

**CITY OF ROCKVILLE PLANNING DIVISION  
STAFF REPORT**

July 21, 2005

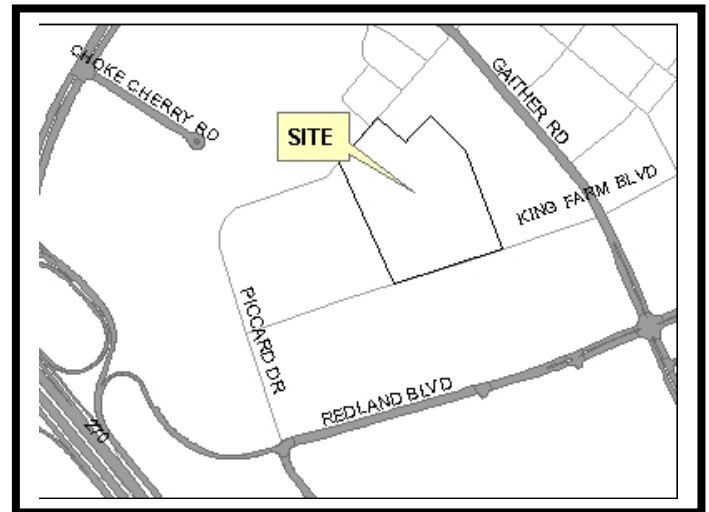
**SUBJECT:** Detailed Application  
CPD2005-002AL for  
Comprehensive Planned  
Development CPD1995-0002,  
King Farm

**Applicant:** King Farm Associates  
8330 Boone Boulevard  
Vienna, VA 22182

**Owner:** King Farm Associates, LLC

**Date Filed:** April 12, 2005

**Location:** A portion of the King Farm  
development within the Irvington  
Centre, west of Gaither Road, between King Farm Boulevard and Piccard Drive.



**REQUEST:**

The applicant seeks Detailed Application approval for three senior housing buildings with a total of 1,200,000 square feet and a height of up to 10-stories (approximately 119 feet), and related underground parking. The building is located on 11.54 acres of land between King Farm Boulevard and Piccard Drive. Total square footage includes independent living, assisted living, nursing units and related recreation and common use facilities.

**PREVIOUS RELATED ACTIONS:**

- CPD95-0002, Concept Plan Application for Comprehensive Planned Development approved by Mayor and Council, July 8, 1996.
- CPD96-002A through CPD2005-002AK, Detailed Plan Applications for Comprehensive Planned Development for Phases I, II and III of the King Farm development. The Planning Commission approved all of the applications.
- Amendment to CPD1995-0002B, to permit up to 1,200,000 square feet of senior housing in place of 1,200,000 square of office building.

## RELEVANT ISSUES

In reviewing the application, the following issues emerged:

- Whether the access drive along the east lot line of the site should be a public or private street built to meet City standards or be a private driveway with a cul-de-sac. Staff and the applicant agreed that the drive should not be public, and considered several options with gates and cul-de-sacs to restrict cut-through traffic. Staff did not consider these to be solutions since there was the possibility of traffic proceeding down the road and having to turn around. Staff suggested and the applicant agreed to provide a through street that would remain private, but would treat the driveway with road narrowing and traffic calming devices so that it does not have the feel of a through street. Staff and the applicant considered this a solution that would reduce the potential for cut-through traffic. In addition, the applicant will provide landscaping on both sides of the drive to make it look less like a public street.
- Publicly Accessible Art in Private Development. The applicant has stated that they are exempt from this requirement since they are a non-profit. Staff has asked the applicant to submit the required paperwork for staff to analyze whether or not they qualify for the exemption. Staff has added a condition for the Public Art in Private Development and in the event staff determines that the applicant is exempt from this requirement, the condition will become void.
- Subdivision of Property. The applicant has filed a final record plat for this site (PLT2005-0448). The applicant is requesting to divide the property into three record lots, shown on the Detailed Application as "Phase lines." Since the access drive along Phase I and IIA is considered private, the lot containing Phase IIA does not have any frontage on a public street. Staff recommended the applicant amend the phase lines shown on the site plan because the Detailed Application acts as a preliminary subdivision plan. This will require amending the Final Record Plat as submitted. Therefore, staff recommends approval of this detailed application provided that the phase lines are modified to create legal lots.
- The pond in the center of the development. The applicant is proposing a pond in the center of the development. This pond will be for aesthetic purposes only. The applicant proposes to have a liner for it and it will be fed with water from Washington Suburban Sanitary Commission (WSSC). The applicant will have to get permission to fill the pond from WSSC.

## ANALYSIS

### Background

In July of 1996, the Mayor and Council approved Concept Plan Application CPD95-0002, thereby authorizing development of the 430-acre King Farm as a major mixed-use development containing up to 3.2 million square feet of office space, 3,200 housing units and 125,000 square feet of neighborhood retail space. The tract is in the O-3, Restricted Office Zone, where a Comprehensive Planned Development is a voluntary optional method of development.

In March 2005, the Mayor and Council approved an amendment to the Concept Plan that would allow for a senior housing complex within the Irvington Centre section of King Farm. The amendment allowed a specific area of the concept plan's land use plan within Irvington Centre, which was designated three to ten stories "office" to be three to ten stories "office" with a note on the land use plan exhibit that states "*alternate location for square footage of 1.2 million square feet of independent living, assisted living, and/or nursing home uses, and related recreational and common use facilities.*" The change from office to senior housing would be done on a one-for-one square footage basis. The proposed total square footage for the senior housing is 1.2 million square feet, which would be in lieu of 1.2 million square feet of office space. In addition, the original Concept Plan permitted office development at this site to be three to ten stories. At the approval of the Concept Plan amendment for the senior housing, the height remained three to ten stories.

### **Property Description and Proposal**

The applicant is proposing a senior housing complex with recreational and common area facilities in the Irvington Centre section of the King Farm development. This proposed senior housing complex would be a maximum of 10 stories (119 feet tall) and comprised of 529 independent units, 53 assisted units and 68 nursing beds. The complex would be built in three phases with the first phase (Phase I), which is the largest, fronting on King Farm Boulevard. All of the buildings would provide below grade parking with each building having an at-grade drop-off area for residents or visitors.

For Phase I, which is the largest phase, the applicant proposes 16 percent of the total building footprint (see Attachment #3) will be 10 stories (119 feet tall) and the remainder of the footprint will be six stories (72 feet tall). The building will face King Farm Boulevard, from which the applicant proposes an entry courtyard. This courtyard will feature a fence with arched entryway, a porte-cochere for drop-off of residents and special pavers with landscaping for the residents to enjoy. In addition, behind the building there will be a terrace that extends the entire length of the building and will overlook the proposed pond. This pond will be the centerpiece of the complex's three buildings, with a walkway connection around it and to the buildings. The pond, which will be built in the first phase, will feature landscaping for the benefit of residents of the complex.

Phase IIA is located on the northeast side of the property and will have frontage on the access drive only. The building will have 61 percent of the total building footprint (see Attachment #3) that is 10 stories (119 feet) and the remainder of the footprint will be six stories (72 feet). The six-story portion of the building will be on the ends and the middle section of the building will be 10 stories. The main entrance for this building will be on the service drive and have a porte-cochere for residents and visitors to use. This building will also have a terrace that extends the entire length of the rear of the building and will overlook the pond in the center of the site.

Phase IIB is located on the northwest portion of the site and has frontage along Piccard Drive. The portion of the building that is located along Piccard Drive will be six stories tall with a seventh floor that is set back further than the floors below it. The height for the six stories is approximately 72 feet and the height for the seven stories is approximately 80 feet. The other

portion of the building, which is located along the side property line, will be 10 stories tall (119 feet). The 10 story portion of the building will be 44 percent of total building footprint (see Attachment #3) and the remainder will be the six/seven story portion of the building. The main entrance for the building will be on Piccard Drive and the applicant proposes another porte-cochere for use by residents and visitors of this building and a parking garage entry. This building will also have a terrace that extends the entire length of the rear portion of the building.

### **Architecture**

The building will be constructed with three types of masonry with definition of limestone at the first floor and the top floor of the building and a hip metal roof. The applicant proposes a brick that is red colored masonry ("Continental 570 brick") with a range of blacks and grays so that it would appear not as a solid color. The brick would also have a textured face. In addition, the applicant proposes a simulated limestone that is an off-white material and a pre-finished slate colored metal roof.

As required by the Resolution of Approval of the Concept Plan, the Mayor and Council were presented with the schematic design proposals for the buildings and site layout at their meeting on July 18, 2005. The Mayor and Council asked that the Planning Commission pay attention to the large blank wall along the street, which would not be the most attractive pedestrian experience.

### **OFFICE OF THE COMMUNITY ARCHITECT**

The community Architect provided comments, which are attached (Attachment #1). The Community Architect stated that *"the proposed palette of materials are compatible and will complement the limestone colored precast materials found on the existing Irvington Center buildings and complement the brick masonry found in the surrounding residential buildings."*

### **TRANSPORTATION**

#### **Traffic**

In accordance with the transportation improvement plans that were approved during the Concept Plan Phase, all off-site improvements will be at the cost of the developer, and will come out of the \$1.25 million set-aside during the Concept Plan for these improvements.

The applicant constructed Piccard Drive to be connected to Gaither Road so that vehicles leaving the office buildings can access Choke Cherry Road and ultimately reach Shady Grove Road and I-270. The entire length of Piccard Drive from King Farm Boulevard to Gaither Road was approved by the Planning Commission through two Detailed Applications. This section of road needs the final surface layer for the road to be finished.

In addition to these physical improvements, the Chief of Planning has approved a Transportation Demand Management Program (TDM) with input from the Planning Commission. The TDM was required by the Resolution of Approval for King Farm.

## **Trip Generation**

At the public hearing for the amendment to the Concept Plan, the applicant's attorney discussed the number of trips generated by office versus senior housing. The attorney stated that they used their "*prototype of senior housing...[that] utilize[s] approximately a million-two square feet*" to determine the anticipated trips for the senior housing. Their attorney stated "*for that particular program (prototype program), there is a reduction from 1,872 expected a.m. trips (for the office building) to 42 (for the senior housing prototype). In the evening peak, there is under the office, 1,788 expected trips (for the office building)... and there would be a reduction down to approximately 119*" trips (for the senior housing prototype). While this project generates trips by staff and residents, the vast majority of these trips occur during off peak hours. In addition, staff compared the trip generation statistics given by the attorney to the *Local Area Transportation Review* book published by Maryland National Capital Park and Planning Commission and adopted July 1, 2004. Staff found the trip generation statistics are consistent with the applicant's statement.

## **Parking**

The applicant is proposing underground parking and some surface parking along the private drive located along the eastern portion of the site. There will be a maximum of 782 parking spaces below the buildings. Each building will have its own required parking. Additionally there will be parking spaces on the private drive. These spaces will be perpendicular and parallel to the drive with a total of 24 spaces, including two handicapped spaces.

## **Pedestrian Access and Bicycle Paths**

Pedestrian access will be provided from King Farm Boulevard and Piccard Drive, and through the interior of the site. Bike access will be provided from these streets as well. In addition, the parking garage will contain bicycle parking as necessary to accommodate residents, staff and visitors.

## **Transit**

The City is working with the applicant and Montgomery County to create the most functional bus transit routes through the community. The King Farm shuttle that services the King Farm Community will serve this site.

## **STORMWATER MANAGEMENT**

Ingleside at King Farm is located within a sub watershed of Watts Branch. Ingleside will drain to Irvington and Gaither Ponds, which were originally designed to provide one-year and 10-year quantity control, and one-half inch of water quality treatment. These ponds were constructed prior to the final design of most of Phase II and Phase III of King Farm and as such, drainage areas, land use and stormwater management regulations have changed since they were constructed.

The *Stormwater Management Concept Plan* (referred to as "SWM Concept Plan"), as presented by this application, appears to indicate that Irvington pond has sufficient capacity to provide one-inch of water quality treatment and one-year and 10-year control for the portion of Ingleside that drains

to it. The Concept Plan indicates that one-inch of water quality treatment and 10-year control can be provided in Gaither Pond for the portion of Ingleside that drains to this pond. It was noted in the SWM Concept Plan that further reduction of the one-year control can be provided in Gaither Pond if required. Staff has requested and provided a condition (Condition #14) that the applicant modify the two ponds in order to bring them into conformance with latest stormwater management regulations. Additionally, in accordance with the MDE regulations for quality, the applicant proposes on-site infiltration trenches that will provide stormwater recharge and pretreatment of water quality for this site, to be achieved using hydrodynamic separators on-site prior to discharging to Irvington and Gaither ponds.

The *Stormwater Management Concept Plan* is found to be acceptable providing additional control of the one-year storm event is provided in Gaither Pond. As the final design of Irvington and Gaither ponds was completed prior to final design of Phase II and III of King Farm, an in-depth review of the drainage areas discharging into these ponds will be performed during the detailed engineering review of the proposed retrofits. This in-depth review will ensure that the proposed changes will provide adequate treatment. Staff has added a condition (Condition #6) to have a detailed analysis of the Irvington and Gaither Pond drainage areas as part of the engineering submittal.

### **DECORATIVE POND**

The decorative pond located in the central courtyard of the proposed development has a very small drainage area and as such is not likely to retain water. It is being proposed that a connection to the potable water system in the area be used to maintain water levels in this pond. The Washington Suburban Sanitary Commission (WSSC) owns the water distribution network in the area, and their approval will be required for this connection. The applicant did not indicate where a pond overflow will be connected. If treated water from the WSSC system is used to keep the pond full then the pond overflow will not be allowed to discharge into the City of Rockville stormdrain system unless it has appropriate treatment prior to discharge. The stormdrain system discharges into the Watts branch watershed and chlorinated water should not be discharged into the ponds and streams located in this area.

### **LANDSCAPING**

A landscape plan for this development has been submitted and is under review per the requirements of Condition 2. The landscape plan shows street trees, a 20-foot wide asphalt pathway around the pond, concrete terraces and a courtyard for Phase I. The asphalt pathway will be used to connect pedestrians to all three of the buildings and for fire emergency access. The pond is an ornamental feature and will be lined and fed from a water line from WSSC. The concrete terraces that are on the rear of the buildings and the courtyard will all feature landscaped precast planters and benches.

### **Forest/Tree Preservation**

Staff has requested that the applicant use London Planetrees as the street tree along Piccard Drive per the City's street master plan (Condition #22), increase the variety of shade trees (Condition #23) and replace planting specifications with City of Rockville planting specifications (Condition #24).

## **Equipment Screening**

All of the electrical transformers for this site will be provided underground. All transformers or telecommunications equipment are required by the City of Rockville to be placed underground or within buildings. Any equipment that the applicant proposes to place above ground must be approved in accordance with the submission and approval of a waiver of the city's underground utility requirements. This waiver must be approved by the City of Rockville Planning Commission.

## **MAYOR AND COUNCIL COMMENTS ON SITE DESIGN AND ARCHITECTURE**

As per the Concept Plan and Resolution of approval for King Farm, the Mayor and Council has reviewed this application on July 18, 2005, without further public hearing, to comment on the architecture and site design. The only comment came from the Mayor who stated that he did not think it would be a pleasant pedestrian experience if they were to walk by large blank walls of the buildings, and that the Planning Commission should pay attention to this.

## **PUBLICILY ACCESSIBLE ART IN PRIVATE SPACES**

The applicant is required to provide art in private development unless they are exempt. Staff has not determined whether the applicant is exempt; therefore, staff has added the Publicly Accessible Art in Private Development condition (Condition #24). If staff determines that the applicant is exempt, then the condition will be void.

## **CONCLUSION AND RECOMMENDATION**

The Planning Commission is required to find that a detailed application is generally consistent with the Amended Concept Plan. If determined to be a substantial deviation from the Amended Concept Plan, the application would require an additional amendment to the approved King Farm Concept Plan by the Mayor and Council. Staff considers this application to be consistent with the approved Amended King Farm Concept Plan, and recommends approval subject to the conditions listed below. Staff has determined that the design and layout of this building are appropriate and compatible with the Amended King Farm Concept Plan. In addition, the six to ten story height of the buildings are consistent with the original concept approval for office buildings at this site.

## **STAFF RECOMMENDATION**

Approval is recommended, subject to the following conditions:

1. Submission, for approval by the Chief of Planning, of eleven (11) copies of the site plan, revised according to Planning Commission Exhibit A.
2. Submission for the approval of the Chief of Planning, of 11 copies of a Landscape Plan that is revised according to Planning Commission Exhibit B.
3. Modify the Phase lines as shown on Planning Commission Exhibit A such that they create a legal lot.

4. Post bonds and obtain permits from Department of Public Works.
5. Submit detailed engineering plans for sediment control, stormwater management and public improvements for review and approval by Department of Public Works.
6. Submit a drainage area analysis for Irvington and Gaither Ponds for review by the Department of Public Works.
7. Applicant to revise driveway design to narrow pavement and include traffic calming features per Department of Public Works requirements, to be reviewed and approved by Department of Public Works prior to issuance of permits.
8. Provide 10' Public Utility Easements on all public streets.
9. Show streetscape on King Farm Blvd and Piccard Drive.
10. Each phase must contain its own: loading spaces and pedestrian access, and provide for stormwater management.
11. Provide truck turning templates (WB50) for all loading and access through site to public street.
12. Garage plans must be reviewed and approved by Department of Public Works prior to issuance of building permits.
13. Provide an overall drainage area map for Irvington Pond, Gaither Pond and Pond #5 to show if any other future development within the drainage are to these ponds will impact the retrofits proposed by this development.
14. Retrofit Gaither Pond to attenuate the 1 year design storm.
15. Provide tree lawn and sidewalk per city standards on Piccard Drive site frontage.
16. Provide an analysis of the loading activities at the service bays.
17. If grading is to occur within the flood plain, a flood plain variance will be required. Provide all supporting documentation for the variance if grading is planned within the flood plain.
18. Obtain Washington Suburban Sanitary Commission (WSSC) approval for use of the potable water supply to keep the decorative pond in the center of the development full. If water from the WSSC system is to be used to maintain water levels within the decorative pond shown in the center of the development it will not be allowed to overflow into the City's storm drain system unless appropriate treatment is utilized. WSSC approval must be obtained if it is intended that an overflow will drain into the sewer system.
19. All internal and external traffic control devices (i.e., signs, signals, marking, and devices placed on, over or adjacent to a roadway or pathway to regulate, warn, or guide

pedestrians and/or vehicular traffic) shall comply with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). A signing and pavement-marking plan shall be submitted to the Department of Public Works and approved by the Chief of Traffic & Transportation before the issuance of a Public Works Permit.

20. Applicant shall provide staff carpool spaces at priority locations per Department of Public Works approval as needed on the site.
21. The applicant is required to submit prior to the issuance of the building permit for Phase IIA, documentation detailing how the owner, or future owner of the portion of Phase IIA, is permitted to use the ingress/egress easement.
22. Use London Planetree as the street tree along Piccard Drive per the City of Rockville's street tree master plan.
23. Increase the variety of large shade tree species within the site.
24. Replace planting specifications with City of Rockville Planting specifications.
25. The applicant is required to provide for art for the Ingleside at King Farm development in accordance with the Publicly Accessible Art in Private Development ordinance (adopted February 2004). The required expenditure for the entire project calculated in accordance with current rates is \$161,043.95 and calculated as follows:

<b>Residential units*</b>	
First 100 units x \$485.10 per d.u. =	\$48,510
Next 100 units x \$363.86 per d.u. =	\$36,386
For units in excess of 200 (309 units) x \$242.55 =	\$74,947.95
<b>Total</b>	<b>\$159,843.95</b>
<b>Commercial (Nursing beds)</b>	
37,000 square feet x \$.32 =	\$1,200
<b>Total</b>	<b>\$1,200</b>
<b>Total Commercial and Residential</b>	<b>\$161,043.95</b>

\* The remaining 73 units are MPDUs and do not pay a fee.

With the approval of City staff, the Applicant can elect at any time to "front load" its art obligation by bonding the remaining amount of its art for the entire project, said bond amount to be calculated in accordance with the contribution rates in effect at the time such bond is posted.

Many options for compliance are available to the applicant. Options may include, but are not limited to visual art on-site, donation to the City's Friends of the Arts fund or to an eligible arts organization, build arts infrastructure or space for arts activities or partner with another development within the same planning area. The Art in Private Development manual is available on the City's website ([www.rockvillemd.gov](http://www.rockvillemd.gov)) under the City Business section.

26. The Fire Emergency Access lane around the pond must be 20 feet wide. Relocate fire hydrant shown within driving surface of fire lane, at Phase II terrace. A sign at the entrance from Piccard Drive to the center courtyard/pond area needs to be identified as a Fire Lane. This lane can not be designated as service area.
27. The requirements of Chapter 13.5 of the Rockville City Code for the independent living units shall be satisfied by implementation of the "Senior Affordable Housing Program," attached (Attachment #8) and made a part of Mayor and Council Resolution No. 6-05.

## NOTIFICATION

Notices were sent to approximately 900 residences and businesses including the adjacent residences.

## APPROVAL LIMITATIONS

Section 25-193(d) of the Zoning Ordinance requires that **construction or operation must commence within two (2) years of the date of this decision or application approval shall expire**. If the applicant can show just cause, a maximum of two (2) time extensions may be granted by the Planning Commission, each not to exceed one year. However, time extensions are not automatically approved, and sufficient detail and justification will be required in order for the Planning Commission to consider granting an extension.

Attachments:

1. Letters from King Farm Architect (7/1/05, 7/7/05, and 7/14/05)
2. Location map (C-2)
3. Phasing Plan (SD 0.01, C-4 – C-7)
4. Elevations (SD 2.10, 2.11, 2.20, and 2.30)
5. Parking plan (SD 0.02)
6. Landscape plan (L3.1 – L 3.6)
7. Floor plans (SD 0.03 – SD 1.10, 1.11, 1.20, and 1.30)
8. Affordable Senior Housing Program