



Staff Report: Limited Site Plan Amendment 82008018A, and Request for Parking Waiver; North Bethesda Center Parcels A and C, and Infrastructure

ITEM #: _____

MCPB HEARING DATE: October 1, 2009

REPORT DATE: September 21, 2009

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Robert Kronenberg, Supervisor *RK*
Development Review Division

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APPLICATION DESCRIPTION:

Minor modifications to an approved office building, including a 5,996 sf. enlargement of the maximum buildable area on Parcel C and a partial waiver of the required parking for that building; TS-M Zone; located on the east side of Rockville Pike (MD 355) between Old Georgetown Road and Marinelli Road, in the North Bethesda/Garrett Park Master Plan

APPLICANT: North Bethesda Office One, LLC

FILING DATE: August 28, 2009

RECOMMENDATION: Approval with conditions

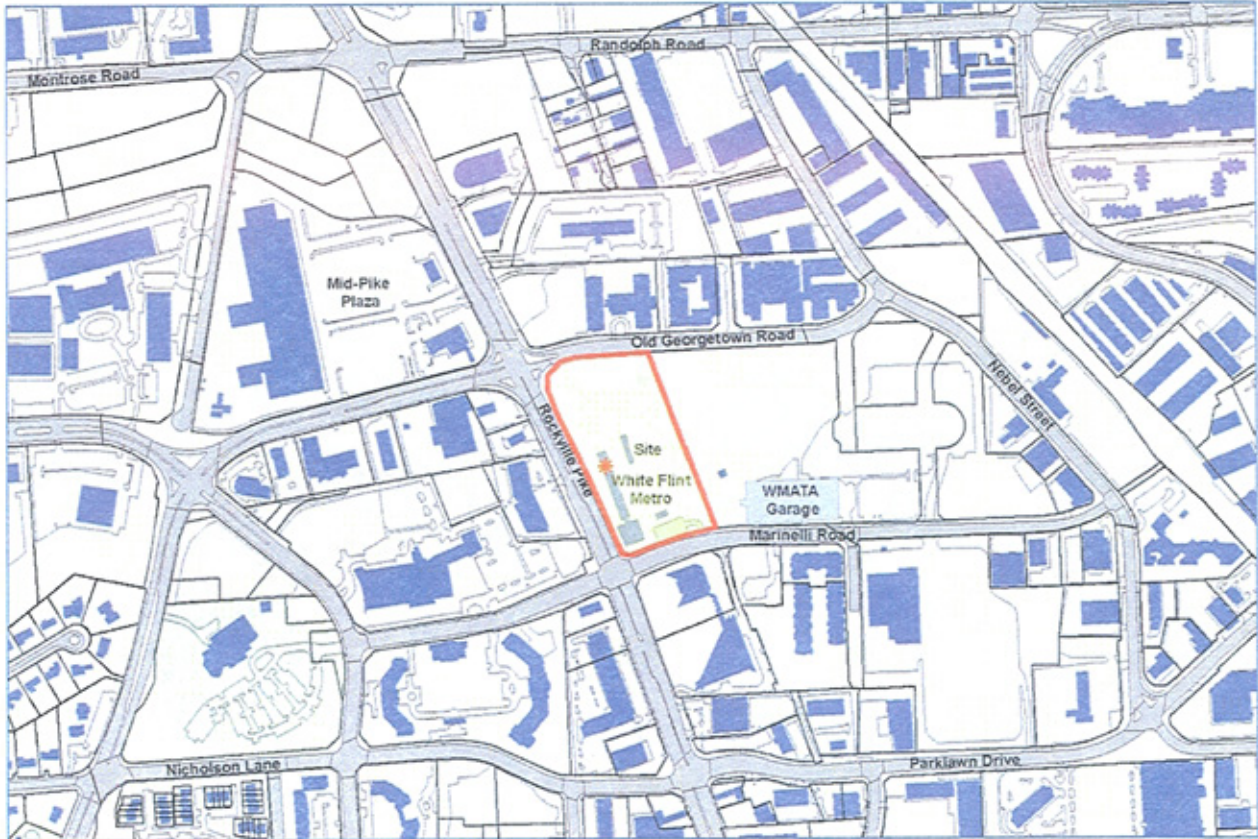
EXECUTIVE SUMMARY:

In pursuit of a build-to-suit tenant for the building, the Applicant is proposing minor modifications to the building footprint, parking garage, architecture, and entry plaza.

SITE DESCRIPTION

Vicinity

The subject parcels are located on the east side of Rockville Pike between Old Georgetown Road and Marinelli Road in North Bethesda, and are part of the larger North Bethesda Center property. North Bethesda Center is bounded by Old Georgetown Road on the north, Marinelli Road on the south, Rockville Pike on the west, and Nebel Street on the east. There are train tracks one block to the east and a metro station, the White Flint stop, in the southwest corner of the site at the intersection of Rockville Pike and Marinelli Road. Rockville Pike is a significant regional destination retail corridor, and the White Flint area is currently under study for a new sector plan.



Vicinity Map

Site Analysis

The portion of the site covered by this Limited Site Plan Amendment is located at the corner of Marinelli Road and the future retail street, Landsdown Street, and fronts directly on the entrance plaza for the White Flint Metro Station. This portion of the site is currently occupied partly by a parking lot.

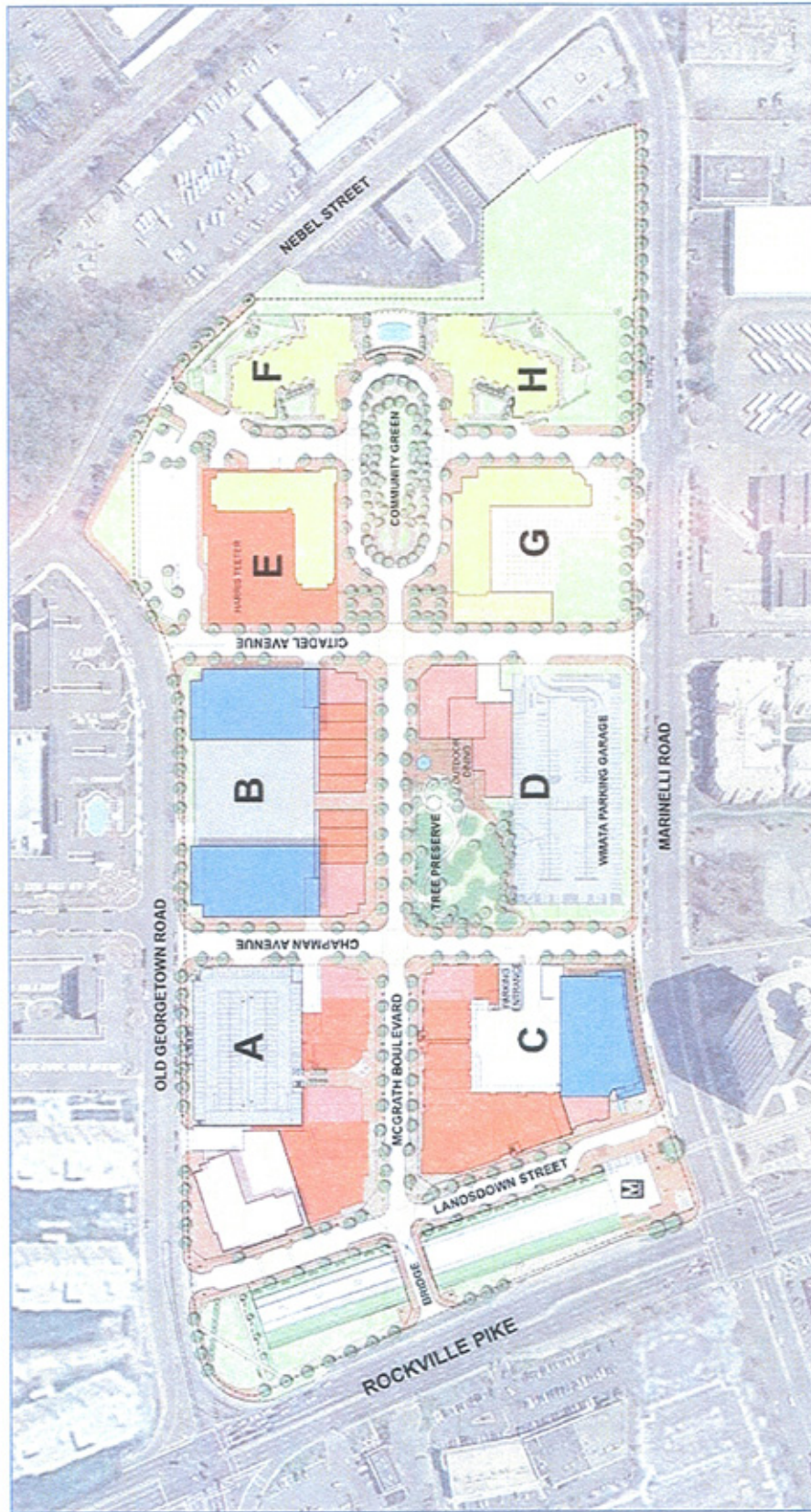


Aerial Site Analysis Diagram

PROJECT DESCRIPTION

Overview

This Site Plan Amendment addresses a small portion of a much larger development, North Bethesda Center, which will occupy the entire area currently bound by Old Georgetown Road to the north, Marinelli Road to the south, Nebel Street to the east and Rockville Pike to the west. This development proposes to divide this area into eight blocks with the central McGrath Boulevard and four cross-streets. The larger development expects to provide a mix of uses, including multi-family housing, office, retail, restaurant, entertainment, and a hotel, as well as a community green and tree preserve.



Overall Site Plan

Previous Approvals

Zoning/Development Plan

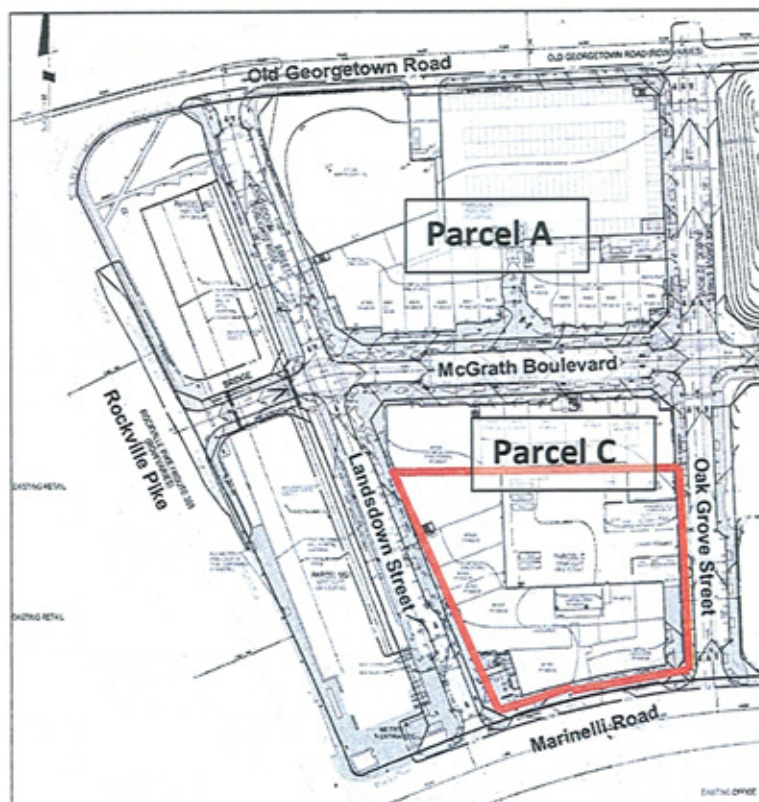
The subject property was rezoned from the R-90 to the TS-M zone by Local Map Amendment G-801. As part of the Development Plan, the District Council set limits for the residential and commercial development on the entire North Bethesda Center site, parsing the total amount of buildable area between the blocks. The limits imposed by this plan largely segregate commercial/retail and residential uses, eliminating some opportunities for more street-activating mixed-use buildings. Parcel I, located unlabeled behind Parcel H in the diagram below, remains zoned I-1.

Preliminary Plan

On September 30, 2004, the Planning Board approved the Preliminary Plan for the entire North Bethesda Center site (120040490), creating nine lots and two parcels on 32.42 acres. The March 22, 2005, resolution limits development to 1,350 multi-family residential units, including 169 MPDUs, 1.148 million square feet of commercial office, 202,037 square feet of general retail and supermarket, and an 80,000 square-foot theatre.

Related Site Plans

On July 21, 2005, the Planning Board approved a Site Plan for Parcel E (820050340), including an 18-story multi-family building with 312 residential units and 61,246 square feet of supermarket retail. On May 22, 2008, the Board also approved a Site Plan for Parcels F and J (the Community Green), for 327 multi-family dwelling units in a 19-story building and approximately 63,100 square feet of public use space.



*Approved Plan for Parcels A and C.
The area covered by the Amendment is highlighted*

On September 11, 2008, the Planning Board approved, over a staff recommendation of denial, the Site Plan for Parcels A and C, for a total of 527,655 gross square feet of commercial and retail uses on two blocks, including up to a 20-story office building, on 15.63 acres, plus public site infrastructure, including roadways and a vehicular bridge over the metro tracks. Staff felt that the development was of insufficient density and height for a redevelopment over a Metro station, but the Board agreed with the Applicant's assertion that the proposal was in keeping with the limitations imposed by the Development Plan as it was approved by the District Council. Final approval of the new White Flint Sector Plan, and associated rezoning, may provide opportunities for the Applicant to increase the density allowed on this site beyond the limits set in the Development Plan.

Proposal

The Applicant requests the following modifications to Parcel C:

1. Increase the maximum allowable overall development from 423,745 sf. to 429,741 sf., an increase of 5,996 sf.. This increase does not exceed the maximum density allowed for the entire site under Preliminary Plan 120040490.
 - a. Increase the maximum amount of office space from 352,622 sf. to 366,121 sf., an increase of 13,499 sf.
 - b. Decrease the maximum amount of retail space from 12,403 sf. to 4,900 sf., a decrease of 7,503 sf.
2. Add 13,470 sf. of cellar office space.
3. Reconfigure the underground parking garage serving the proposed office building.
4. A Parking Waiver for 203 of the 873 parking spaces required by the new distribution of uses, for a total of 670 parking spaces.
5. Revise the building elevations approved by the Board.
6. Relocate parking for the Parcel C retail uses to Parcel A, without increasing the maximum number of spaces (698) allowed on Parcel A.
7. Revise the design of the office building entry plaza.
8. Emend Site Plan 820080180 Condition 3.b., "The above-grade parking structure on Parcel A must present a pedestrian-friendly design, to include pedestrian entrances on each facing street and a minimum two-story architectural base, measured from the sidewalk in front of each building façade.", to clarify that "The final design of the above-grade parking structure must be approved by M-NCPPC Development Review and Urban Design staff prior to issuance of a building permit for the Parcel A parking garage."
9. Revise Site Plan 820080180 Condition 13.g. – which reads "Provide diagrams illustrating compliance with Conditions 3.a. and 3.b. above." – to read "Provide diagrams illustrating compliance with Conditions 3.a. above;"
10. Apply a ceramic frit to the glass on the ground floor to obscure view into the interior corner space.
11. Update Sewer Outfall Alignment per DPS request.

Some elements included in the Applicant's request are not governed by the Site Plan or are already addressed by the existing Site Plan approval, and so are not included in the proposed revisions. These include:

- Office Building Location: Shift Office Building approximately 2' toward Marinelli Road. *(The minimum building setback is already zero)*

- Green Roof Location *The location of the green roof was not a condition of Planning Board approval of Site Plan 820080180 and staff does not recommend making it a condition of this amendment.*

Parking Waiver Request

The Applicant is requesting a waiver for 203 of the 873 parking spaces required for the new distribution of uses on Parcel C, for a total maximum number of parking spaces on Parcel C of 670 spaces. Staff fully supports this waiver as consistent with the objectives of Transit-Oriented Development and Smart Growth and one that will encourage pedestrian, cycle, and transit access to the site over single-occupant motor vehicles.

Staff notes that the Opinion for the original Site Plan inadvertently omitted a parking allotment for Parcel C, including only a maximum of 698 spaces for Parcel A. This Amendment will correct this oversight.

The Applicant has requested that staff further note that his request includes all parking levels as the “minimum” number of parking spaces rather than the “maximum” number of parking spaces. For several years, staff has adopted the approach that minimizing parking promotes more sustainable modes of transportation, again an approach consistent with the Best Practices of sustainable development. Staff maintains this position and is recommending a parking ceiling, rather than a floor.

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 September 1, 2009, giving 15 days for comments. Staff has not received any correspondence on this matter.

RECOMMENDATION AND CONDITIONS

As conditioned, 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. These modifications do not impact the efficiency, adequacy, or safety of the site with respect to vehicular and pedestrian circulation, open space, landscaping, or lighting.

Staff recommends approval of Site Plan 82008018A, North Bethesda Center Parcels A & C, and Infrastructure, for the amendments delineated above, including the proposed parking waiver. The reduction of provided parking at this site is consistent with its immediate proximity to the White Flint Metro Station and the goals of Transit-Oriented Development to reduce vehicle miles travelled and encourage and facilitate transit use and pedestrian activity. All site development elements shown on the site, landscape, and architecture plans stamped “Received” by the M-NCPPC on August 28, 2009, are required except as modified by the following conditions:

1. Previous Approvals

The proposed development must comply with all binding elements and conditions of approval, unless amended, contained in:

- a. Development Plan G-801, North Bethesda Center

- b. Preliminary Plan 120040490, North Bethesda Center
- c. Site Plan 820050340, North Bethesda Center, Parcel E
- d. Site Plan 820080110, North Bethesda Center, Parcels F and J
- e. Site Plan 820080180, North Bethesda Center, Parcels A and C and Infrastructure.

2. LEED Certification

Replace Site Plan 820080180 Condition 6 (“LEED Certification”) with the following:

- a. For the office building on Parcel C, the Applicant must achieve a LEED (Leadership in Energy and Environmental Design) Silver Rating Certification.
- b. For the remaining buildings on Parcels A and C, the Applicant must achieve a LEED Certified Rating Certification at a minimum. The Applicant must make good faith efforts to achieve a LEED Silver rating. Before the issuance of any use and occupancy certificate, the Applicant must inform M-NCPPC staff of the LEED Certification Level for which they are applying. If this level is less than a Silver rating, before the issuance of the final use and occupancy certificate the Applicant must provide to staff a written report for public record purposes only from the Applicant’s LEED consultant analyzing the feasibility of achieving a LEED-Silver rating, to include an affidavit from a LEED-Accredited Professional identifying the minimum additional improvements required to achieve the LEED Silver rating, including their associated extra cost

3. Parking

The Applicant must limit the maximum amount of parking spaces on Parcel C to 670, not including on-street parking. As approved in the original Site Plan 820080180, the maximum number of parking spaces for Parcel A must not exceed 698, not including on-street parking.

4. Architecture

- a. The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheet A501-A505 of the submitted architectural drawings, as determined by M-NCPPC Development Review and Urban Design staff.
- b. The final design of the proposed ceramic frit to be applied to the ground-floor windows must be approved by staff at Certified Site Plan.

5. Ground Floor Street Activation

- a. The portion of the ground floor of the Parcel C office building that fronts immediately on Landsdown Street must be designed to maintain the pedestrian-oriented retail-street character illustrated in the approved Site Plan 820080180.
- b. Through the tenancy of the build-to-suit tenant, the window bays immediately along Landsdown Street must allow direct viewing of an interior Display Zone that shall have a minimum depth of 3 feet, measured inside the building from the interior surface of the window.
- c. Through the tenancy of the build-to-suit tenant, the Applicant, or his designee, is responsible for the design, installation, and maintenance of exhibits in the Display Zone, as well as periodic succession of new exhibits at the discretion of the Applicant or his designee.