



United Therapeutics, 1101 Spring Street, Adequate Public Facilities Test No. APF201701



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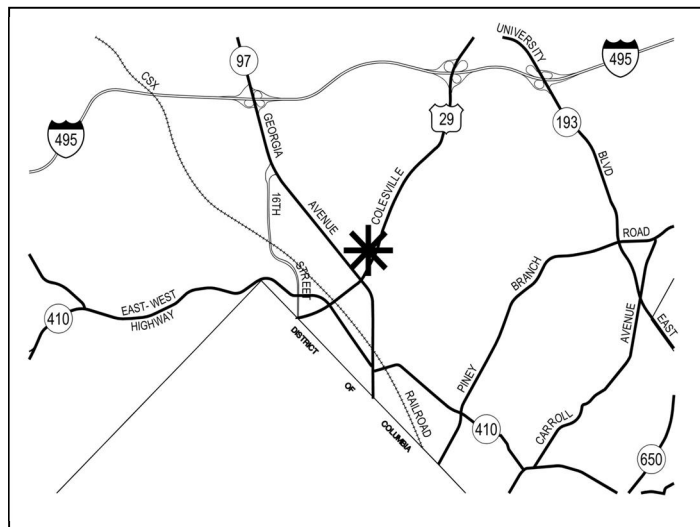


Robert Kronenberg, Chief, Area 1 Division, robert.kronenberg@montgomeryplanning.org

Completed: 1/26/2017

Description

- Request for an Adequate Public Facilities determination for a standard-method development with 20,000 square-feet of office use on a platted lot, under County Code Section 8-31(b), Article IV;
- 0.20 acres (8,696 square feet) of recorded parcel, zoned EOF-3.0 H-100;
- Located at 1101 Spring Street, Silver Spring;
- 2000 *North and West Silver Spring Master Plan* and the Silver Spring/ Takoma Park Policy Area;
- Applicant: United Therapeutics Corporation;
- Filing Date: Nov 28, 2016.



Summary

- Staff recommends approval with conditions.
- This review is limited to the transportation Adequate Public Facilities (APF) determination only. The Property is a recorded lot created by Plat number 713 recorded in 1936. A Site Plan will not be required because the Project will occur under the standard method of development and the Property does not abut or confront residential or agricultural land.

STAFF RECOMMENDATION: Approval subject to the following conditions:

- 1) This APF determination is limited to a maximum of 20,000 square feet (gross floor area) of office use or similar employment land uses with the same or fewer projected peak hour trips.
- 2) Prior to release of building permit for new construction, the Applicant must make the Transportation Policy Area Review (TPAR) payment to Montgomery County Department of Permitting Service (MCDPS) equal to 25% of the applicable development impact tax. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code.
- 3) The Applicant must provide one short-term bicycle parking space ("inverted U" rack or similar) and three long-term bicycle parking spaces as required by the Zoning Ordinance Section 59.6.2.4.c. The bicycle parking spaces will be located on property owned by the Applicant within the United Therapeutics campus as shown in Attachment 3.
- 4) The Adequate Public facility ("APF") review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board Resolution.

SITE AND PROJECT DESCRIPTION

The Property is located at 1101 Spring Street in Silver Spring (Figure 1) and is zoned EOF-3.0 H-100. The site comprises the entirety of a recorded lot, Lot 6 Block 1, on Record Plat No. 713 "Griffith's Addition to Woodside," approved 1936. (Attachment 1)

The Applicant has requested an Adequate Public Facilities (APF) determination for the proposed 20,000 square feet of office use under County Code, Article IV, Section 8-31(b), to obtain a building permit. The 20,000 square foot office building will be under 1.0 FAR, and will therefore be developed under the standard method of development pursuant to Section 4.6.3 of the Zoning Ordinance.



Figure 1: Aerial view of the site

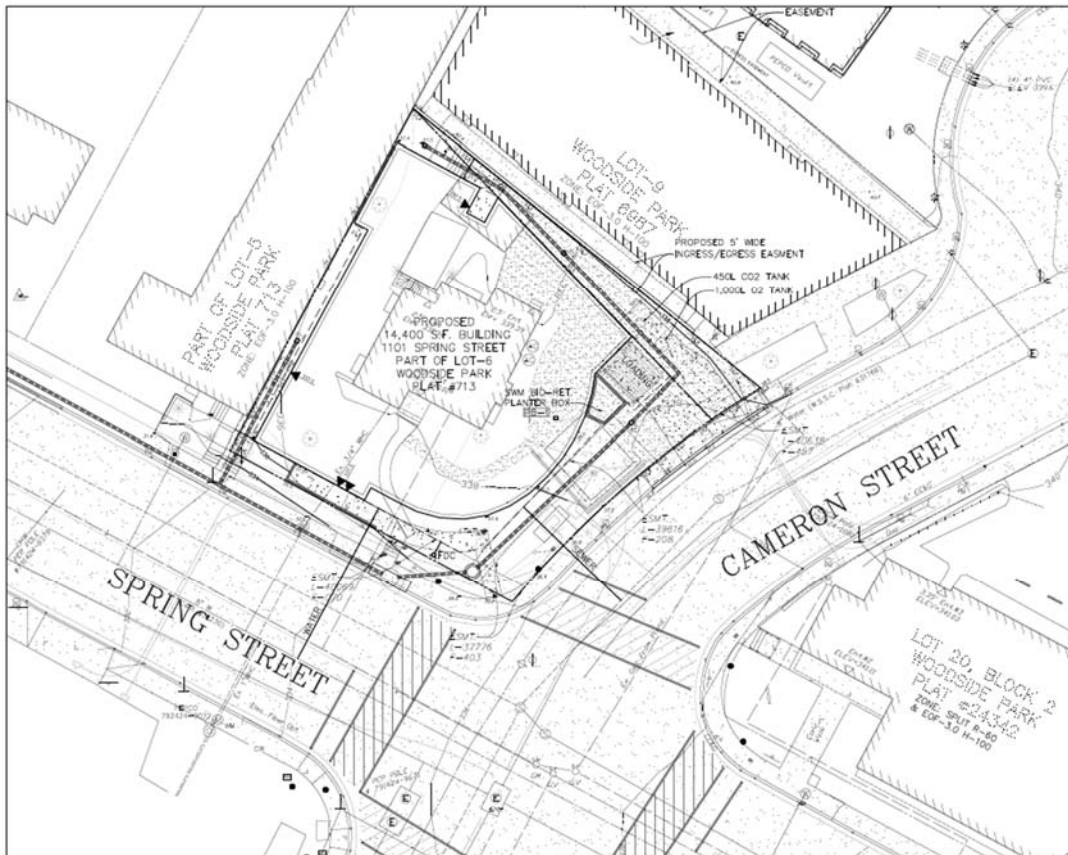


Figure 2: Proposed Development Plan

ANALYSIS AND FINDINGS

The Project will be developed under the standard method of development (under 1.0 FAR in an EOF zone). Since general office is a permitted use in this zone and the Property does not abut or confront residential or agricultural land, it does not require site plan review (Section 7.3.4A.8). Furthermore, the school APF test is not applicable as the Property will not contain any residential use and will not impact school capacity.

The proposed use is a medical/scientific manufacturing and production facility, which is permitted in the EOF zone. This use is estimated to have the same trip generation as a similar office building within the Silver Spring CBD, therefore the standard Local Area Transportation Review (LATR) office trip generation rates were applied. Mathematically the proposed size of this use is estimated to generate 28 trips in the AM and PM peak hours, however for the purpose of this study, the use was estimated to generate 30 peak hour trips in the morning and evening. As a result, the applicant submitted a traffic study in accordance with the 2013 LATR Guidelines.

Master-Planned Roadways and Bikeways

The 2000 Approved and Adopted *North & West Silver Spring Master Plan* includes on-road bikeway facilities along the following streets:

- a. Spring Street
- b. Cameron Street
- c. Woodland Drive
- d. Alton Parkway

While the site is not located within the boundaries of the Central Business District, the *2000 Silver Spring Central Business District Plan* includes the following descriptions of planned bikeway facilities near the site:

- e. Spring Street: an Arterial roadway (A-263) with master planned on-street bikeway (PB-10) located along the northern site frontage, between Cameron Street and Colesville Road, with a minimum right-of-way of 100 feet, and
- f. Colesville Road (US 29): a Major Highway (M-10) located along the eastern site frontage, between Spring Street and Fenton Street, with a minimum right-of-way of 120 feet.

Development Standards

This review is limited to determination of Adequate Public Facilities for transportation. The Montgomery County Department of Permitting Services (MCDPS) will determine the Project's compliance with the applicable development standards of the zone at the time of building permit.

Available Transit Service

The site is within a 10-minute walk of the Silver Spring Metrorail/ MARC Station, which is located approximately 2,800 feet (just over a 1/2 mile) away. In addition to the Metrorail Station, the site has pedestrian access to bus stops located on Spring Street, Colesville Road, and Georgia Avenue

that are served by Montgomery County RideOn and WMATA transit services. The routes and providers are listed below:

1. RideOn Bus Routes 8, 9, 12, 13, 14, 21, 22, and the VanGo Shuttle operate within the vicinity of the site.
2. WMATA Metrobus Routes Z2, Z6, Z7, Z8, Z9, Z11, J5, Q1, Q2, Q4, Y2, Y7, and Y8.
3. Maryland Transit Authority Commuter Bus 915 and 929.

The 2013 *Countywide Transit Corridors Functional Master Plan* includes recommendations for a Bus Rapid Transit (BRT) station two blocks from the site on Georgia Avenue (Georgia Avenue South/ Corridor No. 2) and a station one block from the site at the intersection of Colesville Road/ Fenton Street (US 29/ Corridor No. 9).

Pedestrian and Bicycle Facilities

There is an existing variable width sidewalk (minimum width 5 feet) adjacent to the curb along the Property's Spring Street and Cameron Street frontage. The current sidewalk meets requirements set forth in Chapter 49 of the County Code (The Road Code).

The Montgomery County Department of Transportation is in the engineering phase of the Spring Street Separated Bike Lane project, which will implement a high-quality separated bicycle facility on Spring Street, between 16th Street (MD 390) and Colesville Road (US 29). Construction of this bicycle facility will contribute to the larger Silver Spring Separated Bicycle Network and will not be precluded by the Subject Application.

Bicycle Parking

The Applicant is required to provide a minimum of four short-term bicycle parking spaces for every 5,000 square feet of office, 85% of which must be long-term. Therefore, the site is required to provide three long-term bicycle parking spaces and one short-term bicycle parking space. MCDPS will review the bicycle parking type and location for compliance with County standards at the time of building permit.

Vehicular Parking

The proposed office building footprint displaces all existing on-site surface parking spaces and the Applicant is not proposing new parking on-site. For the EOF zone, the Applicant is required to provide two on-site parking spaces for the proposed office use in accordance with Section 59.6.2.4.B of the Zoning Ordinance. As this site is located within a Parking Lot District, the Applicant is not required to provide parking on-site. Employees and visitors will be able to use spaces available in parking garages on the United Therapeutic Silver Spring Campus or the nearby County Parking Garage 2.

Determination of additional peak-hour trips

The table below shows the estimated number of weekday peak-hour trips to be generated within the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.):

| Square Feet | Land Use | Weekday Peak-Hour Trips | | | | | |
|-----------------------------|---------------------|-------------------------|-----|-------|---------|-----|-------|
| | | Morning | | | Evening | | |
| | | In | Out | Total | In | Out | Total |
| Proposed 20,000 square feet | Office ¹ | 25 | 5 | 30 | 5 | 25 | 30 |

Based on the table above, the Project is estimated to generate 30 new trips in both the morning evening peak-hour.

Policy Area Review

At the time of building permit, the Applicant will be required to pay 25% of MCDPS's development impact tax to satisfy Transportation Policy Area Review (TPAR) test because the Property is in the Silver Spring/Takoma Park Policy Area where both the transit and roadway capacities are inadequate. The amount and timing of payment will be determined by the MCDPS.

Other Public Facilities and Services

Other public facilities and services are available and adequate to serve the proposed use. Water and sewer categories are appropriate and there is adequate capacity for the proposed use. Other public facilities and services, such as police stations, firehouses, and health services are operating per the Subdivision Staging Policy resolution currently in effect and will be adequate to serve the property. Electrical, telecommunications, and gas services are also available to serve the property.

Environmental Requirements

The Project will be subject to a sediment control permit; however, the Property is well under the 40,000 square foot threshold noted in Section 22A-4. b. Forest conservation law is not applicable to the Project, since the proposed activity does not meet any of the applicability triggers referenced in the forest conservation law.

Community Outreach

This Application has met all posting and noticing requirements.

CONCLUSION

The Application meets all requirements established under County Code Section 8-31(b). As conditioned, transportation and other public facilities and services are adequate to serve the proposed development. Therefore, Staff recommends approval of the APF determination with the conditions specified in this report.

¹ Office uses within the Silver Spring CBD are estimated to generate 28 AM and PM peak hour trips. For the purpose of this study, the site is estimated to generate 30 trips in both the morning and evening peak hours.

ATTACHMENTS

Attachment 1 – Parcel 6, 1936 Record Plat 713

Attachment 2 – Applicant's Justification Statement dated November 23, 2016

Attachment 3 – Exhibit showing location of approved Bicycle Parking on United Therapeutics
Campus

1
2
3
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PLAT NO. 712

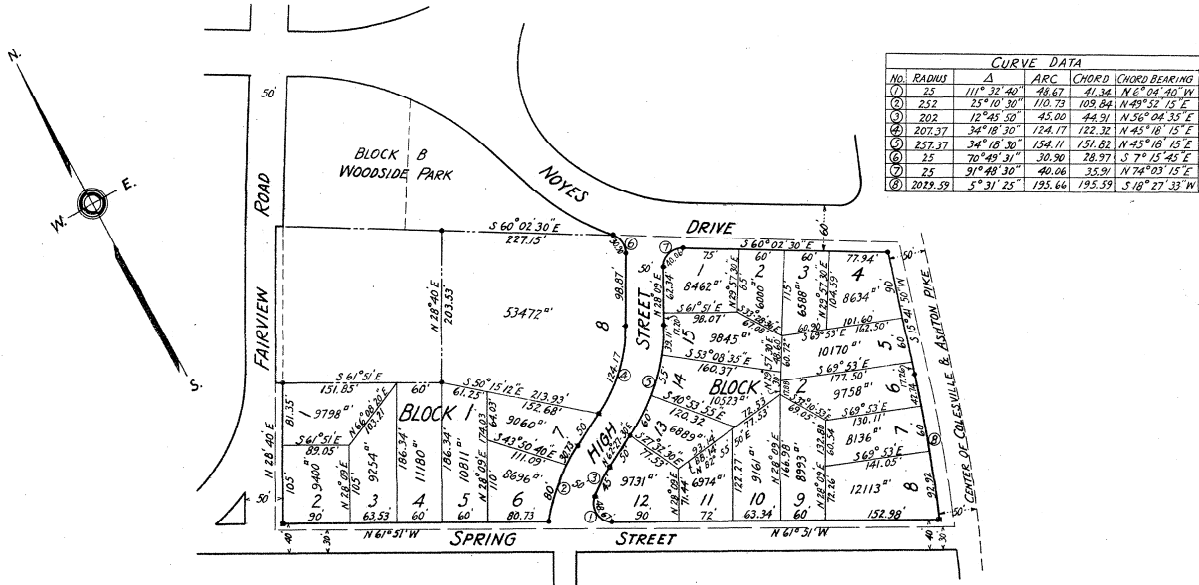
Griffith's Addition To WOODSIDE PARK MONTGOMERY COUNTY, MARYLAND

JULY 1936
SCALE: 1"=100'

JOSEPH N. STARKEY
CIVIL ENGINEER
SILVER SPRING, MD.

WASHINGTON SUBURBAN SANITARY DISTRICT
APPROVED JULY 27, 1936
AS TO SUITABILITY FOR WATER AND SEWER
Stanley H. Lee
CHIEF ENGINEER

MARYLAND NATIONAL CAPITAL PARKS & PLANNING COMMISSION
APPROVED: JULY 24, 1936 *Lee P. Palmer*
DATE: *July 24, 1936*
CHIEF ENGINEER: *Stanley H. Lee*
SECRETARY: *James J. Jones*
M.N.C.P.R.C. RECORD FILE NO. 565



ENGINEER'S CERTIFICATE

I, Joseph N. Starkey, hereby certify that the plan shown hereon is correct; that it is a subdivision of all of the lands conveyed by William W. Grier and Alice E. Grier, his wife, to Howard Griffith by deed dated July 12, 1921, and recorded in the Land Records of Montgomery County, Maryland, in Liber 308 of Folio 183; and that stones marked thus ■ and iron pipe marked thus • have been placed as indicated.

July 24, 1936

Joseph N. Starkey
JOSEPH N. STARKEY

OWNER'S DEDICATION

We, Howard Griffith and Elizabeth P. Griffith, his wife, owners of the property shown and described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction lines and dedicate the streets to public use.

There are no suits of action, leases, liens or trusts on the property included in this plan of subdivision.

Witnessed:

Date: July 24, 1936

J. L. Domesville

J. L. Domesville

Howard Griffith
HOWARD GRIFFITH

Elizabeth P. Griffith
ELIZABETH P. GRIFFITH

FILED
JUL 25 1936



Memorandum

To: Matthew Folden, AICP
M-NCPPC – Area 1 Transportation

From: Edward Y. Papazian, P.E. *EYP*

Date: November 23, 2016

Subject: **1101 Spring Street**
Transmittal of Traffic Study

This memorandum serves as the transmittal to the traffic impact study for the proposed redevelopment of 1101 Spring Street in the Silver Spring Central Business District (CBD).

The property is located along the north side of Spring Street at the intersection of Cameron Street and Spring Street. The project involves the development of approximately 20,000 square feet of manufacturing space for United Therapeutics (UT) Oncology Program. This space is located on three floors above grade and in the cellar. The property contains a former residence (single family home) that is currently used as office space. The proposed development does not add to the total employment at the UT Campus. However, this traffic study was prepared to allow for maximum flexibility in the event the building use was modified to house office space.

This traffic study was prepared to satisfy the transportation requirements of the Adequate Public Facilities Ordinance (AFPO) for the building permit for this proposed development.

The area intersections will operate within the congestion standard for the area. As a result, the Local Area Transportation Review (LATR) requirements of the AFPO are satisfied. In addition, the Transportation Policy Area Review (TPAR) test for development in the Silver Spring CBD policy area is satisfied. This policy area is exempt from the transit adequacy test and is adequate under the roadway test. On this basis, this development satisfies the transportation requirements of the AFPO.

