



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

MCPB No. 19-025
Site Plan No. 82018011A
Black Hill Viasat
Hearing Date: February 21, 2019

MAR 15 2019

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, under Section 59-7.7.1.B.3, the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014; and

WHEREAS, on July 25, 2018, the Planning Board, by Resolution MCPB No 18-074, approved Site Plan No. 820180110, for up to 130,000 square feet of office space on 5.8 acres of CR-0.75 C-0.5, R-0.5, H-145T zoned land, but approved under the standards of the TMX-2 zone, located on the north east corner of Crystal Rock Drive and the future Dorsey Mill Road ("Subject Property"), in the Germantown West Policy Area and the 2009 Germantown Employment Area Sector Plan ("Sector Plan") area; and

WHEREAS, on November 20, 2018, Viasat Inc ("Applicant"), filed an application for approval of an amendment to the previously approved site plan for approval of the following modifications:

1. Remove the vehicle drop-off lane on the east side of the building;
2. Re-align the sidewalk between the parking garage and the building;
3. Adjust the route of the multi-user trail
4. Adjust the location of the trash enclosure
5. Modify the parking lot layout; and
6. Modify landscape and lighting details.

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 82018011A, Black Hill Viasat ("Site Plan," "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

Approved as to
Legal Sufficiency:

Planning Board, dated February 8, 2019, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on February 21, 2019, Staff presented the Amendment to the Planning Board as a consent item for its review and action, at which time the Planning Board voted to approve the Amendment subject to certain conditions, on motion of Commissioner Fani-Gonzalez, seconded by Commissioner Patterson, with a vote of 4-0; Commissioners Anderson, Cichy, Fani-Gonzalez, and Patterson voting in favor and Commissioner Dreyfuss absent.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board adopts the Staff’s recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82018011A. All site development elements shown on the latest electronic version of Black Hill Viasat, No. 82018011A, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required.

BE IT FURTHER RESOLVED that all previous site plan conditions of approval for this project remain valid, unchanged and in full force and effect

BE IT FURTHER RESOLVED that having considered 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, with the conditions of approval, that:

- 1. Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan, and all findings not specifically addressed remain in effect.*
- 2. The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

Landscaping and Lighting

The location and quantity of landscaping and lighting is safe, adequate and efficient. The changes made to landscaping are minimal and are a response to changes made in the alignment of on-site sidewalks and the multi-use trail, and the removal of the drop-off drive. The type and quantity of plant material is substantially similar and maintains the intent of providing shade and screening. The adjustments to site lighting include a new light fixture over the relocated trash enclosure, adjusted lighting locations in the surface parking lot because of the relocated sidewalk, and an adjustment of pole locations on top of the parking

garage. The amended lighting continues to provide ample security and lighting around the building and circulation areas, and the light impacts on the Subject Property edge are negligible and continue to meet code requirements. The Amendment also replaces the manufacture and style of the decorative light columns that will be used in the linear gateway park while maintaining the same height and decorative purpose as the previous lights.

Pedestrian and Bicycle Circulation

The location and design of the pedestrian and bicycle circulation is safe, adequate, and efficient. The re-alignment of the sidewalk between the building and the parking garage, and the re-alignment of the multi-use trail around the perimeter of the Subject Property are minor and improve efficiency. The realigned sidewalk between the garage and building creates a direct path between the garage and the main building entrance that is of the same size and function as the previous sidewalk. The multi-use trail changes are to accommodate a larger lawn area for use by the employees and the intent and character of the trail remains the same.

Vehicle Circulation

The vehicle circulation on the Subject Property is safe, adequate and efficient. The Amendment removes a one-way drive isle shown along the eastern edge of the building, which functioned primarily as a visitor drop-off area. The space will instead be an expanded planting area and entry patio. Emergency and service vehicles still have adequate access to all sides of the building through the parking lot isle and visitors still have convenient access to the front door. Vehicle circulation on the Property will be more efficient by eliminating a redundant drive aisle, and pedestrian circulation is improved by reducing the number of crosswalks between the parking garage and building. The adjustments to the parking lot are in response to the relocated sidewalk between the parking garage and building. The pedestrian crossing through the visitor parking lot is adjusted north and the parking spaces are adjusted accordingly. The parking in the garage is also shifted to accommodate a new location for the stairwell. Actual vehicle circulation is not altered with the adjustments to the parking stalls.

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 Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and


BE IT FURTHER RESOLVED, that the date of this written resolution is MAR 15 2019 (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 written opinion, 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 Cichy, seconded by Commissioner Fani-González, with Chair Anderson and Commissioners Fani-González and Cichy voting in favor, and Vice Chair Dreyfuss and Commissioner Patterson absent at its regular meeting held on Thursday, March 7, 2019, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board