



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Office of the Chairman, Montgomery County Planning Board

MCPB
ITEM #6
1/27/05



MEMORANDUM

DATE: January 21, 2005

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Development Review Division

FROM: Catherine Conlon, Acting Supervisor (301-495-4542) *CC*
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: 500,000 gross leasable square feet addition to the existing 1,242,172 square-foot shopping mall

PROJECT NAME: Westfield Shoppingtown Montgomery, Parcel A

CASE NO. 1-05018

REVIEW BASIS: Pursuant to Chapter 50, the Subdivision Regulations and Chapter 59, the Zoning Ordinance

ZONE: C-2

LOCATION: In the northeast quadrant of the intersection of Democracy Boulevard and Westlake Drive

MASTER PLAN: Potomac

APPLICANT: Montgomery Mall LLC

ATTORNEY: Furey, Dolan & Abell, LLP

ENGINEER: Dewberry and Davis

HEARING DATE: January 27, 2005

Staff Recommendation: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to an increase of 500,000 square feet of gross leasable area (sf gla) for a maximum of 1,742,172 sf gla of general retail uses including a multi-screen movie theater and a future hotel.
- 2) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan unless otherwise designated on the preliminary plan.
- 3) The applicant shall construct all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition.
- 4) No clearing, grading or recording of plats prior to site plan signature set approval.
- 5) Final approval of the number and location of buildings, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
- 6) Dedicate additional right-of-way for 45-feet from the centerline of Westlake Drive and Westlake Terrace in accordance with the *Potomac Master Plan*, which requires a total of 90 feet for this roadway. Provide proper right-of-way truncation at the Westlake Drive and Westlake Terrace intersection.
- 7) Construct a ten-foot-wide shared use path along Democracy Boulevard, extending from Westlake Drive to edge of previous SHA path improvements near I-270 West Spur. Make a good faith effort to negotiate with the adjoining property owner of the automobile filling station located in the southwest corner of the Mall to reconstruct the existing pedestrian path to provide for a ten-foot-wide shared use path along Westlake Drive and Democracy Boulevard.
- 8) Construct an eight-foot-wide shared use path on the east side of Westlake Drive with at least a two-foot-wide setback from the curb, extending from Democracy Boulevard to Westlake Terrace.
- 9) Upgrade the existing bike lanes on the south side of Westlake Terrace at the Mall access point/Auto Park Avenue where the existing eastbound right-turn lane is to be reconstructed.
- 10) Construct seven-foot-wide concrete sidewalks along Westlake Terrace from Westlake Drive to the east side of the Mall access point/Motor City Drive.
- 11) Satisfy Local Area Transportation Review by constructing the following intersection improvements:
 - a. Add a northbound and a southbound right-turn lane from Seven Locks Road to

Democracy Boulevard.

- b. Reconfigure the existing right-turn lane on eastbound Tuckerman Lane at Seven Locks Road into a combination of right and through lane that would provide two through lanes.
 - c. Reconfigure the two-lane southbound Westlake Drive approach at Democracy Boulevard to an exclusive right-turn lane and a combination right, through, and left lane (i.e., instead of the current combination right, through, and left lane and exclusive left-turn lane).
- 12) Place in reservation for future dedication of a 35-foot-wide transitway right-of-way (additional to the requirements of the right-of-way for this road as recommended in the North Bethesda-Garrett Park Master Plan) along Westlake Terrace from I-270 West Spur leading to the location of the relocated transit center in northeast corner of the Mall east of Motor City Drive. The 35-foot-wide transitway right-of-way west of Motor City Drive along Westlake Terrace is no longer needed where the right-of-way may differ from the specific language in the master plan but remains consistent with its intent.
 - 13) Relocate existing transit center and associated park and ride spaces, and provide necessary non-automobile transportation amenities to promote transit and bicycle use. Exact location and design of center, and appropriate amenities, shall be determined at site plan. Prior to release of any building permits for the proposed development, the applicant shall enter into an access easement agreement with DPWT and WMATA to provide access for transit vehicles to and from the relocated transit center.
 - 14) Prior to the release of any building permits for the proposed development, the applicant shall enter into a Traffic Mitigation Agreement (TMA) with the Planning Board and DPWT to participate in the North Bethesda Transportation Management District as a large non-residential development within its boundary. Participation would assist in achieving and maintaining the traffic mitigation goal for Stage 2 of 39% non-auto-driver mode share for employees.
 - 15) Prior to release of any building permits for the proposed development, the applicant shall modify the Memoranda of Understanding begun in 1984 with subsequent amendments with the Montgomery County Department of Permitting Services (DPS) to:
 - a. Continue to provide 300 off-site employee parking spaces during the peak holiday shopping period from Thanksgiving to Christmas.
 - b. Obtain a waiver of the required parking ratio to reduce it to 4.5 parking spaces per 1,000 sf gla, as part of site plan approval.
 - 16) Access and improvements, as required, to be reviewed and approved by MCDPW&T prior to recording of plat(s).

- 17) Compliance with the conditions of approval of the MCDPW~~T~~ letter dated January 20, 2005, unless otherwise amended.
- 21) No clearing, grading or recording of plat(s) prior to site plan approval.
- 18) Compliance with the conditions of the MCDPS stormwater management concept approval dated June 1, 2004.
- 19) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 20) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for one hundred forty-four (144) months from the date of mailing of the Planning Board opinion.
- 24) Other necessary easements.

SITE DESCRIPTION and SURROUNDING AREA:

Montgomery Mall is located on the eastern edge of the Potomac Subregion abutting the West Spur of I-270 and confronting the Rock Spring Corporate Office Park. It is connected to Rock Spring Park by Democracy Boulevard and by Westlake Terrace/Fernwood Road and is served by two freeway interchanges (see Attachment A). The property is zoned C-2 (General Commercial) and confronts multi-family housing in the R-20, R-30 and RH zones on the west side of Westlake Drive, and C-2 development on the north side of Westlake Terrace.

RELATIONSHIP TO THE POTOMAC MASTER PLAN

The 2002 Approved and Adopted Potomac Subregion Master Plan confirmed the existing C-2 zoning for the Mall and supported existing recommendations for the North Bethesda Transitway, which is proposed to connect Montgomery Mall via Rock Spring Park to the Grosvenor-Strathmore Metrorail station. The Subregion Master Plan specifically recommends a multi-modal transit center at the western terminus of the planned North Bethesda Transitway near Montgomery Mall. The Montgomery Mall plan comports with the Master Plan recommendation regarding the transit center location.

The Master Plan also recommended the expansion of the existing bikeway system within the Subregion to accommodate the greatest number of users, the building of Class I bikeways wherever possible, and the construction of a Class I bikeway on Democracy Boulevard. The Montgomery Mall plan proposals for Democracy Boulevard, Westlake Drive and Westlake Terrace are in accord with the Master Plan recommendations in this regard.

PROJECT DESCRIPTION

This application proposes to add 500,000 square feet of gross leasable area (sf gla) to the existing mall for a maximum of 1,742,172 sf gla of general retail uses including a multi-screen movie theater and a future hotel (see Attachment C). A site plan pursuant to §59-D-3 is concurrently being reviewed for this project. The future hotel is not included in this site plan. A site plan amendment will need to be submitted and approved to determine exact location of the future hotel and the appropriate amount of associated parking.

TRANSPORTATION:

Staff concludes that the subject preliminary plan will provide safe and adequate access for vehicles and pedestrians.

Site Location and Vehicular Access Points

The site is located within the area bordered by the I-270 West Spur to the east, Democracy Boulevard to the south, Westlake Drive to the west, and Westlake Terrace to the north. The current vehicular access points consist of:

- Democracy Boulevard: One Mall exit only onto eastbound and westbound Democracy Boulevard and one westbound right-turn entrance only.
- Westlake Drive: Three full-movement access points.
- Westlake Terrace: Two full-movement access points opposite Auto Park Avenue and Motor City Drive.

There are no direct access points from I-270.

The preliminary plan includes the following changes:

- The northern-most full-movement access point from Westlake Drive would be closed to reduce conflicting turning movements from the adjoining shopping center.
- A new right-turn-only for transit vehicles is proposed from the transit center to eastbound Westlake Terrace.

Transit Facilities

The existing transit center is located in the northwest side of the Mall with three bus bays and an adjacent commuter parking area with 250 spaces. The existing transit center is served by Metrobus routes J-1, J-2, J-3, & N-7 and Ride-On routes 6, 26, 38, 47, & 96. The transit center currently experiences the second highest ridership in the County for a non-Metro Station location. Twenty-eight buses per hour during peak periods currently enter and exit the station. DPWT estimates that by 2025, the number of buses will increase to thirty-eight buses with no rail connection and forty-three with a future rail connection. The relocated transit center

included in this plan should have three more bus bays for a total of six bays to adequately serve the projected number of buses and their anticipated frequencies.

North Bethesda Transitway

The *Potomac Subregion Master Plan* and the *North Bethesda/Garrett Park Master Plan* recommend designation of a 35-foot-wide right-of-way for a transitway on the south side of Westlake Terrace from the I-270 west spur to Westlake Drive with a station terminus on the mall property. The station was originally envisioned to be located in the northwest corner of the Mall. DPWT staff requested that the transit center be relocated in the northeast corner to provide a better connection to a potential future Transitway/Metrorail link to northern Virginia along I-270 and I-495. As a result, the County is not requiring the 35-foot right of way transitway along Westlake Terrace from Motor City Drive to Westlake Drive.

The Mall was approved for an expansion in 1990 as a registered "loophole property" that included paying a required Transportation Improvements Fee. Part of that fund was used to design and construct the existing transit center as specified in the Local Area Transportation Review Exemption Agreement dated January 26, 1990. The new, relocated transit center would be constructed by this applicant in the northeast corner of the site adjacent to I-270 as a master-planned element.

North Bethesda Transportation Management District (TMD)

This site is located within the boundary of the North Bethesda TMD but outside the North Bethesda/Garrett Park Planning Area. The applicant of this non-residential development would be required to submit a traffic mitigation plan for the North Bethesda TMD, pay the Transportation Management Fee to the North Bethesda TMD (i.e., upon County Council reestablishment of that fee), and participate in the following:

1. Conducting the employee surveys.
2. Appointing a transportation coordinator.
3. Promoting alternative transportation modes to employees on the site.

Participation by the applicant in this effort will assist them in achieving and maintaining the Stage II goal of 39% non-auto-driver mode share for employees (and 30% non-driver mode-share goal for multi-family residents) within the North Bethesda TMD boundary as recommended in the Master Plan. The Transportation Action Partnership, a private nonprofit organization, operates the North Bethesda TMD under contract to DPWT.

Site-Generated Traffic

Under the *Local Area Transportation Review (LATR) Guidelines*, a traffic study was required to analyze the impact of the site-generated trips on the local transportation network because the existing and proposed expansion of this Mall would generate 30 or more peak-hour trips during the weekday morning and evening peak-periods. The submitted traffic study was

analyzed for the proposed preliminary plan expansion of up to 500,000 sf gla that included 200,000 sf gla for a future hotel.

Total trips include the new trips as well as pass-by and diverted trips. New trips have their origins or destinations at the Mall, while pass-by and diverted trips have different origins and destinations. Pass-by trips occur along the same routes that stop at the Mall, while the diverted trips change their routes to travel to the Mall.

Analysis of Future Hotel included in the Preliminary Plan

The County Council adopted Zoning Text Amendment No.04-20 effective December 14, 2004, that permits a hotel as part of a regional shopping center in the C-2 zone. The peak-hour trips generated by the projected future hotel (247 rooms) would be conservatively less than the trips generated by retail uses of the same square footage. Therefore, the future hotel is covered under the LATR approvals of this preliminary plan.

Congestion Levels at Nearby Intersections

The traffic study analyzed twelve nearby intersections to determine the impact of the site-generated trips through them. The total traffic conditions represent the site-generated trips added to the existing and background traffic (i.e., trips from approved, but not-fully-built-out developments). The results of the congestion analysis demonstrate that three intersections would operate above the applicable Critical Lane Volume (CLV) congestion standards (see Attachment C for Transportation Planning letter with full details of this analysis). Intersection improvements being required as part of the preliminary plan will provide additional capacity that reduces the CLV values in the total traffic condition below the applicable CLV congestion standard of 1,475.

Policy Area Transportation Review

Policy Area Transportation Review is not applicable for the Potomac Policy Area because its development capacity is controlled by zoning and water and sewer constraints under the *FY 2005 AGP* and earlier versions of the *AGP*.

ENVIRONMENTAL:

Forest Conservation

There is no existing forest on the property and no feasible location for planting forest to meet the 8.59 acre afforestation requirements. Therefore, the requirement will be met by a combination of off-site afforestation (or purchase of forest bank credits) and on-site landscape credit.

CONCLUSION:

Staff's review of Preliminary Plan #1-05018, Westfield Shoppingtown Montgomery, indicates that the plan conforms to the recommendations of the Potomac Master Plan. The proposed preliminary plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations, in that public facilities will be adequate to support and service the area of the proposed subdivision. As such, Staff recommends approval of the preliminary plan with the specified conditions.

Attachments:

Attachment A – Site Vicinity Map

Attachment B – Preliminary Plan

Attachment C – Transportation Planning Letter