





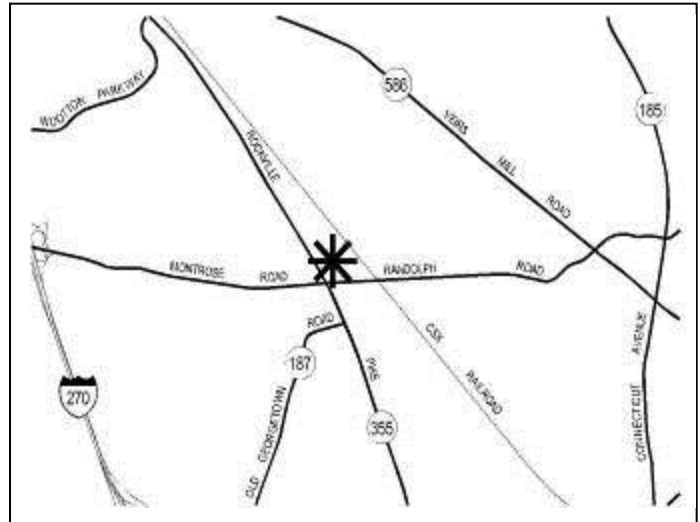
Montrose Crossing, Site Plan Amendment, 81995036F

 Joshua Sloan, Planner Supervisor, Area 2 Division, Joshua.Sloan@MontgomeryPlanning.org, 301.495.4597
 Glenn Kreger, Chief, Area 2 Division, Glenn.Kreger@MontgomeryPlanning.org, 301.495.4653

Completed: 7/11/11

Description

- Correction of restaurant gross floor area, modification of final grading; and addition of parking area lighting;
- Located on the northeast quadrant of the intersection of Rockville Pike and Randolph Road; and
- On 33.38 gross acres of RMX-3C-zoned land within in the North Bethesda/Garrett Park Master Plan area.
- Applicant: BVS Montrose, LLC; filed on 6/20/11.



Summary

- Staff recommends approval of site plan amendment;
- The correction of the restaurant area is to include the entire “gross floor area” reflected in the previously approved building footprint rather than the “leasable area” within that footprint; also to ensure that grading and lighting changes reflect final engineering plans;
- Due to previous amendments reducing the floor area of retail space to construct Nebel Street through the site, the square footage requested is within the density limits of the applicable project and preliminary plan;
- All development standards, zoning requirements, and compliance with previous approvals will be met and the additions will not preclude the site from providing necessary right-of-way and urban form expected with the White Flint II Sector Plan.

Recommendation

Site Plan Amendment 81995036F

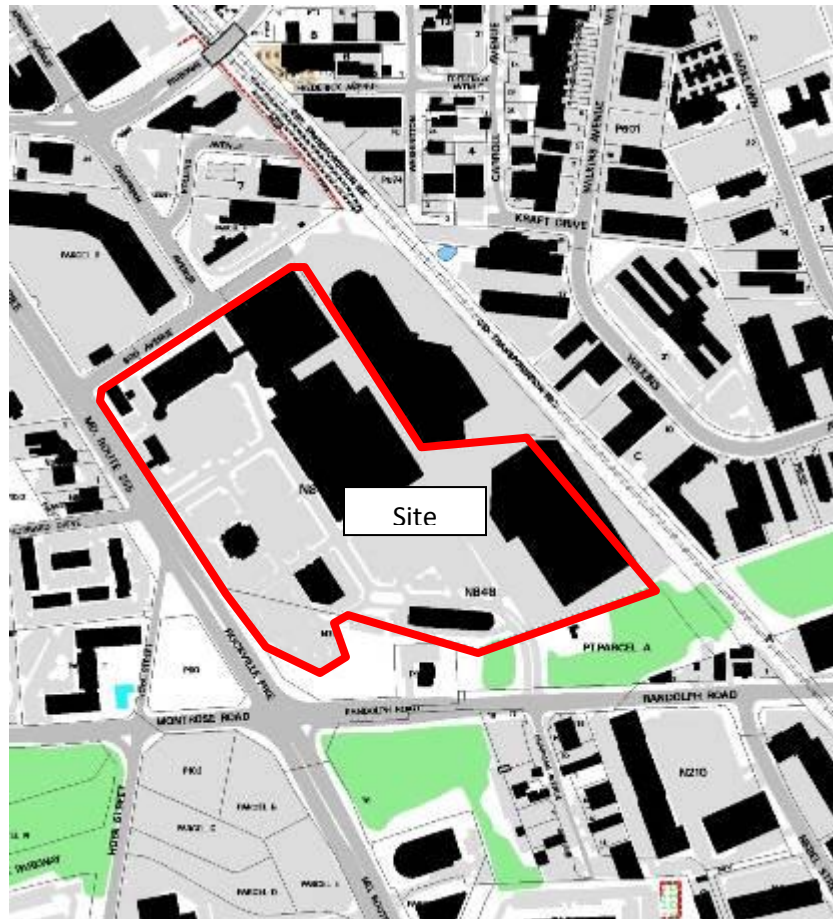
Staff recommends approval of Site Plan Amendment 81995036F, Montrose Crossing, for:

- Addition of 200 feet of gross floor area for Building “H” for up to 384,624 total commercial square feet and modification of the internal and external patron area calculations;
- Addition of parking area lighting features;
- Modification of grading.

All site development elements shown on the site and landscape plans stamped received on June 8, 2012 are required. No prior conditions need to be modified by this amendment and all previous approvals remain binding on the applicant, except as modified by this amendment.

Site Vicinity and Description

The site is encircled by Rockville Pike, Bou Avenue, Nebel Street, and Randolph Road and is currently approved with retail, restaurant, structured parking, and multi-family residential uses. Most of the site that is not covered by buildings is used for surface parking; there are no known historic, culturally significant, or environmental resources on site.



Proposal

Previous Approvals

Project Plan

Project Plan 919940030 was approved on February 15, 1995 for up to 467,806 square feet (0.34 FAR) of commercial uses and 150 multi-family dwelling units.

Project Plan 91994003A was approved on February 11, 2004 for up to 462,599 square feet (0.34 FAR) of commercial uses and 230 multi-family dwelling units. The conditions of approval remained identical to the original project plan except for the changes in allowed commercial and residential densities.

Preliminary Plan

Preliminary Plan 11960252A was approved on February 25, 2004 for 230 multi-family dwelling units, 426,048 square feet of retail space, 20,377 square feet of restaurant, and 2,400 square feet of office uses. The application was actually designated 11960232A, but incorrectly listed and recorded as 11960252A, no record of the previous approvals amended by this approval are available in our records.

Site Plan

This development proceeded according to several phases and, thus, had numerous site plan approvals governed by the limits established by the Project and Preliminary Plan approvals.

Site Plan 819950180 was approved on April 11, 1995 for Phase IA, including construction of 14,255 square feet of retail in one location and removal of 6,789 square feet of retail in another.

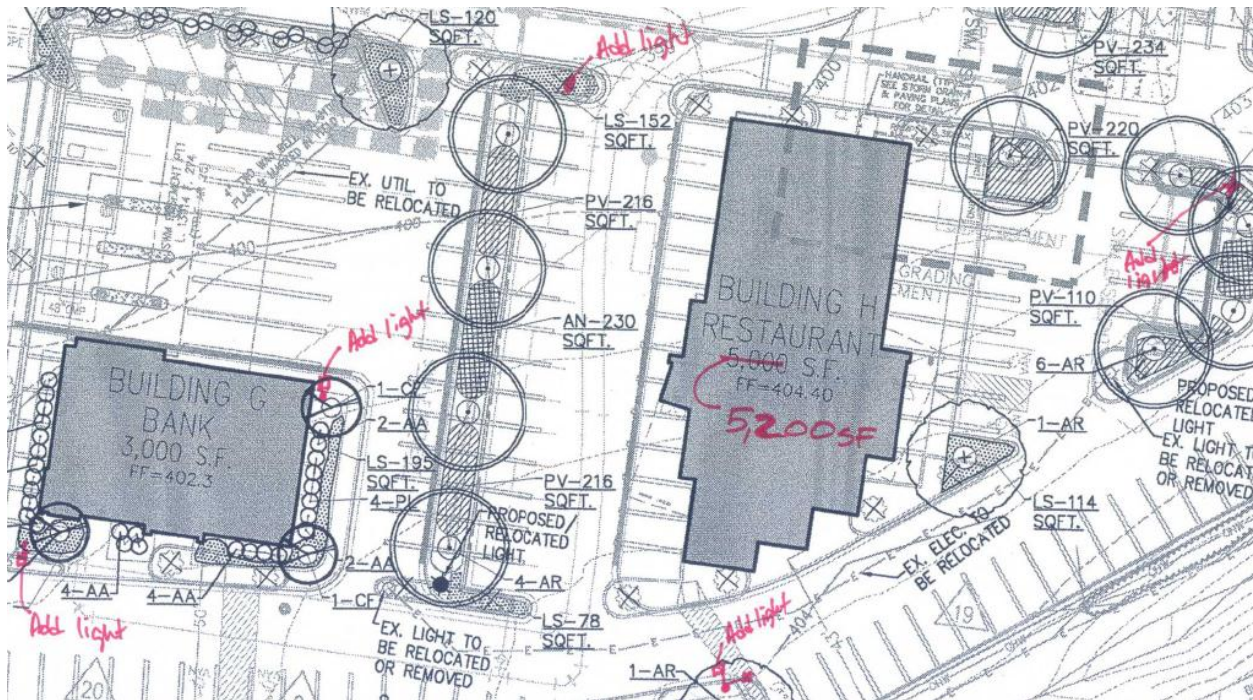
Site Plan 81995036 was approved on August 15, 1995 for Phases IB & II: construction of 2,400 square feet of office, 20,377 square feet of restaurant, and 426,048 square feet of retail uses and structured parking. This plan was amended several times:

- 81995036B granted an extension to file a site plan for Phase III (eventually filed as 820040130);
- 81995036D was approved on September 29, 2010 to allow the construction of Nebel Street, which required a reduction of 70,732 square feet of retail space; and
- 81995036A & 81995036C were Staff-level approvals several years ago, although no records are available on the date or specific modifications made.
- 81995036E was approved on December 20, 2011 for the addition of a free-standing restaurant; addition of a free-standing bank; minor site, landscaping, and lighting changes; and removal of the “festive place maker” public art piece.

Site Plan 820040130 was approved on February 10, 2004 for Phase III: the construction of 230 multi-family dwelling units.

Amendment Description

Amendment E to the site plan incorrectly included only the “leasable area” within that building; the footprint is unchanged from the previous approval. The change in patron areas reflects final designs and the net parking requirement remains unchanged. Additional changes include minor lighting and grading changes based on final engineering drawings.



Amendment Detail

Community Outreach

The Applicant has met all proper signage, noticing, and submission meeting requirements. Notice of the subject amendment was sent to all parties of record on June 13, 2012. Staff has not received correspondence on this matter.

Analysis and Findings

The proposed modifications to the site plan do not alter the overall design character of the development in relation to the original approval and the site remains compatible with existing and proposed development adjacent to the site. The proposed Amendment is in conformance with the amended Project Plan and meets or exceeds the requirements of the RMX-3C. The correction of gross floor and patron areas does not require any change in the approved building footprints or layout of the site and no changes are proposed regarding access to the site from the abutting roads. Further, these modifications do not impact the efficiency, adequacy, or safety of the site with respect to open space, landscaping, or lighting. Finally, no residential aspects of the site are affected by this Amendment and, as discussed above, all environmental regulations are met or are not applicable.

JS:ha: N:\Area 2 Division\Sloan\81995036F Montrose Crossing Staff Draft.doc

Attachment:

- A. Draft Resolution



DRAFT RESOLUTION NOT ADOPTED

MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 12-99
Site Plan No. 81995036F
Montrose Crossing
Date of Hearing: July 26, 2012

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-D-3, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on August 15, 1995, the Planning Board approved Site Plan No. 819950360 (no resolution number was recorded) for construction of 2,400 square feet of office, 20,377 square feet of restaurant, and 426,048 square feet of retail uses and structured parking on 31.52 net acres of RMX-3C-zoned land, located on the northeast quadrant of the intersection of Rockville Pike and Randolph Road, Parcel A ("Subject Property"), in the North Bethesda/Garret Park Master Plan ("Master Plan") area; and

WHEREAS Planning Staff administratively approved Site Plan Amendment No. 81995036A for minor site modifications (no approval date was recorded); and

WHEREAS on May 27, 2003, the Planning Board approved Site Plan Amendment No. 81995036B (no resolution number was recorded) for an extension to file a site plan for Phase III (eventually filed as 820040130); and

WHEREAS Planning Staff administratively approved Site Plan Amendment No. 81995036C for minor site modifications (no approval date was recorded); and

WHEREAS on September 29, 2010, by Resolution 10-128, the Planning Board approved Site Plan Amendment No. 81995036D to allow the construction of Nebel Street, which required a reduction of 70,732 square feet of retail space; and

WHEREAS on December 20, 2011, by Resolution 11-110, the Planning Board approved Site Plan Amendment No. 81995036E for the addition of a free-standing restaurant; addition of a free-standing bank; minor site, landscaping, and lighting changes; and removal of the "festive place maker" public art piece; and

Approved as to
Legal Sufficiency:

Christina Sorensen 7/11/12
8787 Georgia Avenue, Suite 209, Rockville, Maryland 20850 Chairman's Office: 301.495.4605 Fax: 301.495.1320
www.MCPCPPC.org
www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

WHEREAS, on June 12, 2012, BVS Montrose, LLC ("Applicant"), filed an application for approval of an amendment to the previously approved site plans to capture incorrectly calculated gross floor area in Building "H" adding 200 feet to the total commercial square-footage approved; change patron areas to reflect final designs; and make minor lighting and grading changes based on final engineering drawings on the Property; and

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 81995036F, Montrose Crossing ("Amendment" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated June 12, 2012, setting forth its analysis of, and recommendation for approval of the Application ("Staff Report"); and

WHEREAS, on June 19, 2012, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED that, the Planning Board APPROVES Site Plan No. 81995036F for the addition of 200 square feet of gross floor area for Building "H" for up to 384,624 total commercial square feet and modification of the internal and external patron area calculations; addition of parking area lighting features; and modification of the grading.

BE IT FURTHER RESOLVED, that all other Site Plan conditions of approval for this project remain valid, unchanged and in full force and effect.

BE IT FURTHER RESOLVED, that all site development elements as shown on Montrose Crossing drawings stamped by the M-NCPPC on June 8, 2012, shall be required; and

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS that:

- 1. This Amendment does not alter the intent, objectives, or requirements in the originally approved Site Plan and approved amendments, and all findings remain in effect.*

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

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is _____ (which is the date that this resolution 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 Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____, _____, _____, _____, and _____ voting in favor at its regular meeting held on Thursday, _____, 20__, in Silver Spring, Maryland.

Françoise M. Carrier, Chair
Montgomery County Planning Board