



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

Consent Item #
MCPB 5-10-07

MEMORANDUM

DATE: April 27, 2007
 TO: Montgomery County Planning Board
 VIA: Rose Krasnow, Chief *RK*
 Development Review Division
 FROM: Robert A. Kronenberg, Acting *RAK*
 Supervisor
 Development Review Division
 (301) 495-2187



REVIEW TYPE: **Site Plan Amendment**
 CASE #: **81989049E**
 PROJECT NAME: Rock Spring Park
 APPLYING FOR: Amendment to 1) change the size of the planters in the garage; 2) make minor grading changes to the stormwater management facility; and 3) increase the size of the street trees.

REVIEW BASIS: Div. 59-D-2.6 of Montgomery County Zoning Ordinance for Minor Plan Amendments

ZONE: R-200 (MPDU option)
 LOCATION: Located in the northwest quadrant of the intersection with Rockledge Drive and Fernwood Road

MASTER PLAN: North Potomac/Garrett Park Master Plan
 APPLICANT: Rock Spring Park, LLC c/o Opus East LLC
 FILING DATE: December 14, 2006
 HEARING DATE: May 10, 2007

STAFF RECOMMENDATION: Approval of the proposed amendment to Site Plan 81989049D and approval of the attached draft Planning Board Resolution for the Site Plan 81989049E.

BACKGROUND

Site Plans

The Site Plan (819890490) for Rock Spring Park, was presented to the Planning Board on April 11, 1991 (Planning Board Opinion dated April 17, 1991) for approval of 1,635,100 square feet

(0.85 FAR) of commercial office in the I-3 Zone. The Certified Site Plan was approved on November 15, 1991.

The Site Plan (81989049A) for Rock Spring Park, was presented to the Planning Board on November 12, 1998 (Planning Board Opinion dated February 22, 1999) for approval of 1,635,100 square feet (0.85 FAR) of commercial office in the I-3 Zone. The Certified Site Plan was approved on August 23, 2004.

The Site Plan (81989049B) for Rock Spring Park was presented concurrently with the preliminary plan (#1-98093E) to the Planning Board on January 24, 2002 for an extension of the validity period.

The Site Plan (81989049C) for Rock Spring Park was approved on February 27, 2004 to provide for an emergency generator for the office buildings.

The Site Plan (81989049D) for Rock Spring Park was approved on October 4, 2005 to modify the phasing, modify the building layout for building number 2 and make minor changes to the grading for the stormwater management facility.

PROPOSED AMENDMENT

An amendment was filed on December 14, 2006, along with a public notice dated December 22, 2006 to adjacent and confronting property owners that outlines specific changes to the approved site plan. The proposed amendment requests the following modifications:

- 1) Change the size of the planters in the garage;
- 2) Make minor grading changes to the stormwater management facility; and
- 3) Increase the size of the street trees.

PUBLIC NOTICE

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on December 22, 2006. The notice gave the interested parties 15 days to review and comment on the contents of the amended site plan. Staff has not received any comments from the parties of record for the proposed application.

STAFF REVIEW AND RECOMMENDATION

The proposed amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved site plan.

The modifications to the landscaping are a result of structural issues with the parking garage in concert with the size of the planters, and a correction to increase the size of the street trees along the public roads. Small planters are being provided on the top level of the parking garage to account for internal green space and to provide some shading on the surface of the garage, in

addition to the visual impacts associated with the rooftop of a parking structure. The size of the street trees is being modified keeping with previous approvals that called for 4-4.5" caliper street trees along the frontages of Rockledge Drive, Fernwood Road and Rock Spring Drive. The previous amendments (B through D) did not include the correct size of plant material; however, the opinion for the A amendment conditioned the applicant to provide the specific size of plant material. This amendment reinforces the size of plant material to be installed along the aforementioned roadways. The minor grading changes are a result of construction practices associated with stormwater management facilities.

The changes are in keeping with the previous approvals and findings associated with the subject site. This amendment did not go to DRC but was circulated to departmental staff for review and comment. Staff indicated approval of the amended items specified in the Applicant's request.

Staff recommends **APPROVAL** of the Minor Site Plan Amendment for Rock Spring Park (Site Plan No. 81989049E) for modifications to the approved site plan.

ATTACHMENTS

- A. Site Description and Vicinity
- B. Draft Planning Board Resolution

ATTACHMENT A

Site Description and Vicinity

The 44.16-acre property is bounded by Fernwood Road to the south, Rock Spring Drive to the southeast and Rockledge Drive wrapping the northern and western boundaries. I-270 is located directly west of the site with a ramp connecting to Fernwood Road. The site is zoned I-3. Westfield Montgomery Mall is located ½ mile to the south and west with direct access from Fernwood Road. The site contains a number of mature trees and a recorded transit easement along the frontage of Fernwood Road and Rock Spring Drive.

The site currently contains three office buildings and a parking structure to accommodate the office tenants. Primary access to the office buildings exists from Rockledge Drive and Rock Spring Drive. The present construction accommodates two additional office buildings and a parking garage in the northwestern quadrant of Rockledge Drive. A stormwater management facility, which will also function as an amenity for the office park, is under construction in the center of the site.





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

MCPB No. 07-34
Site Plan No. 81989049E
Project Name: Rock Spring Park
Hearing Date: May 10, 2007

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on December 14, 2006, Rock Spring, LLC c/o Opus East LLC ("Applicant"), filed a site plan amendment application designated Site Plan No. 81989049E ("Amendment") for approval of the following modification:

- 1) Change the size of the planters in the garage;
- 2) Minor grading changes to the stormwater management facility; and
- 3) Increase the size of the street trees.

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated April 13, 2007 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on May 10, 2007, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing"); and

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 81989049E; and

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this site plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and


Approved for legal sufficiency
M-NCPPC Office of General Counsel

BE IT FURTHER RESOLVED, that the date of this written resolution is _____
(which is the date that this opinion is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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