



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item # 13
12/16/10

December 9, 2010

MEMORANDUM

TO: Montgomery County Planning Board

VIA: John A. Carter, Chief *JAC*
Urban Design and Preservation Division

FROM: Calvin Nelson, Jr., Planner Coordinator/Urban Designer *CN*
Urban Design and Historic Preservation Division

SUBJECT: Mandatory Referral No. 2009742-DGS-1: Third District Police Station – Northeastern Quadrant of the intersection of New Hampshire Avenue (MD Route 650) and Columbia Pike (MD Route 29), R-90/TDR Zone, White Oak Master Plan

RECOMMENDATION:

Staff recommends **APPROVAL** to transmit the following comments to Montgomery County Department of General Services (DGS).

1. Submit a Preliminary Plan for review in accordance Section 50-20 (a) of the Subdivision Regulations, prior to any clearing or grading.
2. Submit a Mandatory Referral for the future Phase 2 of the site. The submission is to include a new Preliminary Plan and Mandatory Referral site plan that provides a sidewalk connection from Milestone Drive to Sherbrooke Woods Lane.
3. Submit a traffic study for the entire property (including the police station) for APF purposes at the time of filing an application for the development of the remainder of the property.
4. Provide a pedestrian link, if deemed safe, across Milestone Drive that will connect existing sidewalk along the east side of New Hampshire Avenue with the sidewalk proposed along the north side of Milestone Drive (along site frontage) subject to State Highway Administration (SHA) approval.
5. Coordinate with Montgomery County Department of Transportation (DOT) and Maryland State Highway Administration (SHA) to extend the site frontage sidewalks off-site to the Columbia Pike (US 29)/Stewart Lane/Milestone Drive intersection to the northeast of the site as part of County's Annual Sidewalk Program and provide a cross-walk across Columbia Pike to connect this sidewalk with existing sidewalks along the east side of Columbia Pike.

The Planning Board should act on the Preliminary Forest Conservation Plan for this site. Staff will be handling this item in a separate staff report.

DISCUSSION

The Mandatory Referral for the Third District Police Station was previously heard by the Planning Board on May 27, 2010. Prior to this hearing, the originally submitted site plan had been revised twice to address issues with the amount of forest conservation to be retained on-site, and setback distance between the police station and the adjacent residential homes on the western side of the site. The original site plan submission showed that an eight-foot high security wall would be located just eight feet from the western property line. The Mandatory Referral presented at the Planning Board hearing showed the security wall located 60 feet from the west property boundary, which included a 50-foot conservation area.

At the May 27th hearing however, the Planning Board was concerned about compatibility with the adjacent residential properties, and questioned the amount of forest conservation that was to be retained on-site, given an overall site area of 12.79 acres. The Planning Board also heard testimony from citizen associations, community groups and adjacent property owners who testified that while they were not in opposition to locating a police station on the site, the proposed security wall and station would be located far too close to existing homes, and expressed that 100 percent of the forest conservation requirement should be provided on-site. Many of those who testified also wanted to know what type of use was being planned for the eastern part of the site, which was not a part of the Mandatory Referral submission. After discussing these issues with the Planning Board, DGS requested a deferral of the item so that they could revise the plan to address the issues of compatibility and on-site forest retention. On September 16th, DGS presented a revised plan to the community at the East County Services Center.

Project Location

The site is located in the northeast quadrant of the intersection of New Hampshire Avenue (MD 650) and Columbia Pike (US Route 29) in White Oak. The 12.79-acre wooded, undeveloped site is zoned R-90/TDR. The site is bounded by single-family detached homes in the Sherbrooke subdivision to the north; by Milestone Drive and Columbia Pike and its off-ramp to the east and south; by three single-family homes and a vacant parcel to the west; by New Hampshire Avenue further to the west; and by a Sunrise Assisted Living facility to the northwest. Seton Drive, an undedicated public street, connects Sherbrooke Woods Lane on the north with Milestone Drive on the southeast. The wooded site has gently rolling topography that also features some steeper slopes (15 to 25 percent and 25 percent and greater) extending along the site's southern edge at Milestone Drive and along Seton Drive.

Site Selection Process

In January 2005, a Preliminary Plan for 90 townhomes was filed for the subject site. Plans for the proposed development, Topaz Trace #1-05064, were still under review when in August 2006, the County Executive requested the Planning Board to reserve the site for the Third District Police Station. The County Executive's request noted in part that "a site evaluation committee, comprised of County staff and local residents held meetings for several years to study the issues and to determine an optimal location for the Third District Police Station. As a result, a vacant parcel in the northern quadrant of the intersection of New Hampshire Avenue and US 29 has been identified as the optimal location for the Third District Police Station." "The site was chosen because it is central to the district, has access to major roads, is not located directly within a residential neighborhood, and can be accessed by citizens of the district".

In June 2008, the Montgomery County Planning Department received a request from the Director of the Department of Public Works and Transportation for administrative review of a Mandatory Referral for the acquisition of the site. The Parcels 790, 725, and 731 on Milestone Drive were to be acquired for the

primary purpose of relocating the Third District Police Station. On June 6, 2008, the Planning Department administratively approved the Mandatory Referral for acquisition of the property, and noted that a detailed Mandatory Referral would need to be submitted in the future for development of the site. The selection of this site appears in the Capital Improvement Program, Third District Police Station Project No. 47302.

The Department of General Services conducted community presentations in June and August, 2009 which gave an overview of the planned police station. The Department of Housing and Community Affairs (DHCA) also showed two housing concepts for the eastern part of the site - a multi-family concept and a townhouse concept. The residential component was not included in the original Third District Police Station Mandatory Referral submission, and housing is not a part of this Mandatory Referral. Although the current site plan depicts a schematic layout for a "Future Phase 2", showing a possible county office building and parking deck, Phase 2 is not a part of this Mandatory Referral submission.

The proposed police station will replace the existing Silver Spring District Station located at 801 Sligo Avenue, which was constructed in a 1962. The FY09-14 Capital Improvement Program states that the existing facility does not provide adequate work space for staff assigned to the station, lacks essential security features, has no public meeting space, requires replacement of major infrastructure components, and is not equipped to accommodate future technology.

Project Description

The Third District Police Station will be centrally located on the 12.7 acre site. The police station site comprises 4.36 acres and the Forest Conservation area comprises 3.68 acres. The Phase 2 portion of the site comprises 2.12 acres for an undermined future use, and the Stewart Lane/Milestone Drive interchange (Phase 3) is 1.96 acres. Seton Drive, an undedicated 20-foot wide roadway that connects Sherbrooke Woods Lane on the north with Milestone Drive on the southeast will be removed or modified when the future Stewart Lane/Milestone Drive interchange is constructed.

The two-story, 32,844 square-foot police station will be set back approximately 60 feet from Milestone Drive. A 37-space public parking area is located on the east side of the station. A 135-space, secure parking area for police vehicles at the rear of the station will be provided. There are four access points to the site, three points of access off of Milestone Drive, and a secure point of access off of Seton Drive. Two of the access points off of Milestone Drive lead to a 37-space public parking area on the east side of the station, that also leads to a security gate and secure parking at the rear of the building. The access point located west of the station leads to a secure parking area at the rear of the station.

Eight-foot high security fencing will surround three sides of the secure area for the police station. Security fencing will be setback approximately 209 feet from the site's boundary on the north, 187 feet from the site's boundary on the west, and along the secure parking area on the east. Three gate controls will limit access to the secured parking areas. Gas pumps for the police cruisers only, a trash enclosure, a secure "sally port" for prisoner delivery, a vehicle processing facility, and a motorcycle storage building are located within the secure parking area.

Sidewalks are currently located along both sides of Sherbrooke Woods Lane but end at Seton Drive. At Phase 2, staff recommends providing a sidewalk connection from Milestone Drive to the terminus of Sherbrooke Woods Lane. The sidewalk connection could be provided along one side of Seton Drive, or connect from the proposed sidewalk along Milestone Drive through the Phase 2 site, to Sherbrooke Woods Lane. A five-foot wide sidewalk will also be provided along the north side of Milestone Drive from Seton Drive to New Hampshire Avenue. Because of insufficient right-of-way along the front of Lot

2, 900 Milestone Drive, a Public Improvement Easement must be acquired for the construction and maintenance of a sidewalk in this area.

The first floor of the station is separated into secured patrol functions and public access areas. The station's public entrance is on the southeast corner of the building where visitors will enter a light-filled lobby area, with easy access to a public meeting room. The west portion of the first floor includes a holding area, evidence processing and storage, patrol meeting, and staff work areas. The main patrol area is entered from two secure entries, and the holding area is entered from a secured "sally port" at the northwest corner of the building. All non-public entry points into the facility will have card reader access and be under constant video surveillance.

The second floor of the facility includes individual and open area offices for staff, interview and interrogation areas, a fitness room, staff locker rooms, showers, and other support areas. The two wings of the building are connected together with a tower that includes the main stairwell, staff gathering area, kitchenettes, and eating areas. The tower also brings natural day lighting into the core of the building.

Phasing

Development of the overall site is planned in three phases, only Phase 1 is being considered with this Mandatory Referral submission. Phase 1 will include the police station, shoulder improvement along Milestone Drive, and utility extensions and connections. Phase 2 is currently undetermined as to its ultimate use, but a schematic for a county office building and parking deck is shown on the site plan. A new Mandatory Referral, including a site plan with information showing compatibility and a traffic study will have to be submitted for Phase 2. Phase 3 is the proposed Stewart Lane/Milestone Interchange, and no timetable has been set by the State Highway Administration for this project.

ANALYSIS

Master Plan Conformance

Staff finds that the proposal is consistent with the 1997 White Oak Master Plan. A public facility such as the proposed police station permitted in the R-90 TDR Zone. The revised plan shows a 181-foot wide conservation easement along the western property line, plus an additional six foot setback for the proposed security fence. The setback, to be maintained as a forest conservation easement, will preserve existing trees and provide compatibility . Land for the proposed US29/Stewart Lane/Milestone interchange has been provided. The 1997 Approved and Adopted White Oak Master Plan proposed a Stewart Lane interchange which would eliminate the at-grade intersection of Columbia Pike and Stewart Lane by grade separating the intersection with Stewart Lane bridging Columbia Pike as shown in the Mandatory Referral.

Development Standards

The police station site meets the required development standards in the R-90/TDR Zone as summarized in the following table.

Items	Required/Allowed	Proposed
Zone	R-90/TDR	R-90/TDR
Lot Area:		
Phase 1		
▪ Police Station Site		4.36
▪ Forest Conservation		3.68
▪ Seton Drive		.67
▪ Total	NA	8.71
Phase 2 (Future)		
▪ Total	NA	2.12
Phase 3 (Future Interchange)		
▪ Total	NA	1.96
▪ Total Site Area	9,000 sf, minimum	12.79 acres
Density	6 DU/acre	NA
Building Setbacks (feet):		
▪ From Street	30	60
▪ Side		
• One side	8	187
• Sum of both sides	25	402
▪ Rear	25	180
Building Height (feet)	40	40
Coverage (percent of lot)	30	Less than 30
Parking:		
▪ Secure parking	NA	135
▪ Public parking	NA	37
▪ Total	NA	172

Location of Buildings, Open Space and Circulation

The location of the police station and the surrounding open space is adequate, safe and efficient. The setback along the western boundary has been significantly increased over the previous submission. The revised site plan now shows a setback of 187 feet from the security fence to the western property boundary, which includes a 181 foot wide forest conservation easement established along this property boundary. This setback will provide a substantial natural area between the station and to existing front and side yards, and improves safety for the residences.

The revised plan provides a 202-foot wide conservation easement along the northern boundary west of Seton Drive, connecting with the existing forest conservation area on the adjacent Sunrise Assisted Living site.

A sidewalk will be provided along the north side of Milestone Drive from Seton Drive to New Hampshire Avenue. DGS should also extend the site frontage sidewalks off-site to the Columbia Pike (US 29)/Stewart Lane/Milestone Drive intersection to the northeast of the site as part of the County’s Annual

Sidewalk Program and provide a crosswalk across Columbia Pike to connect this sidewalk with existing sidewalks along the east side of Columbia Pike. The Sherbrooke Homeowners Association has also requested that a sidewalk or path be located along at least one side of Seton Drive from Sherbrooke Woods Lane to Milestone Drive (see Attachment 10). At Phase 2, staff recommends providing a sidewalk connection from Milestone Drive to the terminus of Sherbrooke Woods Lane. The sidewalk connection could be provided along one side of Seton Drive, or connect from the proposed sidewalk along Milestone Drive through the Phase 2 site, to Sherbrooke Woods Lane.

Compatibility

The proposed site plan is compatible with the existing and proposed adjacent development. A proposed 181-foot forest conservation easement extends along the site's western boundary, and a 202-foot forest conservation easement is provided along the northern boundary.

Environment

Under a separate staff report, Environmental Planning staff recommends approval of the Preliminary Forest Conservation Plan with conditions.

Stormwater Management – The Montgomery County Department of Permitting Services (DPS) has reviewed and approved with conditions a stormwater management concept for the police station use. The concept includes many Environmental Site Design (ESD) control measures: infiltration trenches, micro-bioretenion facilities, and a green roof on the proposed building.

Noise Impacts - The police station use is anticipated to generate a limited amount of noise. There will be trash pickup and fuel delivery on the site. The fueling pumps for vehicles and the generator facility for the police station building are proposed to be located at the rear of the building. The trash and recycling is proposed to be within the secure parking lot. Both the generator, fuel pumps, and trash/recycling area are located away from existing houses. The nearest residential lot is roughly 230 feet away from the trash/recycling facility and 350 feet from the building generator and fuel pump area. These facilities should not create adverse noise impacts on surrounding residences.

In addition, the Police Department has stated that sirens and emergency lights will not be used on the station property. The Mandatory Referral report indicates that very few officers will be responding to calls directly from the station. Staff will be instructed not to use sirens or emergency lights until they have exited the facility. The design and operational measures that are proposed will help limit noise that will be generated from this use on the site.

LEED (Leadership in Energy and Environmental Design) Certification - Montgomery County requires LEED Silver certification for all public buildings, and the Third District Police Station and site are being designed to meet LEED Certified – Silver. To achieve a Silver rating, an 80 percent green roof, bio-filtration swales, bio-retention facilities, energy efficient windows, low flow plumbing fixtures, and other sustainable design strategies to maximize energy efficiency and minimize negative impact on the environment will be provided.

Transportation

Staff recommends the following transportation comments be transmitted to the Department of General Services (DGS):

- Submit a traffic study for the entire property (including the police station) for APF purposes at the time of filing an application for the development of the remainder of the property.

- Provide a pedestrian link, if deemed safe, across Milestone Drive that will connect existing sidewalk along the east side of New Hampshire Avenue with the sidewalk proposed along the north side of Milestone Drive (along site frontage).
- Coordinate with Montgomery County Department of Transportation (DOT) and Maryland State Highway Administration (SHA) to extend the site frontage sidewalks off-site to the Columbia Pike (US 29)/Stewart Lane/Milestone Drive intersection to the northeast of the site as part of County's Annual Sidewalk Program and provide a cross-walk across Columbia Pike to connect this sidewalk with existing sidewalks along the east side of Columbia Pike.

Site Location, Access, Parking, Pedestrian Facilities, and Public Transportation- Access to the site is proposed from New Hampshire Avenue and Columbia Pike via three driveways off Milestone Drive, and through the Sherbrooke residential subdivision via a driveway off Sherbrooke Woods Lane/Seton Drive. The proposed police station will include a secure parking lot with 135 spaces, which will be accessed from Milestone Drive as well as Sherbrooke Woods Lane/Seton Drive and an unsecured public parking lot with 37 spaces, which will be accessed from Milestone Drive.

Adequate lead-in sidewalks are proposed to the police station from Milestone Drive. The area is served by Metro and RideOn buses. Metro buses along New Hampshire Avenue include routes C8, K6, and Z2, and along Columbia Pike include routes Z6, Z8, Z9, Z11, Z13, and Z29. The RideOn service along New Hampshire Avenue includes routes 21 and 22, and along Columbia Pike includes route 10.

Access to the site is proposed from New Hampshire Avenue and Columbia Pike via three driveways off Milestone Drive, and through the Sherbrooke residential subdivision via a driveway off Sherbrooke Woods Lane/Seton Drive. The proposed police station will include a secure parking lot with 135 spaces, which will be accessed from Milestone Drive as well as Sherbrooke Woods Lane/Seton Drive and an unsecured public parking lot with 37 spaces, which will be accessed from Milestone Drive. Adequate lead-in sidewalks are proposed to the police station from Milestone Drive.

The area is served by Metro and RideOn buses. Metro buses along New Hampshire Avenue include routes C8, K6, and Z2, and along Columbia Pike include routes Z6, Z8, Z9, Z11, Z13, and Z29. The RideOn service along New Hampshire Avenue includes routes 21 and 22, and along Columbia Pike includes route 10.

Nearby Transportation Improvement Projects - The Maryland State Highway Administration's (SHA) Consolidated Transportation Program (CTP) includes the following nearby project:

SHA Project No. MO887B21; Study to construct an interchange at the US 29/Stewart Lane intersection: As part of ongoing planning/design studies for several planned interchanges along Columbia Pike, SHA is developing design concepts for the interchange at Stewart Lane.

Local Area Transportation Review - To estimate peak-hour trip generation for the proposed Third District Police Station, peak period in/out traffic data (i.e., for three hours in the morning and three hours in the evening) was collected at the Fourth District Police Station located on Randolph Road in Glenmont. Trip generation data was collected at this location for the purposes of this analysis because of the nearly identical size and function of this police station compared to that proposed in White Oak.

Based on street peak-hours observed at the New Hampshire Avenue/Heartfields Drive/Quaint Acres Drive intersection adjacent to the site and trip generation data collected at the Fourth District Police Station, it was estimated that the proposed Third District Police Station will generate approximately 18 trips during the weekday morning peak-hour and 23 trips during the weekday evening peak-hour. It is

noted that trip generation data collected at the Fourth District Police Station also indicated the station would generate a maximum of 30 peak-hour trips during the morning and evening peak periods.

Given the early peak traffic activity at police stations compared to street peak-hours and since the property is only being partially developed at this time, staff is accepting the lower trip generation estimates for the proposed police station. Staff is also recommending that DGS and/or the future developer for the remainder of the property submit a traffic study for the entire property (including the police station) for APF purposes at the time of filing an application for the development of the remainder of the property. At that time, the applicant would be required to fully consider impact from any additional traffic that will be generated by the police station in excess of the 18 and 23 weekday morning and evening peak-hour trips considered in this mandatory referral review.

Since the proposed police station is estimated to generate less than 30 peak-hour trips, a traffic study is not required for the mandatory referral, and with documentation of site trip generation as above, staff finds the mandatory referral to satisfy the LATR requirements of the APF test.

Policy Area Mobility Review - To satisfy the PAMR requirements of the APF test, land uses located within the Fairland/White Oak Policy Area are currently required to mitigate 45% of “new” peak-hour trips generated by the use. However, based on the time of filing of this mandatory referral, the PAMR mitigation requirement as applicable to this application is 100 percent.

With an estimated maximum peak-hour trip generation of 23 trips in the evening, the mandatory referral for the proposed Third District Police Station is proposing to mitigate its impact by providing the following:

- Two new bus shelters, along both sides of New Hampshire Avenue adjacent to the White Oak Library (mitigating 10 trips),
- 1,320 feet of sidewalk along Milestone Drive (mitigating 7 trips), and
- A bike rack at the station entrance (mitigating 2 trips).

Based on the above described improvements, the Mandatory Referral is mitigating a total of 19 “new” peak-hour site-related trips. Staff is recommending that DGS provide the following additional improvement to fully meet the PAMR mitigation requirements for the subject mandatory referral:

- A sidewalk connection along Seton Drive (to one side only) between the existing sidewalk terminus along Sherbrooke Woods Lane and the proposed sidewalk along Milestone Drive (approximately 700-800 feet, mitigating 4 trips).

With inclusion of the above sidewalk improvement, staff finds the Mandatory Referral to satisfy the PAMR requirements.

Additionally, staff is recommending that DGS coordinate with DOT and SHA to extend the above sidewalks off-site to the Columbia Pike (US 29)/Stewart Lane/Milestone Drive intersection to the northeast of the site as part of County’s Annual Sidewalk Program and provide a cross-walk across Columbia Pike to connect this sidewalk with existing sidewalks along the east side of Columbia Pike.

Access to Residential Units to the west of Third District Police Station - Immediately to the west of the proposed police station are three single-family residences and a vacant parcel (Parcel 739), which are served by a driveway from Milestone Drive approximately 120 feet to the east of New Hampshire Avenue. The first two lots on the driveway were approved in January 1996 (Preliminary Plan No. 119960280; Milestone Court, via subdivision of Parcel 773) with a condition that "At such time as the internal street network connecting development on Parcels 739, 740, and 626 with New Hampshire Avenue and/or Stewart Lane, then access for the subject property shall be through these parcels to Quaint Acres Drive and the access to Milestone Drive shall be terminated" (See Attachment No. 2; Condition No. 3).

Parcel 626, to the north of Parcel 739, which extended between New Hampshire Avenue and Milestone Drive, was subsequently developed with the Sherbrooke residential subdivision and the Sunrise Assisted-Living facility. No internal access was provided to New Hampshire Avenue or Columbia Pike in these plans for the three single-family residences and the vacant parcel (as conditioned for the two residential units under Milestone Court subdivision approval in 1996).

With the proposed Third District Police Station built, it will no longer be possible to provide internal access for the three single-family residences and the vacant parcel to New Hampshire Avenue and/or Columbia Pike. The existing access for these residences and the vacant parcel to Milestone Drive will become permanent.

COMMUNITY OUTREACH

Several community meetings on the Third District Police Station have been held. The police station's proposed plans and community meeting presentations are also featured on the Department of General Services website. The following summarizes the views of the civic associations on the project: the police station and future development should be examined together; 100 percent of the forest conservation be done on-site; and the police station should be moved 200 feet from the three existing homes west of the site for compatibility.

Following the May 27, 2010 Planning Board hearing, DGS held a community meeting on September 16, 2010 to show revisions which had been made to the site plan. The community was generally pleased with the revision to move the police station away from the residences and more towards the center of the site. However, the community still had concerns with not knowing what would be eventually located on the Phase 2 part of the site.

On November 1, 2010, staff sent notices to local citizen associations, adjoining and nearby property owners and other interested parties of the Mandatory Referral, noting the tentative date of the Planning Board hearing.

CONCLUSION

Staff concludes that the Mandatory Referral meets the applicable standards of the R-90/TDR Zone, and that the current plan achieves compatibility with the three adjacent homes and an undeveloped parcel that adjoin the site to the west.

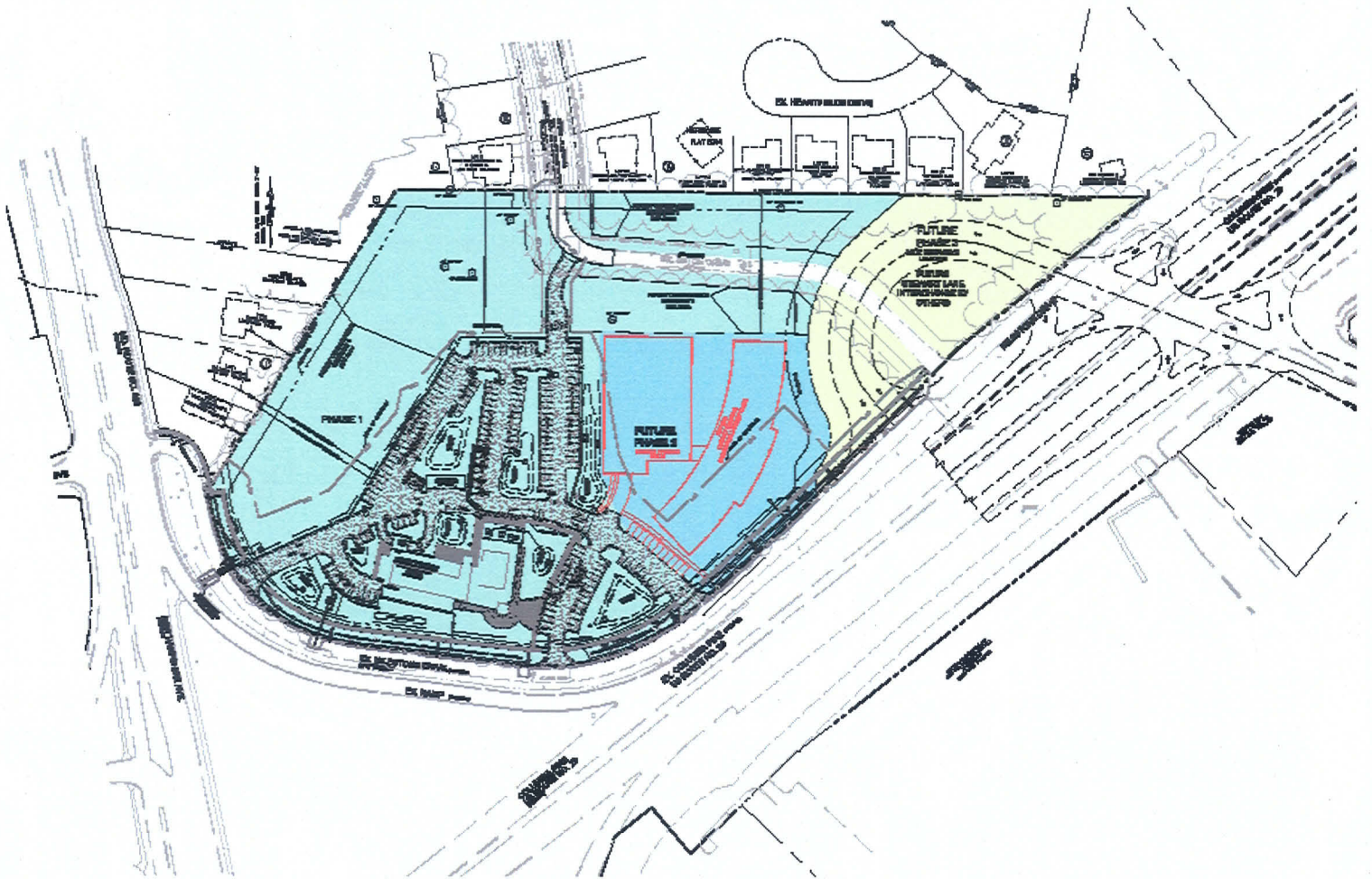
Attachments:

1. Vicinity Map
2. Site Plan
3. Landscape Plan
4. Building Perspective
5. Building Elevations
6. First and Second Floor Plans
7. Environmental Planning memo – 12/1/10
8. Transportation Planning memo – 12/6/10
9. Testimony from Barry Wides (for 12/16/10)
10. Testimony from Elizabeth Molloy (for 12/16/10)

Attachment 1: Vicinity Map



Attachment 2: Site Plan



Attachment 3: Landscape Plan



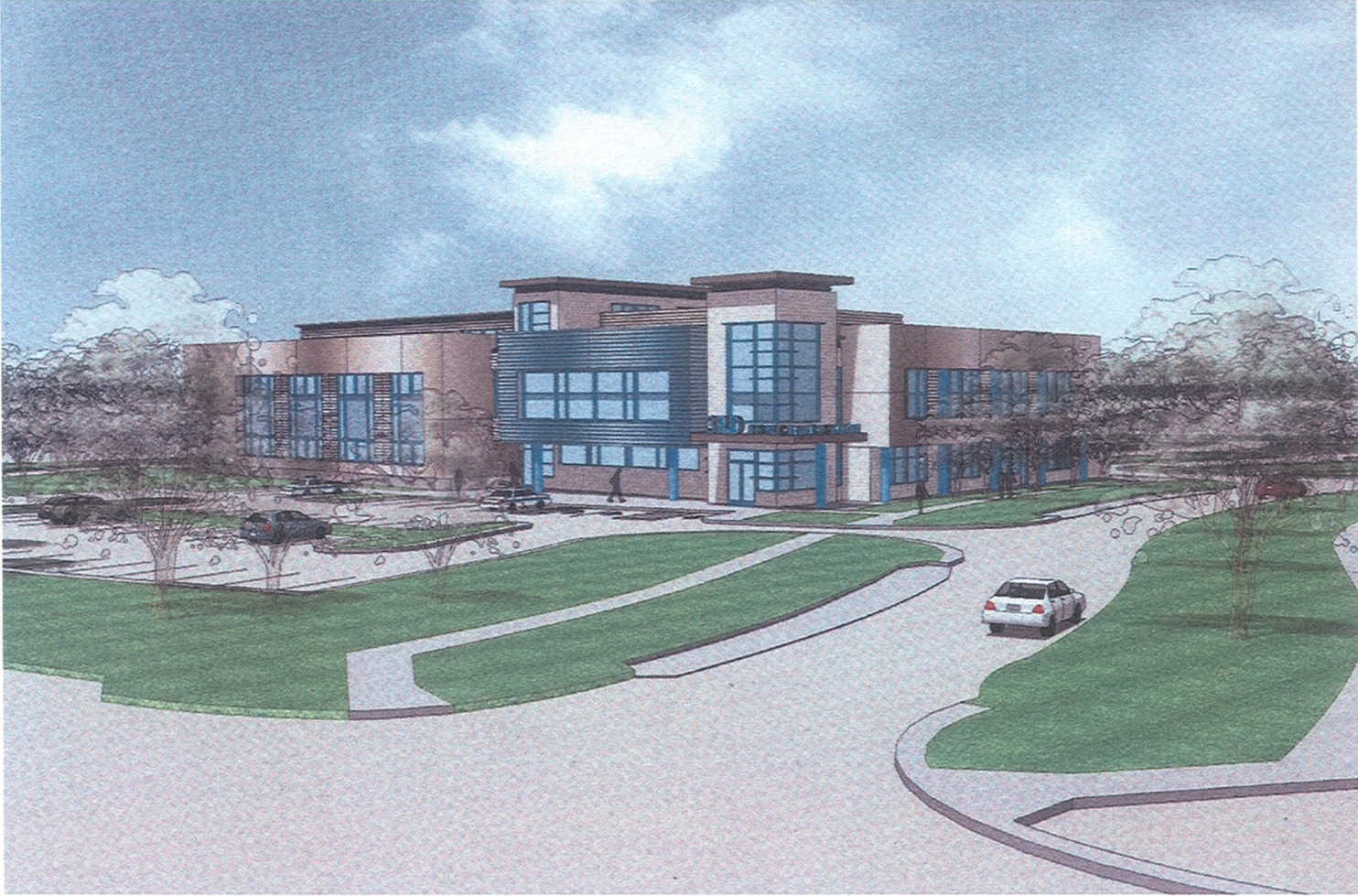
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3RD DISTRICT POLICE STATION

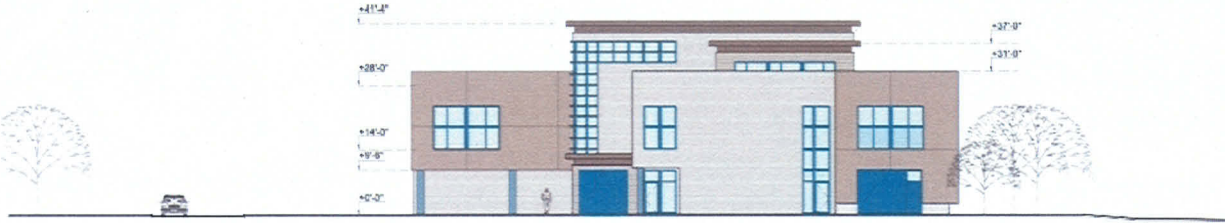
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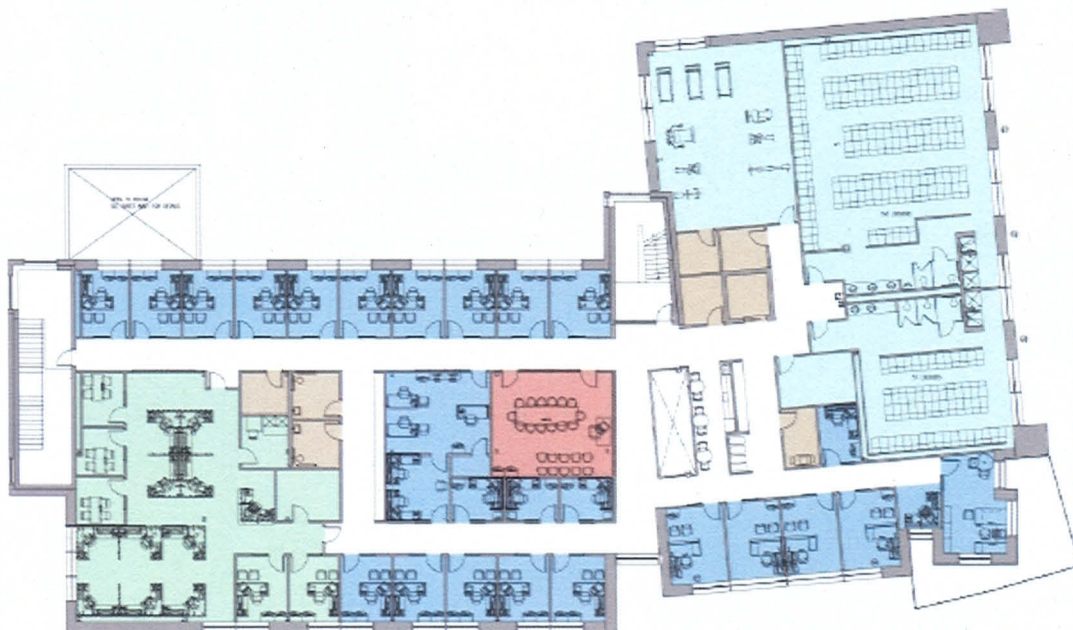
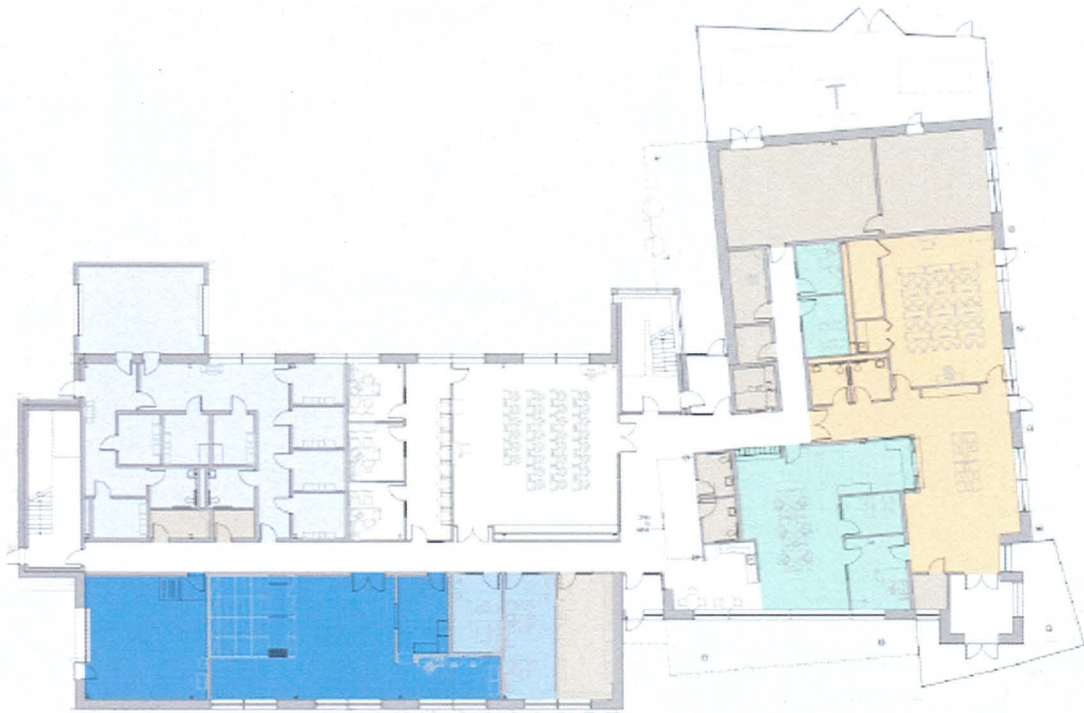
Attachment 4: Building Perspective



Attachment 5: Building Elevations



Attachment 6: First and Second Floor Plans





MEMORANDUM

TO: Calvin Nelson, Community-based Planning

VIA: Mark Pfefferle, Acting Chief, Environmental Planning *MP*

FROM: ^{*CS*} Candy Bunnag, Planner Coordinator, Environmental Planning

SUBJECT: Mandatory Referral No. 2009742
Third District Police Station

DATE: December 1, 2010

Recommendation

Environmental Planning staff recommends **approval** of the mandatory referral for the Phase 1, police station.

Background/Proposal

The 12.79-acre subject site lies in the northeastern quadrant of the intersection of New Hampshire Avenue and Route 29. Montgomery County Department of General Services (DGS) owns the site and proposes two uses. A third use, the future Stewart Lane interchange, is labeled as Phase 3. But the interchange will be designed and implemented by State Highway Administration (SHA). The Phase 3 area is shown within a right-of-way reservation area of about 1.96 acres.

The overall site plan for the County projects shows a police station in the central portion of the site and a schematic layout of a future County building with a parking garage. Currently, only the police station is the subject of this mandatory referral submission. In meetings with staff, DGS has indicated that a second, undetermined use, in addition to the police station, will occur on the site. The site is zoned R-90/TDR.

Forest Conservation Law

The site is subject to Chapter 22A Montgomery County Forest Conservation Law. As an ex-parte regulatory item, staff recommendations on the Preliminary Forest Conservation Plan are reviewed in a separate Environmental Planning memorandum to the Planning Board. The Planning Board must take action on the Preliminary Forest Conservation Plan during the hearing, which is held jointly with the review of this mandatory referral.

Stormwater Management

Montgomery County Department of Permitting Services (DPS) has reviewed and approved with conditions a stormwater management concept for the police station use (Attachment 1). The concept includes many Environmental Site Design (ESD) control measures: infiltration trenches, micro-bioretenion facilities, and a green roof on the proposed building.

Noise Impacts

The police station use is anticipated to generate a limited amount of noise. There will be trash pickup and fuel delivery on the site. The fueling pumps for vehicles and the generator facility for the police station building are proposed to be located at the rear of the building towards the center of the police station site. The trash and recycling facility is proposed to be within the secure parking lot. Both the generator, fuel pumps, and trash/recycling area are located away from existing houses. The nearest residential lot is roughly 230 feet away from the trash/recycling facility and 350 feet from the building generator and fuel pump area. These facilities should not create adverse noise impacts on surrounding residences.

In addition, the Police Department has stated that sirens and emergency lights will not be used on the station property. The mandatory referral report indicates that very few officers will be responding to calls directly from the station. Those who do respond from the station will be instructed not to use sirens or emergency lights until they have exited the facility. Staff believes that the design and operational measures that are proposed will help limit noise that will be generated from this use on the site.



ATTACHMENT 7

(page 1 of 2)

DEPARTMENT OF PERMITTING SERVICES

Carla Reid
DirectorIsiah Leggett
County Executive

November 29, 2010

Mr. Jigar Bhatt
Dewberry
203 Perry Parkway, Suite 1
Gaithersburg, MD 20877

Re: **REVISED Stormwater Management CONCEPT**
 Request for 3rd District Police Station
 Preliminary Plan #:
 SM File #: 235445
 Tract Size/Zone: 12.79 acres / R-90 / TDR
 Total Concept Area: 6 acres
 Lots/Block: N/A
 Parcel(s): 725, 731, 790
 Watershed: Paint Branch

Dear Mr. Bhatt:

Based on a review by the Department of Permitting Services Review Staff, the revised stormwater management concept for the above mentioned site is acceptable. The stormwater management concept consists of on-site stormwater management via ESD. This includes the use of an extensive green roof, micro bioretention, and infiltration.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. A sediment control permit application (SC 236809) was previously filed for this project. Because the project has been revised substantially, a new sediment control permit application must be submitted. Along with the new application, please submit a written request to close the old application and remove it from the DPS review system.
5. This approval supersedes the stormwater concept approval dated April 27, 2009.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTY
www.montgomerycountymd.gov

montgomerycountymd.gov/311



240-773-3556 TTY

ATTACHMENT 7
(page 2 of 2)

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Mark Etheridge at 240-777-6338.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:tlc mca

cc: C. Conlon
M. Pfefferle
SM File # 235445

QN - ON; Acres: 6
QL - ON; Acres: 6
Recharge is provided



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

MEMORANDUM

DATE: December 6, 2010

TO: Calvin Nelson, Jr.
Urban Design Division

VIA: Shahriar Etemadi, Supervisor
Move/Transportation Planning Division

FROM: Cherian Eapen, Planner/Coordinator
Move/Transportation Planning Division
301-495-4525

SUBJECT: Mandatory Referral No. 2009742-DGS-1
Proposed Third District Police Station
Parcels P790, P725, and P731
Montgomery County Department of General Services
Northeast quadrant of Columbia Pike (US 29)/New Hampshire Avenue (MD 650)
White Oak
Fairland/White Oak Policy Area

This memorandum presents Transportation Planning staff's Adequate Public Facilities (APF) review of the subject mandatory referral to construct the Third District Police Station in White Oak, on the western half of 12.79 acres of land owned by Montgomery County. The property, comprising Parcels P790, P725, and P731, is located within the Fairland/White Oak Policy Area. The proposed police station will be the Phase 1 of the development of the site and will include approximately 8.71 acres of the site.

RECOMMENDATION

We have completed our review of the materials submitted for the subject mandatory referral and recommend that the Planning Board transmit the following comments to Montgomery County Department of General Services (DGS):

1. DGS and/or the future developer for the remainder of the subject property must submit a traffic study for the entire property (including the police station) for APF purposes at the time of filing an application for the development of the remainder of the property.

2. DGS must provide a pedestrian link, if deemed safe, across Milestone Drive that will connect existing sidewalk along the east side of New Hampshire Avenue with the sidewalk proposed along the north side of Milestone Drive (along site frontage).
3. DGS must provide a sidewalk connection along Seton Drive (to one side only) between the existing sidewalk terminus along Sherbrooke Woods Lane and the proposed sidewalk along Milestone Drive to fully meet the PAMR mitigation requirements for the subject mandatory referral.
4. DGS must coordinate with Montgomery County Department of Transportation (DOT) and Maryland State Highway Administration (SHA) to extend the site frontage sidewalks off-site to the Columbia Pike (US 29)/Stewart Lane/Milestone Drive intersection to the northeast of the site as part of County's Annual Sidewalk Program and provide a cross-walk across Columbia Pike to connect this sidewalk with existing sidewalks along the east side of Columbia Pike.

DISCUSSION

Site Location, Access, Parking, Pedestrian Facilities, and Public Transportation

The site for the proposed Third District Police Station is located within the northeast quadrant of Columbia Pike (US 29) and New Hampshire Avenue (MD 650) interchange in White Oak. The site is bounded by Milestone Drive/Columbia Pike to the east and south, New Hampshire Avenue/three residences/a vacant parcel/an assisted-living facility to the west, and Seton Drive/Sherbrooke residential subdivision to the north.

Milestone Drive, which wraps around the property to the south and to the east, is a secondary residential street (that functions to some extent as a primary residential street) within the right-of-way for Columbia Pike and New Hampshire Avenue. Heartfields Drive and Sherbrooke Woods Lane/Seton Drive are also secondary residential streets, and functions as access roads for the Sherbrooke residential subdivision.

Access to the site is proposed from New Hampshire Avenue and Columbia Pike via three driveways off Milestone Drive, and through the Sherbrooke residential subdivision via a driveway off Sherbrooke Woods Lane/Seton Drive.

The proposed police station will include a secure parking lot with 135 spaces, which will be accessed from Milestone Drive as well as Sherbrooke Woods Lane/Seton Drive and an unsecured public parking lot with 37 spaces, which will be accessed from Milestone Drive.

Adequate lead-in sidewalks are proposed to the police station from Milestone Drive.

The area is served by Metro and RideOn buses. Metro buses along New Hampshire Avenue include routes C8, K6, and Z2, and along Columbia Pike include routes Z6, Z8, Z9, Z11, Z13, and Z29. The RideOn service along New Hampshire Avenue includes routes 21 and 22, and along Columbia Pike includes route 10.

Master Plan Roadway and Bikeway Facilities

The 1997 Approved and Adopted *White Oak Master Plan* describe the following nearby master-planned roadways, pedestrian and bikeway facilities:

1. New Hampshire Avenue, as a north-south major highway (M-12) with a minimum right-of-way width of 120 feet (six-lane divided) between Capital Beltway (I-495) to the south and the Intercounty Connector (ICC) to the north. A Class III bikeway (PB-24) is proposed along the roadway to the south of Randolph Road to I-495 (also, SR-30 in the March 2005 Approved and Adopted *Countywide Bikeways Functional Master Plan*). The master plan also recommends sidewalk improvements along the entire length of the roadway.
2. Columbia Pike (US 29), as a northeast-southwest controlled-major highway (CM-10) between New Hampshire Avenue to the southwest and Paint Branch to the northeast. A minimum right-of-way width of 200 feet (six-lane divided) is recommended for this section of Columbia Pike. The master plan recommends no pedestrian or bikeway facilities for this section of Columbia Pike; however, a dual bikeway (DB-9; shared-use path and shared roadway) is proposed for Columbia Pike to the north of New Hampshire Avenue (to Spencerville Road or MD 198) in the March 2005 Approved and Adopted *Countywide Bikeways Functional Master Plan*. The *White Oak Master Plan* recommends an interchange at Stewart Lane, which would eliminate the at-grade intersection of Columbia Pike, Stewart Lane, Old Columbia Pike, and Milestone Drive.
3. Stewart Lane, as a two-lane arterial (A-286) with a minimum right-of-way width of 80 feet, to the east of US 29, between US 29 and Lockwood Drive. The sidewalk and the Class II bikeway (PB-27) recommended for Stewart Lane are now built. Though PB-27 is recommended in the master plan to extend west to New Hampshire Avenue, no direct road facility that could accommodate the bikeway currently exists other than Milestone Drive. Milestone Drive therefore could be considered to fulfill the master plan recommendation.
4. Old Columbia Pike, to the east and parallel to US 29, as a two-lane business district street (B-2) with a recommended minimum right-of-way width of 80 feet between White Oak Shopping Center to the south and Paint Branch to the north. A Class II bikeway (EB-7) exists along the roadway between Paint Branch and White Oak Shopping Center. The master plan recommends an extension of this Class II bikeway (as PB-28) through the White Oak Shopping Center to Lockwood Drive, just to the east of New Hampshire Avenue.

Nearby Transportation Improvement Projects

The Maryland State Highway Administration's (SHA) Consolidated Transportation Program (CTP) includes the following nearby project:

- SHA Project No. MO887B21; Study to construct an interchange at the US 29/Stewart Lane intersection: As part of ongoing planning/design studies for several planned interchanges along Columbia Pike, SHA is developing design concepts for the interchange at Stewart Lane. Currently, the project is on hold and is not funded for construction. Copy of a skewed single point urban interchange design concept for the interchange is included as Attachment No. 1.

Adequate Public Facilities Review

As a mandatory referral, this application is not required to satisfy the Adequate Public Facilities (APF) review. However, a discussion on Local Area Transportation Review (LATR) and Policy Area Mobility Review (PAMR) as applicable to this mandatory referral is provided below:

- Local Area Transportation Review

To estimate peak-hour trip generation for the proposed Third District Police Station, peak period in/out traffic data (i.e., for three hours in the morning and three hours in the evening) was collected at the Fourth District Police Station located on Randolph Road in Glenmont. Trip generation data was collected at this location for the purposes of this analysis because of the nearly identical size and function of this police station compared to that proposed in White Oak.

Based on street peak-hours observed at the New Hampshire Avenue/Heartfields Drive/Quaint Acres Drive intersection adjacent to the site and trip generation data collected at the Fourth District Police Station, it was estimated that the proposed Third District Police Station will generate approximately 18 trips during the weekday morning peak-hour and 23 trips during the weekday evening peak-hour. It is noted that trip generation data collected at the Fourth District Police Station also indicated the station would generate a maximum of 30 peak-hour trips during the morning and evening peak periods.

Given the early peak traffic activity at police stations compared to street peak-hours and since the property is only being partially developed at this time, staff is accepting the lower trip generation estimates for the proposed police station. Staff is also recommending that DGS and/or the future developer for the remainder of the property submit a traffic study for the entire property (including the police station) for APF purposes at the time of filing an application for the development of the remainder of the property. At that time, the applicant would be required to fully consider impact from any additional traffic that will be generated by the police station in excess of the 18 and 23 weekday morning and evening peak-hour trips considered in this mandatory referral review.

Since the proposed police station is estimated to generate less than 30 peak-hour trips, a traffic study is not required for the mandatory referral, and with documentation of site trip generation as above, staff finds the mandatory referral to satisfy the LATR requirements of the APF test.

- Policy Area Mobility Review

To satisfy the PAMR requirements of the APF test, land uses located within the Fairland/White Oak Policy Area are currently required to mitigate 45% of “new” peak-hour trips generated by the use. However, based on the time of filing of this mandatory referral, the PAMR mitigation requirement as applicable to this application is 100%.

With an estimated maximum peak-hour trip generation of 23 trips in the evening, the mandatory referral for the proposed Third District Police Station is proposing to mitigate its impact by providing the following:

1. Two new bus shelters, along both sides of New Hampshire Avenue adjacent to the White Oak Library (mitigating 10 trips),
2. 1,320 feet of sidewalk along Milestone Drive (mitigating 7 trips), and
3. A bike rack at the station entrance (mitigating 2 trips).

Based on the above described improvements, the mandatory referral is mitigating a total of 19 “new” peak-hour site-related trips. Staff is recommending that DGS provide the following additional improvement to fully meet the PAMR mitigation requirements for the subject mandatory referral:

- A sidewalk connection along Seton Drive (to one side only) between the existing sidewalk terminus along Sherbrooke Woods Lane and the proposed sidewalk along Milestone Drive (approximately 700-800 feet, mitigating 4 trips).

With inclusion of the above sidewalk improvement, staff finds the mandatory referral to satisfy the PAMR requirements of the APF test.

Additionally, staff is recommending that DGS coordinate with DOT and SHA to extend the above sidewalks off-site to the Columbia Pike (US 29)/Stewart Lane/Milestone Drive intersection to the northeast of the site as part of County’s Annual Sidewalk Program and provide a cross-walk across Columbia Pike to connect this sidewalk with existing sidewalks along the east side of Columbia Pike.

Access to Residential Units to the west of Third District Police Station

Immediately to the west of the proposed police station are three single-family residences and a vacant parcel (Parcel 739), which are served by a driveway from Milestone Drive approximately 120 feet to the east of New Hampshire Avenue. The first two lots on the driveway were approved in January 1996 (Preliminary Plan No. 119960280; Milestone Court, via subdivision of Parcel 773) with a condition that “At such time as the internal street network connecting development on Parcels 739, 740, and 626 with New Hampshire Avenue and/or Stewart Lane, then access for the subject property shall be through these parcels to Quaint Acres

Drive and the access to Milestone Drive shall be terminated” (See Attachment No. 2; Condition No. 3).

Parcel 626, to the north of Parcel 739, which extended between New Hampshire Avenue and Milestone Drive, was subsequently developed with the Sherbrooke residential subdivision and the Sunrise Assisted-Living facility. However, no internal access was provided to New Hampshire Avenue or Columbia Pike in these plans for the three single-family residences and the vacant parcel (as conditioned for the two residential units under Milestone Court subdivision approval in 1996).

With the proposed Third District Police Station built, it will no longer be possible to provide internal access for the three single-family residences and the vacant parcel to New Hampshire Avenue and/or Columbia Pike. The existing access for these residences and the vacant parcel to Milestone Drive will therefore become permanent.

SE:CE:tc
Attachments

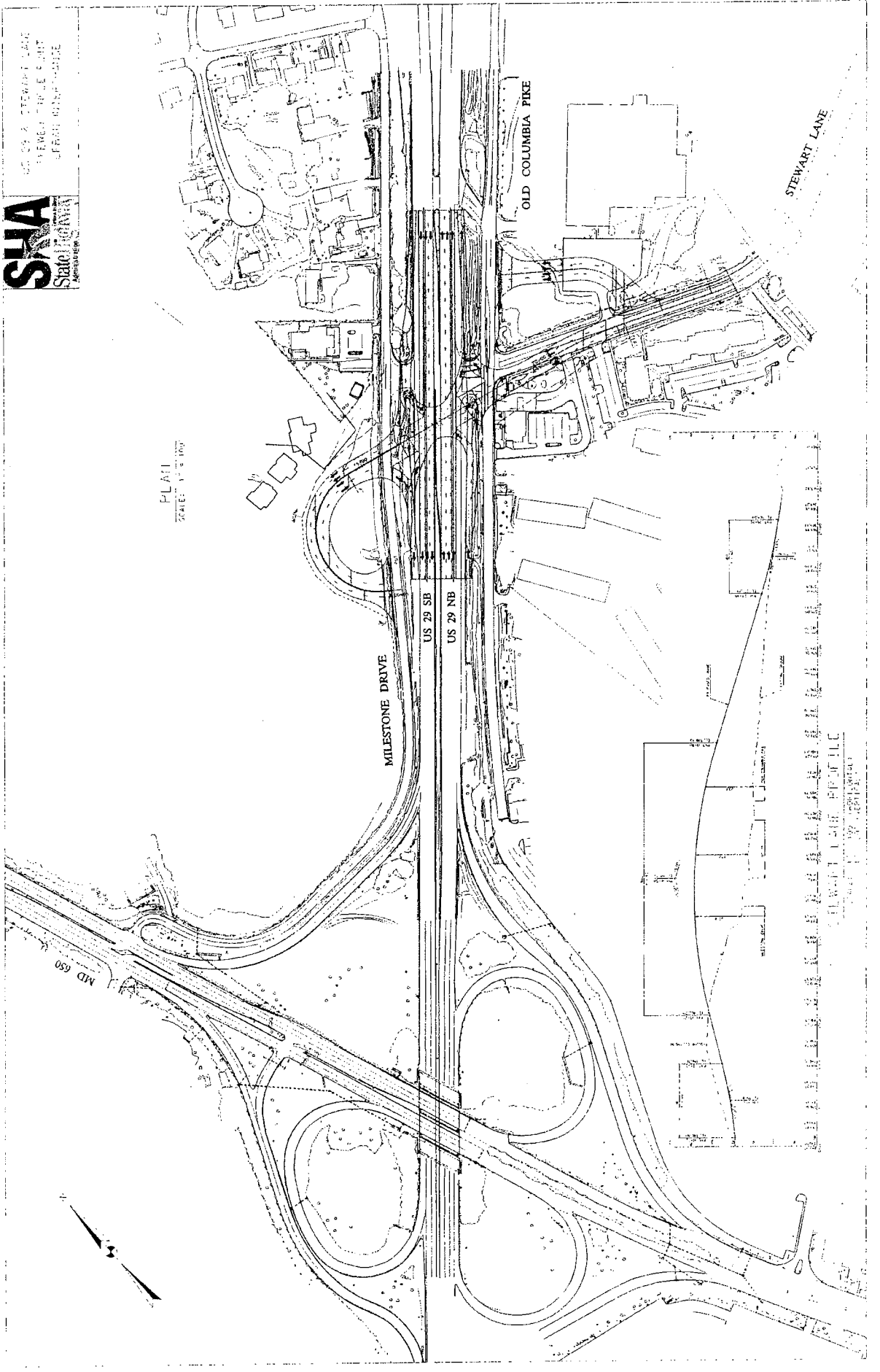
cc: Corren Giles
Greg Leck
Gary Erenrich

mmo to Nelson re WO TDPS



US 29 & STEWART LANE
SYSTEM TRIPLE CHART
LEADS ROUTE 29

PLAT II
DATE: 11/8/1997



MILESTONE DRIVE

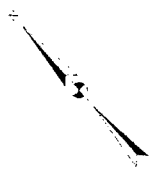
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US 29 NB

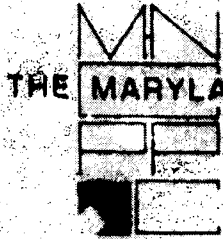
OLD COLUMBIA PIKE

STEWART LANE

MD 650



COLLETT & ASSOCIATES, P.C.
REGISTERED PROFESSIONAL ENGINEERS
1000 W. WASHINGTON ST.
ANNAPOLIS, MD 21403



Date of mailing: January 26, 1996

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring Maryland 20910-3760

Attachment No. 8

Action: Approved Staff Recommendation with Modifications
(Motion of Comm. Richardson, seconded by Comm. Holmes, with a vote
of 5-0; Comms. Richardson, Holmes, Baptiste, Aron, and Husemann
voting in favor).

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-96028
NAME OF PLAN: MILESTONE COURT

On 09-28-95, BEST DEVELOPMENT, submitted an application for the approval of a preliminary plan of subdivision of property in the R90 zone. The application proposed to create 2 lots on 27300.00 SQ FEET of land. The application was designated Preliminary Plan 1-96028. On 01-25-96, Preliminary Plan 1-96028 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 1-96028 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-96028, subject to the following conditions:

Approval under the De Minimis Provisions of the FY 96 Annual Growth Policy, subject to:

- (1) Prior to recording of plat(s) submit final grading plan for technical staff approval
- (2) Record plat(s) to reflect delineation of conservation easement over the area of tree preservation
- (3) Provide access easement to adjoining Parcels 739 and 740 for future connection to Milestone Drive. At such time as the internal street network connecting development on Parcels 739, 740, and 626 with New Hampshire Avenue and/or Stewart Lane, then access for the subject property shall be through these parcels to Quaint Acres Drive and the access to Milestone Drive shall be terminated
- (4) Access and improvements as required and approved by MCDOT
- (5) Conditions of MCDEP stormwater management approval dated 11-27-95
- (6) Other necessary easements

**Testimony of Barry Wides
President, North White Oak Civic Association
Mandatory Referral 2009742-DGS-1
(Third District Police Station)
December 16, 2010**

My name is Barry Wides and I live at 11803 Ithica Drive in Silver Spring. I serve as president of the North White Oak Civic Association – a community organization representing over 500 families living in the neighborhood bounded by US 29, New Hampshire Avenue, and Jackson Road. I also served on Montgomery County’s 3rd District Police Station Site Selection Task Force.

At the hearing on this project in May 2010, I testified that our community association supports a police station at this location but had concerns about inadequate setbacks to existing homes and the large amount of reforestation to be done offsite. As I understand it, the County withdrew their proposal after the May 2010 hearing to make modifications to the plan to address this concern.

In September, the county held a meeting at the East County Services Center where they outlined the revised plan before you today. Ours and other civic associations in attendance, commended the county for making these changes, but expressed concerns with the project identified as “Phase 2” on the remaining 2.1 acres of this site. In the plans, directly east of the police station, there is reference to a “parking deck” and a “county building.” While the county has not put anything in writing about this, some county officials have spoken of a possible six-story county office building at this location to house the Department of Health and Human Services (see attached Gazette article dated July 28, 2010).

As this September meeting, myself and others probed for additional information about this facility but were told that nothing more could be shared about Phase 2 of the project. Community residents and civic association representatives cautioned the county about proceeding with a tall office building at this location given that it would conflict with the current zoning for this location, its incompatibility with nearby single family homes, and the significant amount of peak traffic it would generate in an area whose roads are currently well over capacity.

While this “Phase 2” project is not currently before the Planning Board, I do wonder how the county could even conceive of moving forward with an office building at this location which is not compatible with current zoning or the Master Plan. It is troubling to my neighbors, and myself as a member of the police station site selection committee, that the county could obtain necessary approvals for a mandatory referral based on the acquisition of the site “for the purpose of relocating the Third District Police Station” (see attached) and then build an office building that could dwarf the impact of a police station on the community.

I also have questions as to how the Forest Conservation would be treated for phase 2 of this project. The county indicates that that 100% of the forest conservation is being done on site for the police station development. However, does this plan show the "Phase 2" portion of this project provide for forest conservation on site? Or has that site been combined with the police station for forest conservation purposes even though that plan is not before us now?

I believe that even contemplating an office building of this magnitude that would require construction of a multistory parking facility displays a lack of understanding of the traffic congestion this project would cause when cars attempt to exit Milestone Drive at New Hampshire Avenue or U.S. 29 at rush hour.

We would recommend that the county abandon any ideas for future development of these remaining 2.1 acres and use this acreage for forest conservation related to other county projects being developed in the Paint Branch Watershed.

We would also recommend that the Police Station development provide for a sidewalk along Seton Drive (the extension of Sherbrooke Woods Lane). Elizabeth Molloy, President of the Sherbrooke Homeowners Association, will discuss this recommendation in more detail in her testimony.

Thank you for your consideration of our views in this matter.



DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Iniah Leggett
County Executive

April 16, 2008

Arthur Holmes, Jr.
Director

Mr. Royce Hanson, Chairman
Montgomery County Planning Board
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RECEIVED
0417
APR 18 2008

OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

RE: Mandatory Referral for Clark Property Acquisition

Dear Mr. Hanson:

The Department of Public Works and Transportation is hereby requesting an administrative mandatory referral review for the acquisition of a tract of land in the White Oak area of Montgomery County.

The subject land will be acquired for the primary purpose of relocating the Third District Police Station. The land is described as parcel P790 on Tax Map JQ562, located on Milestone Drive, containing approximately 9.14 acres of unimproved land, commonly known as the Clark family property. An excerpt from the tax map showing the location of the property is enclosed for your reference. The County has entered into a contract to purchase the needed property.

Please note that the County has studied all feasible sites for the design and construction of the Third District Police Station as outlined in the Silver Spring Program of Requirements defined in the County Facilities Master Plan. The contract to purchase the property is the culmination of many months of negotiations with the ownership group. The County must close on the purchase no later than June 30, 2008.

I understand that the County would later submit the mandatory referral for the development of the property which will be a much more detailed application.

Please feel free to contact Bernard Fitzgerald at 240-777-7151 should you have any questions.

Sincerely,

Arthur Holmes, Jr.
Director

AH:bf
Enclosure

cc: Bernard Fitzgerald, DPWT
Bill Barron, MNCPPC

Office of the Director

101 Monroe Street, 10th Floor • Rockville, Maryland 20850 • 240-777-7170 • 240-777-7178 FAX
www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station



June 6, 2008

Bernard Fitzgerald
Office of Real Estate
Department of Public Works and Transportation
101 Monroe Street
10th Floor
Rockville, MD 20850

RE: Mandatory Referral 08603 DPWT-1

Dear Mr. Fitzgerald:

We received a request from Director Arthur Holmes Jr. regarding administrative review of a mandatory referral for the acquisition of a tract of land in the White Oak area in Eastern Montgomery County.

The subject land, Parcel P790 on Milestone Drive, is to be acquired for the purpose of relocating the Third District Police Station. We understand that the county has studied all feasible sites and this location has been chosen as the best alternative. The selection of this site appears in the Capital Improvements Program, 3RD District Police Station Project No. 47302. We understand that this site is supported by the Police Department, the East County Citizens' Advisory Board and other groups.

Please consider this letter as administrative approval of a Mandatory Referral under Article 28 of the Regional District Act. It is understood that a more detailed mandatory referral for the development of the site, including a Forest Conservation Plan and any other necessary documents, will be submitted at some time in the future.

Yours truly,

William Barron

Team Leader

Eastern Montgomery County

Copies:

Arthur Holmes, Jr. Director, DPWT

Cynthia Brenneman, Office of Real Estate, DPWT

Anise Key Brown, Director, Eastern Montgomery County Regional Services Center

Burtonsville Gazette

Wednesday, July 28, 2010

Future White Oak police station plans revised by county designers

200-foot forest buffer still leaves room for office building

by Jeanette Der Bedrosian | Staff Writer

Following harsh criticism by the Planning Board, county designers have created a new plan for a future White Oak police station that quadruples the buffer of trees on the site while still leaving plenty of space for a county office building.

"All we wanted to do was demonstrate we could meet the Planning Board's recommendations and have enough land area to accommodate everything we wanted to do on that site," said Ernest Lunsford, chief of the Division of Building Design and Construction with the Department of General Services. "We think we have successfully done that. And the planning staff thinks so, too, but that's not formal. We just showed it to them to get a feel."

County planners said they are planning a public meeting for September where they will unveil official sketches of their proposed site plan. By early October, they expect to present these plans to the Planning Board.

The designers had previously tried to present plans for the Third District police station that would push the building to one side of the property and leave free a plot of land known as Parcel B that could be used by the county in the future. But after heavy opposition from the station's future neighbors, who wanted more forest buffer between the station's security wall and their property lines, the Planning Board sent designers back to the drawing board.

Now Lunsford says his agency has a solution he thinks will make everyone happy. The station, proposed for the intersection of New Hampshire Avenue and Milestone Drive in White Oak, would be shifted to a more central location on the land. The width of the forest buffer would be increased to 200 feet to allow for 100 percent of the required reforestation to be done on-site, and the county would still leave enough room for a future office building.

The original plans proposed for the police station left just eight feet between the station's security wall and one homeowner's property line. That amount was increased to 33 feet in March and then 50 feet when designers officially presented their forest conservation plans to the Planning Board in late May.

After nine infuriated residents testified in at that Planning Board meeting, the board recommended county planners adjust their plans to fit in with the surrounding neighborhood. Planning Board Commissioner Norman Dreyfuss said the submission was "the worst abuse by the county of their mandatory referral process, and no private developer could have ever gotten away with it."

Lunsford, who was present for that Planning Board meeting, said the rejection was frustrating to members of his department, who had worked with planning staff to meet their recommendations.

"I think it's fair to say it caught us by surprise," he said. "We weren't sure we could meet all of these needs on the site. We weren't sure we had enough room, but we have proved—at least to date—that we can. So we're encouraged by that, and we think we've been resourceful in going back to the drawing board and coming back with a plan that is satisfactory for everybody."

Though no formal sketches have been constructed or submitted of the new plans, Lunsford said the site would have a minimum of a 200-foot forest buffer to the west and north of the site that is contiguous with existing preserved forest near the site of Sunrise Senior Living community. The station's design will remain the same but will be moved toward the center of the site.

Approximately 24,000-square-feet of space would be left on "Parcel B" for an office building with a parking structure. The office building is not part of what the Department of General Services plan to submit this fall, but several county officials have suggested the site would be a good location for a centralized Health and Human Services office building.

Elizabeth Molloy, the president of the Sherbrooke Homeowner's Association, said she's eager to see the exact proposal, but wants the county to submit plans for both the station and the office building at the same time.

"While they talk about the potential use of 'Parcel B,' without it sort of fleshed out and seeing how it would all work together, it's somewhat difficult to express support or point out where there might be concerns," she said. "... We just can't tell. There's something hidden that we can't see."

Lunsford said the reason for keeping the second piece of the site open is economic frugality. The county paid \$6.192 million for the 12.8-acre parcel of land. The \$25.5 million police station would take up 33,000 square feet of the land, not including the space needed for parking.

"The county paid a lot of money for this particular piece of land, and we can show easily that two county functions fit on the acreage," he said. "It seems to me that it would be wasteful not to use the land that the county already purchased if we can meet the *requirements of the board in terms of [forest] buffers."

The county has lost time and money by the required redesign of the project, Lunsford said. Engineers need to reorient the plans for the building because the topography—the slope of the land and amount of dirt needed to move—is different in its proposed new location. He said he does not believe construction costs will change. Lunsford said he expects the required modifications will tack on three to six months to the construction timeline, pushing the ribbon-cutting back to late fall of 2012.

**Testimony of Elizabeth Molloy
President, Sherbrooke Homeowners Association
In the matter of Mandatory Referral Case No. 2009742-DGS-1
(Third District Police Station)
December 16, 2010**

My name is Elizabeth Molloy. I live at 1116 Heartfields Drive in Silver Spring and currently serve as President of the Sherbrooke Homeowners Association.

I am testifying on behalf of the Sherbrooke Homeowners Association, which was established when the neighborhood was built in 2002 and represents the 49 homes that are located near the intersection of New Hampshire Avenue (MD 650) and Columbia Pike (US 29). It is the most immediate neighborhood to the proposed police station.

Our board does not oppose locating the police station along Milestone Drive. We are appreciative of the changes proposed by the County to its plan. However, we still have a couple of concerns with the plan as currently proposed. Specifically, we are concerned that:

1. The plan provides for an unnamed future development, and
2. The plan provides no path or sidewalk along Sherbrooke Woods Lane extended.

We ask the Planning Board to: (1) require that the conservation easement be recorded in the land records, (2) require the county to build a sidewalk or path along Sherbrooke Woods Lane on one or both sides, and (3) recommend that the county not pursue the unspecified phase 2 project.

I. Concern regarding timing of consideration of proposals.

We continue to be concerned that the County has a second proposal for the property that is not included in the consideration today. If both proposals are not to be considered together, then there should be no limits due to any future plans on decisions regarding the placement and other aspects of the police department proposal.

In September, the county held a meeting at the East County Services Center where they outlined the revised plan before you today. While we appreciate the adjustments the County has made in response to our concerns, we still have concerns with the project identified as "Phase 2" on the remaining 2.1 acres of this site. In the plans, directly east of the police station, there is reference to a "parking deck" and a "county building." While the county has not put anything in writing about this, some county officials have spoken of a possible six-story county office building at this location to house the Department of Health and Human Services (see Gazette article dated July 28, 2010 attached to Mr. Wides' testimony).

As this September meeting, the County representatives did not share any additional information about Phase 2 of the project. Community residents and civic

association representatives cautioned the county about proceeding with a tall office building at this location given that it would conflict with the current zoning for this location, its incompatibility with nearby single family homes, and the significant amount of peak traffic it would generate in an area whose roads are currently well over capacity.

While this "Phase 2" project is not currently before the Planning Board, we are concerned because an office building at this location would not be compatible with current zoning or the Master Plan. It is disturbing that the County continues to pursue approvals for a mandatory referral based on the acquisition of the site "for the purpose of relocating the Third District Police Station" and then plans to slip in an office building on the same site.

When discussing the police station, great care was taken to note that the shift changes would occur during off-peak commuting hours. The same cannot be said for the arrival and departure times of employees at a county office building. That the County is contemplating an office building of this magnitude that would require construction of a multi-story parking facility displays a disregard for the traffic congestion this project would cause when cars attempt to exit Milestone Drive at New Hampshire Avenue or U.S. 29 at rush hour.

We would recommend that the county abandon any ideas for future development of these remaining 2.1 acres and instead use this acreage for forest conservation related to other county projects being developed in the Paint Branch Watershed.

II. Concern regarding the lack of walkway along Sherbrooke Woods Lane

Currently, there is no sidewalk on either side of Sherbrooke Woods Lane extended (also known as Seton Drive). People who are coming from the apartments or shopping center across Columbia Pike walk in the street on their way to the library or other destinations along New Hampshire Avenue. It will become more dangerous with police vehicles leaving from the parking lot onto this street. Due to the fact that it will become more dangerous, we believe it is appropriate for the County to include a sidewalk (or permeable walkway) on one or both sides of the street to encourage walkers to stay out of the street. We would ask that the sidewalk(s) connect to our neighborhood sidewalks. If it is only one, we would ask that the County bring the existing sidewalk on the opposite side of the street to the street edge to encourage people to cross over and use the new sidewalk.

V. Conclusion

To that end we would like the planning board to: (1) require that the conservation easement be recorded in the land records, (2) require the county to build a sidewalk or path along Sherbrooke Woods Lane on one or both sides, and (3) recommend that the county not pursue the unspecified phase 2 project.

Thank you for your consideration of our views.