allowable retail area from 119,900 to 125,500 square feet and decrease the maximum allowable commercial office space from 40,400 to 14,000 square feet; and to amend the site plan to increase the ground floor area of Building 11 from 8,400 to 9,850 square feet of retail use and add 9,850 square feet of office use on a second floor, and add outdoor seating on the east side of the building. The site is located in the TS-M Zone in the southwest quadrant of the intersection of Century Boulevard and Crystal Rock Drive in the Germantown Master Plan.

APPLICANT: GTC-Century Retail, LLC

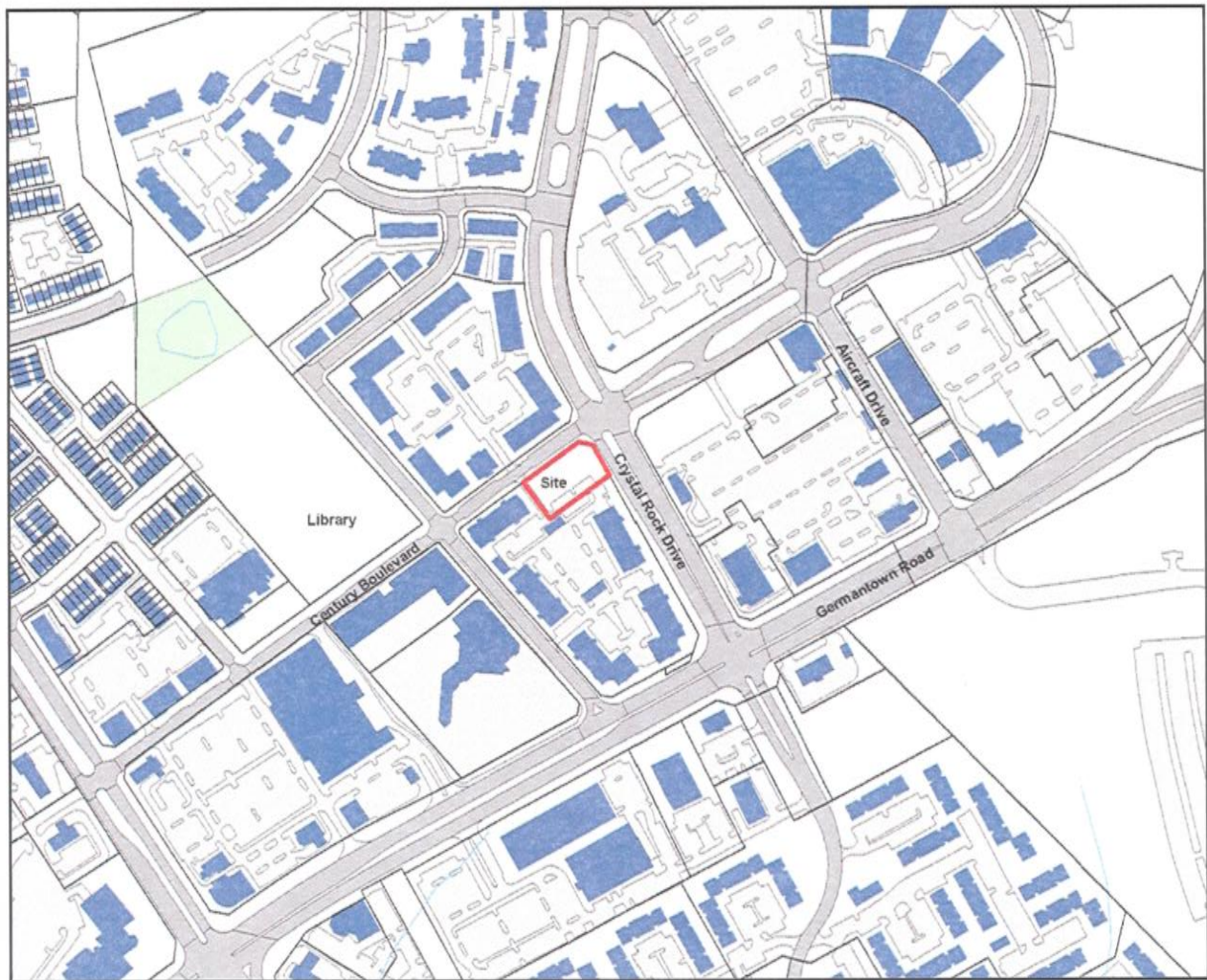
FILING DATE: Preliminary Plan Amendment: June 24, 2008
 Site Plan: January 4, 2008

RECOMMENDATION: Approval with conditions

SECTION 1: CONTEXT AND PROPOSAL

Site Description and Vicinity

The site is located within the 44.4 acre Germantown town center redevelopment, in the southwest quadrant of the intersection of Century Boulevard and Crystal Rock Drive. The subject site is a 0.57-acre vacant lot in the TS-M zone. The site has been cleared of substantial vegetation and is relatively flat.



Vicinity Map

PREVIOUS APPROVALS

The Applicant filed an amendment on January 4, 2008, that requests specific changes to the approved site plan for Building 11 to increase the first floor retail area from 8,400 to 9,850 square feet; add a second floor with 9,850 square feet of office space; and to add an attendant private outdoor seating area.

Prior to the Planning Board hearing, staff discovered an error related to the original Site Plan that prevented the amendment from going to the Board. The original Preliminary Plan (119940040), approved by the Planning Board on April 30, 1998, limited the total density for the Germantown Town Center to 555 dwelling units, 119,900 square feet of retail, 25,000 square feet of civic use, and 40,400 square feet of commercial use. There followed two site plans for the phased implementation of the development. The Planning Board approved the Site Plan for Phase I (819980420) on October 8, 1998, for 105,341 square feet of retail and 3,192 square feet of office. On April 8, 1999, the Planning Board approved the Site Plan for Phase II (819990210), for 400 multi-family dwellings and 17,000 square feet of retail. The problem arises in that the combined retail area approved between the two Site Plans, 122,341 square feet, exceeds the amount of retail area approved in the Preliminary Plan – 119,900 square feet – by 2,441 square feet.

PROPOSAL

The Preliminary Plan Amendment proposes to rectify the oversight by increasing the maximum allowable retail area from 119,900 to 125,500 square feet and decreasing the maximum allowable commercial office space from 40,400 to 14,000 square feet. The Site Plan Amendment (81999021A) proposes to increase the ground floor retail area for Building 11 from 8,400 square feet to 9,850 square feet, and then provide an additional 9,850 square feet of commercial uses on a second floor above the retail.

	Residential (du)	Retail (sf.)	Commercial/Office (sf.)
Original Preliminary	555	119,900	40,400
Site Plan Phase I	0	105,341	3,192
Site Plan Phase II	400	17,000	0
Total Approved	400	122,341	3,192
Site Plan Amendment	0	1,450	9,850
Total Needed	400	123,791	13,042
Amended Preliminary	555	125,500	14,000
Total Change	0	5,600	26,400

PUBLIC NOTICE

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on January 7, 2008. The notice gave the interested parties 15 days to review and comment on the contents of the amended site plan. Staff has received no written comments.

A notice regarding the subsequent preliminary plan amendment was sent to all parties of record by the Applicant on June 17, 2008. The notice gave the interested parties 15 days to review and comment on the contents of the amended preliminary plan. Staff has received no written comments.

SECTION 2: PRELIMINARY PLAN AMENDMENT REVIEW

The proposed limited preliminary plan amendment, filed on June 24, 2008, requests a change to the mix of uses, specifically, condition #1 of the original Planning Board Opinion dated May 6, 1998. The applicant is proposing to increase the amount of retail space approved from 119,900 square feet to 125,500 square feet, while decreasing the amount of approved commercial space from 40,400 square feet to 14,000 square feet. While there may be sufficient vehicle trips associated with the unbuilt commercial square footage left within the limits of the original Preliminary Plan to offset the additional retail use, staff has reviewed the traffic impacts of an additional 5,600 square feet of retail square footage over and above the total uses in the original approval.

The applicant submitted a traffic study to Transportation Planning in order to analyze the traffic impact on surrounding intersections associated with an additional 5,600 square feet of retail space in the Germantown Town Center. Transportation staff reviewed the transportation study as indicated in their memo dated July 2, 2008, and concluded that the maximum increase in Critical Lane Volumes (CLV) with the proposed amendment is two. Since the applicant has participated in an improvement to the Father Hurley Boulevard/Crystal Rock Drive intersection, an increase of up to four in other impacted intersections do not require improvements to pass the Local Area Transportation Review (LATR) test according to the County's Growth Policy. Policy Area Mobility Review (PAMR) standards were not applicable, as the site is located in an area where no trip mitigation is required.

Based on the analysis above, staff recommends approval of the preliminary plan amendment to modify the mix of uses subject to the following conditions:

1. Development under this Preliminary Plan is limited to a maximum of 555 dwelling units, ~~125,000~~ 125,500 square feet of retail, 25,000 square feet of civic use, and 14,000 square feet of commercial office use.
2. All other applicable terms and conditions of the previous preliminary plan approval, as contained in the Planning Board Opinion dated May 6, 1998, remain in full force and effect.

SECTION 3: SITE PLAN AMENDMENT REVIEW

Site Plan Recommendation and Conditions

The proposed Site Plan Amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved site plan. The increased height of the proposed building will be more consistent in scale and character with that of the recent Century Boulevard development, and the addition of more mixed-used development will help extend the active street life of the Germantown Town Center eastward.

Staff recommends approval of the proposed amendment to Site Plan 819990210 for Building 11 to increase the first floor retail area from 8,400 to 9,850 square feet; add a second floor with 9,850 square feet of office space; and to add an attendant private outdoor seating area. All site development elements as shown on the site and landscape plans stamped by the M-NCPPC on April 14, 2008, shall be required except as modified by the following conditions:

1. Prior Approvals

The Applicant is subject to the conditions of approval for Preliminary Plan 119940040, as amended by 11994004A, and Site Plan 819990210, unless otherwise amended;

2. Building Height and Massing

The Applicant shall construct the building at two stories, as illustrated in the Certified Site Plan;

3. Streetscape

All brick paving along Century Boulevard shall match the existing streetscape pattern;

4. Lighting

- a. Provide lighting distribution diagrams for lighting fixtures and a photometric plan for the site in the Certified Site Plan;
- b. All private exterior area and down-light fixtures shall be full cut-off fixtures;
- c. Deflectors shall be installed on all private exterior up-light and accent light fixtures causing potential glare or excess illumination;
- d. The height of the light poles, including the mounting base, shall not exceed the heights specified in the Certified Site Plan;

5. Certified Site Plan

Prior to approval of the certified site plan, the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. In the Development Standards table:
 - i. List density as both FAR and gross floor area;
 - ii. Replace "xx" with "Not Specified", where appropriate;
 - iii. Show that the maximum allowed FAR in the TS-M zone is 3;
 - iv. Show that the minimum "Open Space" requirement for the TS-M zone is 10 percent;
 - v. Show the west side building setback as measured from the property line, not from the back of curb;
- b. Provide cut sheets for all private light fixtures, demonstrating full cut-off.

ATTACHMENTS

- A. Original Planning Board Resolutions
- B. Reviewing Agency Approvals

ATTACHMENT A: ORIGINAL PLANNING BOARD RESOLUTIONS

Date Mailed: May 6, 1998

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

Action: Approved Staff Recommendation
Motion of Comm. Richardson, seconded
by Comm. Holmes with a vote of 5-0;
Comms. Richardson, Holmes, Hussmann,
Bryant and Perdue voting in favor.

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-94004

NAME OF PLAN: GERMANTOWN TOWN CENTER

On 07-06-93, GERMANTOWN TOWN CENTER submitted an application for the approval of a preliminary plan of subdivision of property in the T-S zone. The application proposed to create 134 lots on 44.70 acres of land. The application was designated Preliminary Plan 1-94004. On 04-30-96, Preliminary Plan 1-94004 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-94004 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-94004, subject to the following conditions:

Approval, including a phasing schedule for recordation of plats, subject to the following conditions:

- (1) Prior to recording of plats, submit an Adequate Public Facilities (APF) agreement with the Planning Board limiting development to a maximum of 555 dwelling units, 119,900 square feet of retail, 25,000 square feet of civic use and 40,400 square feet of commercial use and provide for the necessary roadway improvements as follows:
 - a) Fund the signal improvement and pavement marking modification necessary to provide a second left-turn lane from southbound Crystal Rock Drive to eastbound Father Hurley Boulevard and westbound Father Hurley Boulevard to southbound Crystal Rock Drive
 - b) Construct an acceleration lane on Father Hurley Boulevard to accommodate the movement from northbound Crystal Rock Drive to eastbound Father Hurley Boulevard
 - c) Construct an acceleration lane on Crystal Rock Drive to accommodate the movement from westbound Father Hurley Boulevard to northbound Crystal Rock Drive, including reconstruction/reconfiguration of the median and travel lanes on the north leg of the intersection

Agreement to also include a phasing schedule for the recordation of plats as follows:

- | | |
|-----------|--|
| Phase I | Record plats for a minimum of 65,000 square feet of commercial development to be recorded by May 31, 2000 |
| Phase II | Record plats for a minimum of 350 dwelling units and for an additional 20,000 square feet of commercial development to be recorded by May 31, 2002 |
| Phase III | Record plats for the remaining residential development of 295 dwelling units and the remaining commercial development to be recorded by May 31, 2004 |

All roadway improvements shall be under construction in accordance with the phasing schedule outlined in the November 21, 1997 Transportation Planning Division staff memo. Any modification to the development limitations, such as dwelling unit or commercial/retail mix, may require further Planning Board Review

- (2) Prior to recording of plats, applicant to submit for MCDPW&T and M-NCPPC staff review and approval documentation establishing a Commercial/Urban District. The establishment of the district will insure the maintenance and liability of the streetscaping amenities and other features to be constructed within the County right of way and borne by the developer. These streetscaping amenities and other features will need to be reviewed and approved during the site plan review process
- (3) Submit with each site plan an overall project concept plan showing vehicular/pedestrian circulation and demonstrating the integration of the key elements of the development plan
- (4) At site plan, provide details of building size, parking and areas associated with the Cultural Arts Center and the Town Center Commons. The final area of dedication (approximately 2.26 acres) and ownership of the property to be determined at this time
- (5) The final street program, private/public, including modified street sections, locations and public utility easements which will include final design of all rights-of-way and any traffic calming programs which the applicant proposes to construct, to be reviewed and accepted by M-NCPPC and MCDPW&T prior to site plan approval
- (6) Whether a public street connection between Proposed "Street G" and Main Street east of Crystal Rock Drive through Block 8 is to be provided will be determined at site plan
- (7) Submit details of the "Gateway" feature at the intersection of Middlebrook Drive and Darnestown-Germantown Road (MD118) together with the site plan for this area or earlier in the review process
- (8) Final landscape and lighting plan to be reviewed and approved at site plan. Street light layout and lighting fixtures to be reviewed and approved by the Division of Traffic and Parking Services

- (9) Record plats to reflect all easements within County owned property, which will be accepted for maintenance, and will be the jurisdiction of the Commercial/Urban District (as decided in condition #2 above)
- (10) Access and improvements, as required, to Darnestown-Germantown Road (MD118) to be approved by MDSHA
- (11) Plans for access and improvements, required within the development and to Crystal Rock Drive and Middlebrook Road, to be approved by MCDPW&T prior to recording of plat.
- (12) Internal street alignments and classifications may be modified, as necessary, during site plan review/approval process
- (13) Planning Board approval of waiver pursuant to Section 50-26(e)(2) Intersections
- (14) All stormwater management facilities to be labeled as "Stormwater Management Parcels"
- (15) Conditions of MCDPS stormwater management approvals 9-23-97 and reaffirmed 1-20-98
- (16) Other necessary easements
- (17) Planning Board approval of waiver to count on-street parking toward parking requirements
- (18) Planning Board approval of Type "1" and "2" private residential street typical section
- (19) Planning Board approval of the horizontal alignments for all (public and private) streets at site plan
- (20) No clearing, grading or recording of lots until site plan approval
- (21) Final building location, parking waivers (if applicable), and streetscape plans to be approved at site plan
- (22) Provide cross easements, as applicable, to adjoining Miller property

MONTGOMERY COUNTY PLANNING BOARD

OPINION

DATE MAILED: **December 11, 1998**

SITE PLAN REVIEW: **#8-98042**

PROJECT: **Germantown Town Center Phase I**

Action: Approval subject to conditions. Motion was made by Commissioner Richardson, seconded by Commissioner Perdue, with a vote of 3-0, Commissioners Hussmann, Perdue and Richardson voting for, and Commissioners Bryant and Holmes absent.

The date of this written opinion is December 11, 1998, (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before January 10, 1999, (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, then this site plan shall remain valid for as long as Preliminary Plan #1-94004 is valid, as provided in Section 59-D-3.8.

On October 8, 1998 Site Plan Review #8-98042 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report which is made a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan is consistent with the approved development plan or a project plan for the optional method of development, if required;
2. The Site Plan meets all of the requirements of the zone in which it is located;
3. The locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;
4. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;

5. The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The Montgomery County Planning Board APPROVES Site Plan Review #8-98042 which consists of 105,341 gsf retail and 3192 gsf office, subject to the following conditions:

1. Town Square design is approved in concept for purposes of parcel definition and use programming; final design approval by the Board, including design response to community=s and Cultural Arts Center=s program input, to be subject to Site Plan Amendment.
2. Applicant to work with MNCPPC staff to procure community input regarding the uses to which the Town Square and other town center public spaces are to be put.
3. To minimize total grading on entire site, excess soil graded from this site plan may be placed on or temporarily stored on the adjacent residential portion of the site and the eastern portion of the applicant=s approved Preliminary Plan area, subject to MCDPS regulations and Phase I Site Plan Enforcement procedures. Submit grading plan for affected area to staff for their and MCDPS approval with Site Plan Signature Set.
4. To provide for some on-street parking in the housing areas for Cultural Arts Center Phase II patrons, applicant shall limit future town houses with street-accessed driveways to no more than 33% of total townhouses. This will free up curb space for parking.
5. All applicable references to site plan details contained in the MCDPWT memos of April 21, 1998 and April 24, 1998 (attached) specifying conditions of Preliminary Plan approval for the internal and surrounding streets must appear on the Site Plan Signature Set
6. Grading of Town Square and adjacent Street D to be coordinated with preliminary grade requirements of Germantown Cultural Arts Center
7. Street D to be extended northward along GCAC site by applicant in time for site work on GCAC
8. Any Phase I sediment/erosion control structures located on GCAC site shall be reconfigured or relocated by applicant to accommodate any similar structures required for future GCAC sitework, subject to MCDPS approval
9. Applicant to transfer by deed the GCAC site described in the Site Plan. Applicant to send letter of intent to transfer the GCAC site to the GCAC. Metes and bounds description of GCAC portion of Site Plan to be deeded to GCAC by applicant to be included in Site Plan Enforcement Agreement. Applicant shall effect transfer at such time as GCAC evidences that ownership is required for grant funding, site plan review application or other constraint on progress toward GCAC=s stated purposes.
10. Prior to release of building permit, applicant shall escrow with the Planning Board the amount of \$40,000 to be applied to the costs of design and construction for removal of the channelized (free-flow right-turn) island located in the northeast quadrant of Middlebrook Road and MD118 intersection. If construction of the improvements has not commenced within five years from the date of Opinion, then the Planning Board, at the request of the Applicant, shall release the \$40,000, unless the design of the improvements has been completed and accepted by MCDPW&T, in which event the escrow account shall be retained for an additional three years.

11. Applicant to construct and dedicate Town Square to public use after Board approval of Site Plan Amendment of its design (described above).
12. Standard Conditions dated October 10, 1995:
 - A. Submit a Site Plan Enforcement Agreement and Development Program for review and approval prior to approval of the signature set as follows:
 1. Development Program to include a phasing schedule as follows:
 - a) Street tree planting must progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
 - b) Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development.
 - c) Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
 - d) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
 - e) Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
 - f) Coordination of each section of the development and roads;
 - g) Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
 - B. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 1. Methods and location of tree protection;
 2. Forest Conservation areas;
 3. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
 4. The development program inspection schedule.
 5. Conservation easement boundary
 - C. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
 - D. No clearing or grading prior to M-NCPPC approval of signature set of plans.

MONTGOMERY COUNTY PLANNING BOARD

OPINION

DATE MAILED: May 11, 1999
SITE PLAN REVIEW: #8-99021
PROJECT: Germantown Center Phase II

Action: Approval subject to conditions. Motion was made by Commissioner Bryant , seconded by Commissioner Holmes, with a vote of 4-0 , Commissioners Bryant, Holmes, Hussmann and Perdue voting for. Commissioner Richardson was absent.

The date of this written opinion is May 11, 1999 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before June 10, 1999 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, this site plan shall remain valid for as long as Preliminary Plan #1-94004 is valid, as provided in Section 59-D-3.8. Once the property is recorded, this site plan shall remain valid until the expiration of the project's APFO approval, as provided in Section 59-D-3.8.

On April 8, 1999, Site Plan Review #8-99021 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report which is made a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan is consistent with the approved development plan or a project plan for the optional method of development, if required;
2. The Site Plan meets all of the requirements of the zone in which it is located;
3. The locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;

4. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;
5. The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The Montgomery County Planning Board APPROVES Site Plan Review #8-99021 which consists of 400 multifamily dwellings and 17,000 gsf retail, with the following conditions:

1. In the event the County determines that there is to be a Joint-Use Stormwater Management Pond on the Miller property, then and in that event, the Applicant will cooperate with the County and Commission staff to convert its Stormwater Management Pond into that Joint-use Stormwater Management Pond, and Applicant agrees to place Applicant's land currently identified for its Stormwater Management Pond into permanent open space and dedicate said land to public use.
2. Submit a Site Plan Enforcement Agreement and Development Program for review and approval prior to approval of the signature set, as follows:
 - a. Development Program to include a phasing schedule as follows:
 - 1) Street tree planting must progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
 - 2) Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development.
 - 3) Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
 - 4) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
 - 5) Clearing and grading must correspond to the construction phasing, to minimize soil erosion;
 - 6) Coordination of construction of each section of the development and roads;
 - 7) Phasing of dedications, stormwater management, sediment/erosion control, recreation, community paths.
 - b. Site Plan Enforcement Agreement to delineate public street sidewalk maintenance agreement with MCDPWT
3. Signature set of site, landscape/lighting and sediment and erosion control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 - a. Undisturbed stream buffers;
 - b. Limits of disturbance;
 - c. Location of stormwater facility outfalls from pond away from environmentally sensitive areas;

- d. Conditions of DPS Stormwater Management Concept approval (waiver) letter dated January 9, 1999, revised March 9, 1999;
 - e. The development program inspection schedule.
 - f. Centralized, screened trash areas for all multi-family units
 - g. Certification from a professional acoustical engineer that the building shell will attenuate current noise levels to an interior level not to exceed 45 dBA Ldn along Crystal Rock and MD #118
4. No clearing or grading prior to M-NCPPC approval of signature set of plans.

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ATTACHMENT B:REVIEWING AGENCY APPROVALS



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

July 2, 2008

MEMORANDUM

TO: Cathy Conlon, Supervisor
Development Review Division

Elza Hisel-McCoy, Site Planner
Development Review Division

Patrick Butler, Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor *for KHK*
Transportation Planning

FROM: Ki H. Kim, Planner/Coordinator *KHK*
Transportation Planning

SUBJECT: Preliminary Plan Amendment No. 11994004A
Site Plan Amendment No. 81999021A
The Town Center at Germantown
Germantown

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject preliminary plan amendment and site plan amendment for the Town Center at Germantown. The subject site has an approved preliminary plan for 119,900 square feet of retail space and 40,400 square feet of commercial (office) space. The site has also an approved site plan for 122,341 square feet of retail space which is larger than what is included in the Preliminary Plan. The application is for amending the previously approved 119,900 square feet of retail space and 40,400 square feet of commercial (office) space to add an additional 5,600 square feet of retail space for a total of 125,500 square feet of retail space and 14,000 square feet of commercial (office) space in the area of Building 11, located in the eastern section of the Town Center. The site is located in the Germantown West Policy Area.

Transportation Planning staff recommends the following condition related to approval of this preliminary plan and site plan amendments.

1. Limit total development to 125,500 square feet of retail space and 14,000 square feet of commercial (office) space so that Building 11 can have additional 5,600 square feet of retail space under the subject preliminary plan and site plan amendments.

DISCUSSION

Local Area Transportation Review (LATR)

The applicant submitted the traffic study to analyze the impact of an additional 5,600 square feet of retail space on surrounding intersections in the Germantown Town Center. Table I summarizes the Critical Lane Volumes (CLV) comparison between the approved density and proposed amendment to the development Scheme.

Table I

Intersection Capacity Analysis with CLV Approved Density and Proposed Amendment Scheme During the Peak Hour						
Intersection	Approve		Proposed		CLV Difference	
	AM	PM	AM	PM	AM	PM
MD 118 and Aircraft Dr.	935	1012	936	1013	1	1
MD 118 and Crystal Rock Drive	917	933	919	935	2	2
MD 118 and Middelbrook Road	846	1007	847	1007	1	0
Middelbrook Rd and Great Seneca Hwy	907	900	907	900	0	0
Father Hurley Blvd & Crystal Rock Dr w/Improvements	2118	2267	2118	2268	0	1
	1257	1477	1257	1477	0	0

As shown in the above Table, the maximum increase with the proposed amendment is two CLVs. Since the applicant has participated in an improvement to the Father Hurley Boulevard/Crystal Rock Drive intersection, an increase of up to 4 CLVs in other impacted intersections do not require improvements to pass the LATR test according to the County's Growth Policy. Therefore, the proposed amendment satisfies the LATR requirements.

Policy Area Mobility Review (PAMR)

The subject site is located in the Germantown Town Center where there is no trip mitigation requirement in accordance with the adopted 2007-2009 Growth Policy.

CONCLUSION

Transportation Planning staff concludes that the proposed amendment satisfies the provisions of the LATR and the PAMR requirements.

KK:tc

**MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES
WATER RESOURCES SECTION**

255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153

Date: February 13, 2008

MEMO TO: Robert Kronenberg, Acting Supervisor
Development Review Committee, MNCPPC

FROM: William Campbell
Water Resources Section, MCDPS

SUBJECT: Stormwater Management Concept Plan/100-Year Floodplain Review
Site Plan # 81999021A, The Town Center at Germantown
Project Plan #
Preliminary Plan # , DPS File # 1-94004
Subdivision Review Meeting of February 19, 2008

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 7-02AM for stormwater management and Executive Regulation 108-92 AM for a 100year floodplain. The following summarizes our findings:

SM CONCEPT PLAN PROPOSED:

- On-site:** CPv WQv Both
 CPv < 2cfs, not required
 On-site/Joint Use Central (Regional): waived to
 Existing Concept Approved September 4, 1997, revised October 5, 1998
 Waiver: CPv WQv Both
 Approved on
 Other

Type Proposed:

- Infiltration Retention Surface Detention Wetland Sand Filter
 Separator Sand Filter Non Structural Practices Other

FLOODPLAIN STATUS: 100 Year Floodplain On-Site Yes No Possibly

- Provide source of the 100Year Floodplain Delineation for DPS approval:
 Source of the 100-Year Floodplain is acceptable.
 Submit drainage area map to determine if a floodplain study (> or equal to 30 acres) is required.
 Dam Breach Analysis: Approved Under Review:
 100-Year Floodplain study: Approved Under Review:

SUBMISSION ADEQUACY COMMENTS:

- Provide verification of Downstream notification.

RECOMMENDATIONS:

- Approve as submitted with conditions (see approval letter)
 Incomplete; recommend not scheduling for Planning Board at this time.
 Hold for additional information. See below
 Comments/Recommendations:

cc: Steve Federline, Environmental Planning Division, MNCPPC

bll DRC site plan.03/01



MONTGOMERY COUNTY PLANNING DEPARTMENT THE
MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

TO: Elza Hisel-McCoy

FROM: Doug Johnsen, RLA *dj*

SUBJECT: Plan #81999021A
Name: The Town Center at Germantown; Parcel B, Lot 35
DRC date: February 19, 2008

DATE: February 4, 2008

The above-referenced plan has been reviewed to determine if it meets requirements of the Guidelines for Environmental Management of Development in Montgomery County, Forest Conservation and other regulations that may apply. The following recommendations are made for the DRC meeting:

SUBMITTAL ADEQUACY

Plan is complete. See Recommendations below.

EPD RECOMMENDATIONS:

Hold for the following Revisions/Additional Information before scheduling for Planning Board:

1. No Comments. This project is exempt from Forest Conservation Law based on the location within the Churchill Town Sector Zone (Mont. Co. Zoning Ordinance 59-C-7 and Forest Conservation Law 22A-5(l)).

Cc: Site Solutions, Inc. (engineer)
GTC-Century Retail, LLC (applicant)

WSSC Development Services - Conceptual Plan Review Comments

February 19, 2008 Development Review Committee Meeting

3. 81999021A

THE TOWN CENTER AT GERMANTOWN

Water and sewer mains are available to serve the site.

Label existing sewer including contract number and directional flow.

Provide the liber and follo for the existing right-a-way, and include right-a-way width.

Submit an on-site package to the Permit Services Unit for water house connections 2-inches and above and sewer house connections 4-inches and above.

Unless otherwise noted, all extensions require Requests for Hydraulic Planning Analysis and need to follow the System Expansion Permit (SEP) Process. Contact WSSC's Development Services Center (301-206-8650) or visit the Development Services on WSSC's web-site (www.wsscwater.com) for information on requesting a Hydraulic Planning Analysis and additional requirements for extensions. Contact WSSC's Permit Services (301-206-4003) for information on service connections and on-site system reviews.



FIRE MARSHAL COMMENTS

DATE: APRIL 30, 2008
TO: AL BLUMBERG; SITE SOLUTIONS INC.
FROM: PATSY WARNICK
RE: TOWN CENTER AT GERMANTOWN; AMMENDMENT 81999021A

PLAN APPROVED.

1. Review based only upon information contained on the plan submitted 04-30-08. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

cc: Department of Permitting Services
MNCPPC-MC