

**CITY OF ROCKVILLE PLANNING DIVISION
STAFF REPORT**

February 2, 2006

SUBJECT: Detailed Application for
Comprehensive Planned Development
CPD2005-0004X,
Wood Hill Road Office Building

Applicant: Route 28 Associates LLC
11 North Washington Street
Rockville MD, 20850

Date Filed: October 12, 2005

Location: Fallsgrove: Wood Hill office building
site at the corner of Wood Hill Road
and MD 28.



REQUEST:

The applicant seeks detailed (final) approval for the construction of a three story, 31,000 square foot office building with surface parking on 1.42 acres of land on West Montgomery Avenue and Wood Hill Road in the Fallsgrove development.

PREVIOUS RELATED ACTIONS:

- CPD99-0004, Concept Plan Application for Comprehensive Planned Development approved by the Mayor and Council, February 22, 2000.
- CDP2000-0004A through CPD2001-0004V, Detailed Applications for Comprehensive Planned Development CPD99-0004. All approved by the Planning Commission, except CPD2001-0004Q. Detailed Application CPD2000-0004I has expired and Detailed Application CPD2003-0004V was withdrawn.
- CPD99-0004B, Concept Plan Amendment to modify the concept plan to allow a hotel of 125,000 to 150,000 square feet in lieu of a corresponding amount of office; permit office development in lieu of multi-family development on a residual multifamily residential parcel; allow a child care facility as an approved use in Fallsgrove; transfer unused retail space from the Village Center to one of the neighboring parcels, approved by the Mayor and Council, August 1, 2005.

STAFF RECOMMENDATION:

Approval, subject to the following conditions:

1. Submission, for the approval of the chief of planning, of eleven (11) copies of the site plan, revised according to planning commission exhibit A to include:
 - a) Extension of sidewalk adjacent to parking spaces in the rear of the building parallel to parking spaces
 - b) Reconfigure parking space in the corner of the site, remove curb and stripe as shown
 - c) Provide handicap ramps
2. Submission, for the approval of the Chief of Planning, of eleven (11) copies of the landscape plan, revised according to Planning Commission Exhibit B.
3. Submission, of eleven (11) copies of the approved Signing and Pavement-Marking Plan to the Chief of Planning prior to the issuance of BLD permits.
4. Submission, of on-site lighting plan including photometrics to the Chief of Planning prior to the issuance of BLD permits.
5. Submission and approval by the City of Rockville Planning Commission of a Final Record Plat for the property, showing all necessary easements and dedications, prior to the issuance of first BLD permits for building construction.
6. That all structures meet the requirements of the City's construction codes, the Fire and Life Safety Codes, Maryland Building Code for the Handicapped and Federal ADA requirements.
7. That permits for any signs are obtained from the Division of Inspection Services, according to guidelines established in the approved Concept Plan requiring a comprehensive sign package approved by the Sign Review Board.
8. The Chief of Planning must determine that there has been substantial progress in the implementation of the I-270/Shady Grove Road off-site improvement prior to the issuance of any City permits.
9. This site requires FCP approval by the City Forester for protection of existing landscape trees on adjacent property and in the ROW. FCP must include size and species information of all trees within 20 feet of the LOD. Landscape plan must be submitted as part of FCP. Overall Fallsgrove reforestation requirements must be in substantial compliance with approved Forest Conservation Plan (FCP) before releasing permits for this site.
10. Large shade trees should be used where possible adjacent to the parking lot and City Forester must approve planting substitutions for Miscanthus (invasive plant).

11. A Maryland Department of Natural Resources Roadside Tree Permit for removal and planting of trees within the public ROW required.
12. The Applicant shall comply with the City's Publicly Accessible Art in Private Development ordinance. Applicant must provide a concept plan for approval prior to issuance of building permits and fulfill art requirement prior to issuance of occupancy permit for each building.
13. Submission, for review and approval of the Department of Public Works, of the following detailed engineering plans, studies and computations:
 - a) Storm drainage study for the site with computations and drainage area map;
 - b) On site stormwater management (SWM) plans;
 - c) Sediment control plans, with existing and proposed contours, for all disturbed areas;
 - d) Sight distance study for the access driveway off of Wood Hill Road, minor adjustments to the driveway entrance and adjacent features may be required at detailed engineering;
 - e) Public improvements plan including:
 - (1) Detailed water and sewer house connections
 - (2) Mill and overlay of Wood Hill Road.

All detailed engineering plans must be on 24" x 36" mylars, at 1"=30' scale.
14. Post bonds and obtain permits from DPW.
15. Obtain all necessary approvals and permits from the Maryland State Highway Administration for the storm drain connection and other work in West Montgomery Avenue (MD Route 28) right-of-way.
16. Water meter may not be located in the PUE, parking space, or other inaccessible area as determined by the Department of Public Works. Provide any necessary easements to the City for the water meter.
17. Mill and overlay Wood Hill Road for any street cuts as determined by the Department of Public Works.
18. No permits will be issued for work within the Transco ROW until all necessary approvals are obtained from Transco.
19. Comply with all conditions of stormwater management concept approval letter dated January 4, 2006, or as may be amended.

20. A contribution of \$6,500.00 shall be paid to the City's Bus Shelter Beautification CIP for installation of a bus shelter in the vicinity of the development prior to the issuance of first building permit.
21. The Applicant shall provide: 1 bicycle rack, 4 long-term secure parking spaces, 4 clothing storage lockers, and 1 shower per gender to be located at a safe and secure location to be approved by the Department of Public Works for use by the office building.
22. A Transportation Demand Management (TDM) agreement must be executed between the Applicant and the City of Rockville before the issuance of the building permit. This agreement will require the Applicant to make a contribution of ten (10) cents a square foot of gross floor area of commercial or retail space per year for a period of ten (10) years. The annual funds of \$3,100, totaling \$31,000 for the ten years period, will be used for various programs designed to reduce the number and impact of vehicle trips within the City of Rockville. The funds will be incorporated into the TDM capital improvements program funds of the City.
23. Five percent of office parking spaces associated with the new building shall be signed or marked as reserved carpool spaces at a safe and convenient location approved by the Department of Public Works.
24. 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.

ANALYSIS:

Background

On February 22, 2000, the Mayor and Council approved CPD99-0004, authorizing development on the former Thomas Farm site, now known as Fallsgrove. The approval authorized a total of 1,530 dwelling units, 150,000 square feet of commercial retail and 950,000 square feet of office/research and development space. A Comprehensive Planned Development is implemented through the approval of individual detailed applications for all or part of a development as required in Section 25-656 of the Zoning Ordinance. This application is part of a series of detailed applications.

On August 1, 2005 the Mayor and Council approved Concept Plan amendment CPD99-0004B to allow a hotel of 125,000 to 150,000 square feet in lieu of a corresponding amount of office; permit office development in lieu of multi-family development on a residual multifamily residential parcel; allow a child care facility as an approved use in Fallsgrove; transfer unused retail space from the Village Center to one of the neighboring parcels.

Property Description

Fallsgrove consists of approximately 254 acres bounded by Shady Grove Road, Darnestown Road, West Montgomery Avenue and Research Boulevard. The topography is rolling on a majority of the site including an upland forest area near the intersection of Gude Drive and West Montgomery Avenue.

This development application is for the 1.42 acre, triangular property bounded by MD 28, Wood Hill Road and a multi-family community. The property is subject to all the conditions and requirements of the approved overall Fallsgrove CPD. All of the off-site transportation improvements required by the Fallsgrove CPD have been completed with the exception of the I-270/Shady Grove Road improvement. City staff has been working closely with the Applicant and the State Highway Administration to move this improvement forward. There has been some difficulty in right-of-way acquisition for the final off-site improvement and the Applicant is continuing to make progress in acquiring the right-of-way so that the improvement may be constructed.

There is a 50-foot gas line easement that runs parallel to MD 28 on the north side of the property. No permanent structures or landscaping may be placed within the Transco easement. There is one access point to the property off of Wood Hill Road, and the driveway lines up with the driveway across Wood Hill Road.

Required Findings

The Planning Commission shall approve a detailed application if it finds:

1. That the use proposed in the application will not:
 - a. Affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use;
 - b. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood; or
 - c. Constitute a violation of any provision of this Code or other applicable law.
 - d. Overburden existing public services, including but not limited to water, sanitary sewer, public roads, storm drainage and other public improvements;
 - e. Be unsuitable for the type of development, the use contemplated, and available public utilities and services; or
 - f. Unreasonably disturb existing topography, in order to minimize stormwater runoff and to conserve the vegetation cover and soil.
2. That the detailed application complies, without substantial deviation, with the terms and conditions of approval of the exploratory application by the Council.

Proposal

The applicant is proposing a three story, 31,000 s.f. office building with surface parking surrounding the building. This use is consistent with the amended CPD Concept Plan for the site, which allows office, and Research and Development (R&D) uses on the site. The applicant has requested a

waiver from Section 25-437 in the Zoning Ordinance requiring transformers to be underground (Attachment 4).

Due to the limited size and shape of the site and a gas line easement on the north side of the site, the building is situated in the center of the site with surface parking wrapped around the building. The Building is as close to West Montgomery Avenue and Wood Hill Road as possible within the site constraints, which accomplishes one of the goals of the Fallsgrove Concept Plan that states that buildings should be as close to the road as possible in order to foster a more pedestrian friendly environment. Vehicular and pedestrian access to the site is from Wood Hill Road and the building respects its frontages on both Wood Hill Road and West Montgomery Avenue.

Architecture

The architecture of this building is consistent with the surrounding architecture and is contemporary in nature. The building entrance has an aluminum entry canopy with an aluminum and glass curtain wall entry. The building has a cast stone base and a brick exterior facade as well as a brick parapet with cast stone cap extending from the roofline.

The architecture of the building is consistent with the approved Fallsgrove New Construction Design Guidelines and Standards approved by the Chief of Planning.

Mayor and Council Comments on Site Design and Architecture

As per the Concept Plan and Resolution of approval for Fallsgrove, the Mayor and Council is required to review this application without further public hearing, to comment on the schematic architecture and site design. The Mayor and Council considered the conceptual proposal of this project at its December 19, 2005 meeting. At the meeting, the Mayor requested that the applicant meet with the adjacent condominium owners and the applicant agreed to arrange such a meeting. The Mayor and Council were pleased to hear that the applicant would be incorporating environmental features into the design of the building. The Mayor also expressed a desire to ensure adequate pedestrian connections from bus stops serving the site. The Mayor and Council approved both the schematic architecture and site design.

Parking Analysis

The applicant proposes to provide all the required parking as surface parking wrapped around the building. The office-parking ratio of one space per 300 square feet of office space translates to 104 required parking spaces required by the Zoning Ordinance. The applicant is proposing 110 spaces of which, four spaces are handicapped accessible and 5% of all parking spaces, six total, will be designated as carpool spaces and shall be provided at safe and convenient locations.

Forest/Tree Preservation and Landscaping

The forest and tree preservation requirements for this site are included in the overall Forest Conservation Plan (FCP) for the Fallsgrove development. A condition has been included to require that the overall reforestation planting be in substantial compliance to the approved FCP prior to permit release for this site. There will be no additional significant tree or forest clearing with this site.

A Forest Conservation Plan is required for this site to ensure protection of existing landscape and street trees. The landscape plan will be submitted for review by the City Forester as part of the FCP.

Stormwater Management

The Stormwater Management Concept plan for the 1.42 acre-site has been designed according to City of Rockville SWM code and MDE's 2000 Maryland Stormwater Design Manual. A private off-line underground sand filter, or other approved MDE underground filtering device, located beneath the parking lot will provide the Water Quality Volume, for the entire site. Recharge for the project will be provided in an underground stone trench located beneath the parking lot. The site drains across West Montgomery Avenue to the Research Tributary of Watts Branch, immediately upstream of Falls Grove Pond 4. Pond 4 is a regional wet pond built by others under Falls Grove CPD2002-0004T and treats a 105-acre drainage area. This pond provides Flood Protection Volume and Channel Protection Volume, for the project site and ½ of its adjacent right of way.

Transportation and Utilities

As part of the overall Falls Grove CPD99-0004, a traffic study was conducted for the entire Falls Grove development. Eleven of the twelve required off-site mitigation requirements approved in the Concept Plan have been constructed with the last improvement pending as discussed above. For this detailed application, staff analyzed the on-site circulation patterns for vehicles, trucks, pedestrians and bicyclists, as well as sidewalk, bicycle and transit networks on all frontages of the site and reviewed all site access points for safety and optimum functionality.

A full-movement vehicular access to the site will be provided off of Wood Hill Road. There will be no vehicular access off of MD 28. A sight distance study will be required at detailed engineering to ensure optimum visibility at the driveway entrance off of Wood Hill Road. Minor modifications to the driveway entrance and associated features may be required at the detailed application stage as a result of the study. There is adequate on-site circulation for vehicles and trucks, and staff has worked with the applicant to ensure safe pedestrian connections throughout the site and on all frontages.

The applicant will be contributing toward a bus shelter adjacent to the site and will be contributing to the City's Transportation Demand Management (TDM) program to reduce vehicle trips and encourage alternate modes of transportation. The site is served by Ride On bus service along Shady Grove Road and Research Boulevard and the Falls Grove Multi-Modal Center and there are sidewalks from the bus stops accessing the site.

MDSHA has reviewed the site plan and provided comments to the applicant, which are included in the conditions above.

The existing City water and sewer systems located in Wood Hill Road are adequate to serve the site. In addition the applicant will be incorporating a number of LEED environmental principles into the design of their building.

Publicly Accessible Art in Private Development

The developer is required to provide for a publicly accessible art component consistent with the objectives outlined in the Publicly Accessible Art in Private Development ordinance (adopted February 2004).

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.

Notification

Over 850 notification postcards were sent to nearby residents, adjacent property owners and the adjacent Falls Grove HOAs. In addition the applicant invited the adjacent HOAs to meet with them on January 17, 2006, approximately 40 residents attended. The site plan and elevations were presented and there were no specific issues raised regarding the proposed three-story office building.

CONCLUSION:

The Planning Commission is required to find that a detailed application is generally consistent with the Concept Plan. If determined to be a substantial deviation from the Concept Plan, the application could require an amendment of the approved Concept Plan by the Mayor and Council. Staff considers this application to be consistent with the approved Concept Plan and subsequent amendments, and recommends approval subject to the conditions listed in this report. Staff finds that the layout of the site, the architecture and the scale and massing are functional and appropriate and is within the spirit of the Falls Grove Concept Plan.

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. Site Plan
2. Landscape Plan
3. Office Building Elevations
4. Underground Transformer Waiver Request
5. Transportation Memo
6. Falls Grove Concept Plan