

Date Mailed: August 3, 2001

Action: Approved Staff Recommendation  
Motion of Comm. Bryant, seconded by  
Comm. Perdue with a vote of 4-0;  
Comms. Bryant, Holmes, Perdue and  
Wellington voting in favor

## MONTGOMERY COUNTY PLANNING BOARD

### OPINION

Preliminary Plan 1-99043A  
NAME OF PLAN: SPRING LAKE PARK

On 04/03/01, TRIZECHAHN TWINBROOK METRO LP submitted an amendment to the previously approved preliminary plan in the I-1 zone. The previous application proposed to create 1 lot previously approved (564,000 square feet of Research and Development and Office Previously Approved; 715,200 square feet of Research and Development, Office and Retail Requested) on 11.82 acres of land. The application was designated Preliminary Plan 1-99043A. On 06/21/01, Preliminary Plan 1-99043A was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-99043A to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-99043A.

Approval, to revise the previous conditions of approval as follows:

- (1) Submit amended Adequate Public Facilities (APF) agreement with the Planning Board limiting development under this approval to a maximum of 715,200 square feet of General Office, Research and Development (R & D) Office and Retail use (707,200 square feet of general office and R & D office (maximum 306,200 square feet of general office and minimum of 401,000 square feet of R & D office)) and 8,000 square feet of general retail use
- (2) Retain the transportation-related conditions of Preliminary Plan No. 1-99043 as approved by the Planning Board on May 27, 1999, and described in Transportation Planning staff's memoranda dated March 25, and March 19, 1999. The applicable conditions as modified for the current plan are as follows:
  - (A) In the event that the applicant desires to convert any portion of the 401,000 square feet of the research and development use to general office use, further APF review would be required.

- (B) At the intersection of Parklawn Drive and Randolph Road, participate in providing a second southbound left-turn lane on Parklawn Drive and reconfiguring the northbound combination left-turn and (second) through lane to an exclusive left-turn lane on Parklawn Drive. The improvement is one identified to be funded associated with Zoning Case G-745 for the Montgomery County Conference Center which is funded within five years.

Coordinate with the Maryland State Highway Administration's (SHA) project planning study for an interchange at Rockville Pike (MD 355) and Randolph/Montrose Road whose project limits terminate at this intersection. Coordinate with the Montgomery County Department of Public Works and Transportation (DPWT) regarding the project study for the Montrose Parkway.

- (C) At the intersection of Twinbrook Parkway and Veirs Mill Road, convert the southbound exclusive right-turn lane on Veirs Mill Road to a combination (third) through lane and right-turn lane including a third through receiving lane.

Coordinate with DPWT and SHA, Office of Planning and Preliminary Engineering, regarding a possible "Bus Rapid Transit" project along Veirs Mill Road. The transit project is proposed currently as a conceptual design to add a right-most bus "queue jumper" lane.

Coordinate with SHA regarding a possible future interchange which is currently being considered in lieu of an intersection improvement. No at-grade improvement was found feasible as part of SHA's Congestion Relief Study. The intersection is designated as "candidate intersection" M-20 in category III with no funding for planning or construction.

- (D) Coordinate with DPWT regarding traffic control at the two site accesses from Twinbrook Parkway and the two site accesses from Fishers Lane. Prepare a traffic signal warrant study for the northern site access from Twinbrook Parkway.
- (E) Enter into an agreement with DPWT and the Planning Board to participate in the North Bethesda Transportation Management District (TMD) to satisfy traffic mitigation requirements for both the *North Bethesda/Garrett Park Master Plan* and the APF test of the registered loophole property included in the previously approved Pre-Preliminary Plan No. 7-99026.

Participation includes appointing an employee transportation coordinator who would assist in disseminating information on transportation programs and services and participating in the annual employee survey. Coordination is needed to assist the North Bethesda TMD in achieving and maintaining the traffic mitigation goal of the *North Bethesda/Garrett Park Master Plan*.

- (3) Prior to recording of plats, applicant to submit site plan application for plan review and approval. Final building locations, parking facilities plan and internal circulation plan to be reviewed and approved with site plan. Internal landscape and streetscape plan to be submitted and approved with site plan

- (4) Compliance with the conditions of approval of the preliminary forest conservation plan. The applicant must meet all conditions prior to recording of plats or MCDPS issuance of sediment and erosion control permit, as appropriate
- (5) Access and improvements, as required to be reviewed and approved by MCDPW&T prior to recording of plat(s)
- (6) No clearing grading or recording of plat(s) prior to site plan approval
- (7) Conditions of MCDPS stormwater management approval
- (8) Other necessary easements
- (9) This preliminary Plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to the expiration of this validity period, a final record plat for all the property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed
- (10) The Adequate Public Facilities (APF) review for this preliminary plan will remain valid until June 16, 2011



June 15, 2001

**MEMORANDUM**

TO: Malcolm Shaneman, Supervisor  
Development Review Division

VIA: Ronald C. Welke, Supervisor  
Transportation Planning

FROM: Ed Axler, Planner  
Transportation Planning

SUBJECT: Preliminary Plan No. 1-99043R  
Spring Lake Park (Fishers Place)  
Twinbrook Policy Area

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This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the preliminary plan revised to add Lot 9 and redistribute the non-residential development among all lots so that the number of peak-hour trips (for Local Area Transportation Review) and jobs (for Policy Area Review) is not increased.

**RECOMMENDATIONS**

Transportation Planning staff recommends the following conditions as part of the APF test for transportation requirements related to approval of the revised preliminary plan:

1. Limit the revised preliminary plan to 715,200 square feet of non-residential development consisting of the following:
  - a. A total of 707,200 square feet of general office and R&D office uses of which a maximum of 306,200 square feet should be general office use and a minimum of 401,000 square feet should be R&D office use.
  - b. A total of 8,000 square feet of general retail use.
2. Retain the transportation-related conditions of Preliminary Plan No. 1-99043 as approved by the Planning Board on May 27, 1999, and described in Transportation Planning staff's memoranda dated March 25, and March 19, 1999 (attached). The applicable conditions as modified for the current plan are as follows:

- a. In the event that the applicant desires to convert any portion of the 401,000 square feet of the research and development use to general office use, further APF review would be required.
- b. At the intersection of Parklawn Drive and Randolph Road, participate in providing a second southbound left-turn lane on Parklawn Drive and reconfiguring the northbound combination left-turn and (second) through lane to an exclusive left-turn lane on Parklawn Drive. The improvement is to be funded in association with Zoning Case G-745 for the Montgomery County Conference Center, which is funded within five years.

Coordinate with the Maryland State Highway Administration's (SHA) project planning study for an interchange at Rockville Pike (MD 355) and Randolph/Montrose Road, the project limits of which terminate at this intersection. Coordinate with the Montgomery County Department of Public Works and Transportation (DPWT) regarding the project study for the Montrose Parkway.

- c. At the intersection of Twinbrook Parkway and Veirs Mill Road, convert the southbound exclusive right-turn lane on Veirs Mill Road to a combination (third) through lane and right-turn lane including a third through receiving lane.

Coordinate with DPWT and SHA, Office of Planning and Preliminary Engineering, regarding a possible "Bus Rapid Transit" project along Veirs Mill Road. The transit project is proposed currently as a conceptual design to add a right-most bus "queue jumper" lane.

Coordinate with SHA regarding a possible future interchange which is currently being considered in lieu of an intersection improvement. No at-grade improvement was found feasible as part of SHA's Congestion Relief Study. The intersection is designated as "candidate intersection" M-20 in Category III with no funding for planning or construction.

- d. Coordinate with DPWT regarding traffic control at the two site accesses from Twinbrook Parkway and the two site accesses from Fishers Lane. Prepare a traffic signal warrant study for the northern site access from Twinbrook Parkway.
- e. Enter into an agreement with DPWT and the Planning Board to participate in the North Bethesda Transportation Management District (TMD) to satisfy traffic mitigation requirements for both the *North Bethesda/Garrett Park Master Plan* and the APF test of the registered loophole property included in the previously approved Pre-Preliminary Plan No. 7-99026.

Participation includes appointing an employee transportation coordinator who will assist in disseminating information on transportation programs and services and participating in the annual employee survey. Coordination is needed to assist the North Bethesda TMD in achieving and maintaining the traffic mitigation goal of the *North Bethesda/Garrett Park Master Plan*.

## DISCUSSION

### Site Location and Accesses

The site is located on the north side of Fishers Lane east of Twinbrook Parkway. Two accesses are proposed from Fishers Lane and two from Twinbrook Parkway. DPWT has recommended that the Twinbrook Parkway access closest to Fishers Lane will be limited to right-in and right-out only with a deceleration lane.

### Master Plan Roadways and Bikeways

In accordance with the *North Bethesda/Garrett Park Master Plan*, the master plan roadways and bikeways are as follows:

1. Fishers Lane is designated as a business road, B-1, with an 80-foot right-of-way and a planned Class I bikeway.
2. Twinbrook Parkway is designated as an arterial roadway, A-37, with a 104-foot right-of-way and a Class II bikeway.

### Transportation Demand Management

This site is within the boundary of the North Bethesda TMD. As a commercial development, participation is required in the North Bethesda Transportation Management Organization (TMO) to assist the North Bethesda TMD in achieving and maintaining the 39% non-driver traffic mitigation goal for Stage II of the Master Plan development. Participation would include designating an Employee Transportation Coordinator to promote the TMD's programs to employees, participating in the TMD's annual transportation survey, and assisting with monitoring the achievement of traffic mitigation as required in the Master Plan. The North Bethesda TMD staff is available to provide transportation information, technical advice, and other forms of assistance normally provided by the TMD to sites within North Bethesda.

### Prior Planning Board Actions

The Planning Board held a public hearing on May 27, 1999, for Preliminary Plan No. 1-99043 and Pre-Preliminary Plan No. 7-99026. The Planning Board's opinion incorporated both plans in approving a total of 564,000 square feet of non-residential development.

1. The original Preliminary Plan No. 1-99043 was approved to consolidate several lots and replaced the existing general office and general retail uses with a larger-scaled development of general office and research & development uses.
2. Pre-Preliminary Plan No. 7-99026 incorporated the adjacent registered loophole property with Preliminary Plan No. 1-99043. Pre-Preliminary Plan No. 7-99026 included one (Lot 5, Block B) of the four lots which was recorded (as Plat No. 190-72) and registered as a loophole property (e.g., at "5635 Fishers Lane" as File No. 10100079 and Tax No. 79593). As a registered loophole property, the APF test was based on the following:
  - a. For Local Area Transportation Review, the additional non-residential development was more than 5,000 square feet. Thus, a traffic study was submitted because the approved additional development generates 50 or more additional peak-hour trips. The additional trips include new, pass-by, and diverted trips.
  - b. For Policy Area Review, the site is located in a policy area with no available staging ceiling. Thus, a traffic mitigation agreement must be entered into prior to release of building permits. As specified in Section II of the *Annual Growth Policy*, the traffic mitigation goal is to increase the non-driver trips by employees during the weekday peak periods by either of the following:
    - 1) At least 100% greater than the prevailing non-driver mode share (i.e., transit riders or carpoolers) of comparable nearby land uses. The 100% minimum increase is required for policy areas with a critical lane volume (CLV) standard of 1,800.
    - 2) A percentage of peak-period non-driver trips by employees not less than 15% nor higher than 55%.

Participation in the North Bethesda TMD was determined to satisfy the traffic mitigation requirements for the APF test as a registered loophole property because the TMD traffic mitigation goal would be at 39%.

#### Local Area Transportation Review

The applicant's transportation consultant, Lee Cunningham, submitted a traffic statement dated March 29, 2001. As shown on the table below, the revised Preliminary Plan No. 1-99043 would generate fewer new peak-hour trips compared with previously approved Preliminary Plan No. 1-99043 and the APF review for the registered loophole property at 5635 Fishers Lane (as Pre-Preliminary Plan No. 7-99026).

Type of Land Use	Prior Approval without Lot 9			Proposed Revision with Lot 9		
	Square Feet	Morning Trips <sup>1</sup>	Evening Trips <sup>1</sup>	Square Feet	Morning Trips <sup>1</sup>	Evening Trips <sup>1</sup>
<b>Land Use to be Constructed:</b>						
General Office	488,155	822	723	306,200	513	461
R&D Office	75,845	94	82	401,000 <sup>2</sup>	497	433
General Retail	0	0	0	8,000	14	22
Subtotal	562,000	916	805	715,200	1,024	916
<b>Existing Land Use as "Trip Credit":</b>						
General Office <sup>3</sup>	- 91,431	- 163	- 112	- 91,431	- 163	- 112
General Retail <sup>3</sup>	- 41,241	- 24	- 95	- 41,241	- 60	- 95
Lot 9=R&D Office	+ 60,000	+ 74	+ 65	- 60,000 <sup>2</sup>	- 74	- 65
Lot 9=Restaurant <sup>3</sup>	+ 800	+ 3	+ 3	- 800	- 3	- 3
Lot 9="7-11" Store <sup>3</sup>	+ 2,300	+ 28	+ 32	- 2,300	- 28	- 32
Lot 9=Gas Station <sup>3</sup>	+ 2,500	+ 10	+ 14	- 2,500	- 10	- 14
Subtotal	- 67,072	- 71	- 93	-198,272	- 220	- 223
<b>TOTAL</b>	<b>496,928</b>	<b>845</b>	<b>712</b>	<b>516,926</b>	<b>804</b>	<b>693</b>

<sup>1</sup> Numbers in the column below represent new trips generated by that land use.

<sup>2</sup> Number represents credit for *retaining* the existing land use where the 60,000 square feet is included in the 401,000 square feet above.

<sup>3</sup> Numbers in column represent credit for *removing* existing land uses.

For the morning peak period, the proposed revision generates 804 peak-hour trips compared with the 845 trips for the previously approved land use. For the evening peak period, the proposed revision generates 693 peak-hour trips compared with the 712 trips for the previously approved land use. The breakdown of the existing, previously approved, and currently proposed redistributed land uses by address and lot is given in Appendix No. 1.

#### Policy Area Review/Staging Ceiling Condition

Based on the *FY 01 Annual Growth Policy* staging ceiling capacity, the current remaining capacity is negative 906 jobs in the Twinbrook Policy Area. As shown on the table below, the revised Preliminary Plan No. 1-99043 would utilize a fewer number of jobs than previously approved for Preliminary Plan No. 1-99043 and the APF review for the registered loophole property at 5635 Fishers Lane (as Pre-Preliminary Plan No. 7-99026).



Land Use	Square Feet per Job	Approved 1-99043 & 7-99026		Proposed Revised 1-99043	
		Square Feet	Jobs	Square Feet	Jobs
<b>Land Use to be Constructed:</b>					
General Office	225	488,155	2,170	306,200	1,361
R&D Office	350	75,845	217	401,000 <sup>1</sup>	1,146
General Retail	400	0	0	8,000	20
	Subtotal	564,000	2,387	715,200	2,527
<b>Existing Land Use as "Trip Credit":</b>					
Existing Lot 9-R&D <sup>2</sup>	350	N/A	N/A	- 60,000 <sup>1</sup>	- 171
Existing Lot 9-Retail <sup>2</sup>	400	N/A	N/A	- 5,600	- 14
	Subtotal	N/A	N/A	- 198,272	- 185
<b>TOTAL</b>		<b>564,000</b>	<b>2,387</b>	<b>516,928</b>	<b>2,342</b>

<sup>1</sup> Number represents credit for *retaining* the existing land use where the 60,000 square feet is included in the 401,000 square feet above.

<sup>2</sup> Numbers in column represent credit for *removing* existing land uses.

The proposed revision utilizes 2,342 jobs compared with the 2,387 jobs for the previously approved land use (for 45 fewer jobs).

EA:kcw  
Attachments

cc: Lee Cunningham  
Mary Goodman  
Greg Leck  
Pat Harris  
Karl Moritz  
Lonnie Rorie  
Tom Robertson  
Peggy Schwartz

mno to shaneman re PP 1-99043R Spring Lake Park.DOC

Appendix No. 1: Changes in the Existing, Previously Approved, and Proposed Land Uses

The break down of the existing, previously approved, and currently proposed land uses by address or lot is as follows:

1. Lot 2, Block B (or 12709 & 12711 Twinbrook Parkway - FDA)
  - a. Existing Land Use (at 12709) 25,196 sq. ft. of general office use (*removed*)
  - b. Preliminary Plan 1-99043: 62,000 square feet of general + R&D office use
  - c. Preliminary Plan 1-99043R: 52,000 square feet of general office use  
154,000 square feet of R&D office use
  
2. Lot 5, Block B (or 5635 Fishers Lane) (*Added Lot for 7-99026*)
  - a. Existing Land Use: 16,182 sq. ft. of general office use (*removed*)
  - b. Preliminary Plan 7-99026: 220,000 square feet of general office use
  - c. Preliminary Plan 1-99043R: 162,400 square feet of general office use  
26,000 square feet of R&D office use  
5,000 square feet of general retail use
  
3. Lot 6, Block B (or 5625 Fishers Lane)
  - a. Existing Land Use: 41,241 sq. ft. of general retail use (*removed*)
  - b. Preliminary Plan 1-99043: 220,000 square feet of general office use
  - c. Preliminary Plan 1-99043R: 58,800 square feet of general office use  
98,000 square feet of R&D office use
  
4. Lot 9, Block B (*Added Lot for 1-99043R*):

Existing retail land uses to be *removed*:

  - a. 12729 Twinbrook Parkway: 2,500 sq. ft. of auto filling station
  - b. 12733 Twinbrook Parkway: 2,300 square feet of "7-11" retail use
  - c. 12739 Twinbrook Parkway: 800 square feet of high turnover sit-down restaurant use

Existing Land Use to be *retained*:

12725 Twinbrook Parkway: 60,000 square feet of R&D office use

Proposed *Additional* Land Use *for 1-99043R*:

12735 Twinbrook Parkway: 71,000 square feet of R&D office use
  
5. Lot 10, Block B (or 12721 Twinbrook Parkway)
  - a. Existing Land Use: 15,378 sq. ft. of general office use (*removed*)
  - b. Preliminary Plan 1-99043: 62,000 square feet of general + R&D office use
  - c. Preliminary Plan 1-99043R: 850-space garage

6. Lot 2, Block I (or 5615 Fishers Lane)

- a. Existing Land Use: 34,675 sq. ft. of general office use (*removed*)
- b. Preliminary Plan 1-99043: ----- None
- c. Preliminary Plan 1-99043R: 33,000 square feet of general office use  
3,000 square feet of general retail use  
440-space garage