

WASHINGTON SCIENCE CENTER PARCEL M

SITE PLAN AMENDMENT NO. 81983080C

Description

Request to increase capacity of existing Child Day Care Center occupying approximately 15,500 square feet of the existing office building from a maximum of 120 children to a maximum of 190 children; install an outdoor play area within the forested area to the west of the building; install a walkway connecting the building with the play area; and install a natural-surface trail along the west and south sides of the Property.

No. 81983080C
Completed: 7-14-2023

MCPB
Item No.
7-27-2023

Montgomery County
Planning Board
2425 Reedie Drive
Floor 14
Wheaton, MD 20902

Planning Staff



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LOCATION

6120 Executive Boulevard, 600 feet south of the intersection of Josiah Henson Parkway and East Jefferson Street.

MASTER PLAN

2018 *White Flint 2 Sector Plan*

ZONE

Formerly: I-3

Currently: CR-1.5, C-1.5, R-1.0, H-100

PROPERTY SIZE

12.92 acres

APPLICANT

Executive Plaza Venture LLC

ACCEPTANCE DATE

April 19, 2023

REVIEW BASIS

Chapter 59 – in effect on October 29, 2014; and Chapter 22A



Summary:

- Staff recommends approval with conditions of the Site Plan Amendment Application.
- Pursuant to Section 59-7.7.1.B.3.a, the Subject Application is being reviewed under the Zoning Ordinance in effect on October 29, 2014.
- The Applicant proposes to increase the capacity of the existing 15,500-square-foot Child Day Care Center (over 30 persons) from up to 120 children to up to 190 children pursuant to 59-C-5.2(e). The Subject Application does not propose to increase the square footage of the day care.
- The Applicant proposes to install a play area within the existing forested area at the west of the Subject Property.
- The Applicant proposes to install a walkway between the existing building and the play area.
- The Applicant proposes to install a natural-surface trail that runs north-south in the western forested area of the Property.
- The Application meets the requirements of Chapter 59, the Zoning Ordinance in effect on October 29, 2014, and Chapter 22A.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

SITE PLAN AMENDMENT NO. 81983080C

Staff recommends approval of Site Plan Amendment No. 81983080C, Washington Science Center Parcel M, to increase capacity of the existing child day care center occupying approximately 15,500 square feet of the existing office building from a maximum of 120 children to a maximum of 190 children; install an outdoor play area within the forested area to the west of the building; install a walkway connecting the building with the play area; and install natural-surface trails along the west and south sides of the Property. All previously approved conditions remain valid and in full force and effect, except as modified herein. All site development elements shown on the latest electronic version of Site Plan Amendment No. 81983080C as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.¹

Modified Conditions

9. Right of Way

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated April 18, 2022 and updated on May 1, 2023, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

11. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the ~~stormwater management concept approval letter~~; development program; and Site Plan resolution (and other applicable resolutions) on the approval or cover sheet(s).
- b. Fire and Rescue Access plan should be included in the Certified Site Plan.
- c. Modify data table to reflect development standards approved by the Planning Board.
- d. Show the final design and location of the bicycle parking spaces
- e. ~~Add and/or Modify note No. 2 to state "Design details and final layout for new roof top sidewalks and entrances will be determined at time of Building Permit."~~
- f. Show a connection between the north-south natural surface trail and the building's western parking area. Connection must also be natural surface.
- g. Clearly identify a future trail connection to the adjacent eastern property with a note stating that this connection will be completed upon the property to the east redeveloping.

¹ For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.

- h. Modify the notes on the plans so that the terminus of the east-west trail will be coordinated with M-NCPPC Planning Staff.
- i. Add the following note:
 - i. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”

New Conditions

DENSITY

12. Density

The Site Plan is limited to a maximum of 354,840 square feet of commercial space, including up to 15,500 square feet of Day Care Center use, with a capacity of up to 60 employees and up to 190 children.

TRANSPORTATION & CIRCULATION/ADEQUATE PUBLIC FACILITIES (APF)

13. Transportation

- a. Within one year of the mailing date of the Resolution, the Applicant must obtain approval of a Project-based Transportation Demand Management Plan (TDM) from the Montgomery County Department of Transportation (MCDOT).
- b. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated July 7, 2023, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of Site Plan approval.
- c. To satisfy Section 59-D.3.4.d of the Zoning Ordinance and provide adequate, safe, and efficient access, within one year of the mailing date of the Resolution, the Applicant must upgrade the existing signalized access with new countdown pedestrian signals (CPS) for the existing crosswalks. The design and construction must be coordinated with MCDOT.

14. Pedestrian & Bicycle Circulation

- a. The Applicant must provide 30 bicycle parking spaces on Site.
- b. Within one year of the mailing date of the Resolution, the Applicant must provide the following master-planned natural surface trails, the exact location, design, and construction must be coordinated with the M-NCPPC Montgomery County Department of Parks (Montgomery Parks) and M-NCPPC Planning Staff.

- i. A publicly accessible natural surface north-south trail along the west side of the Property with a minimum width of eight feet (8 ft.). The trail must connect to Luxmanor Park at the south end with a bridge across the Cabin John Creek tributary stream as determined by Montgomery Parks.
 - a) Any activity on M-NCPPC Parkland requires an approved Montgomery Parks Park Construction Permit and is subject to the full Park Construction Permit process as directed by Montgomery Parks staff.
 - b) All facilities to be constructed and work performed on M-NCPPC Parkland must be acceptable to Montgomery Parks staff and must meet or exceed Montgomery Parks' design standards and specifications.
- ii. A publicly accessible natural surface east-west trail adjacent to the existing parking garage with a minimum width of eight feet (8 ft.).
- iii. The two trails must connect with each other on site and will ultimately connect to the other master-planned trail segments to the north and to east of the Site when those locations redevelop.
- iv. At the terminus of the north end of the north-south trail and the east end of east-west trail, the Applicant must provide signage that identifies these locations as future trail connections until the properties redevelop.
- v. The Certified Site Plan must reflect the future limits of work for the purposes of extending the on-site path to the adjacent properties to the north and east. The path may be extended within that area by the adjacent property owners when the respective properties redevelop.
- vi. There must be a trail access connection between the north-south natural surface trail and the building's paved access path. This connection must also be natural surface.
- c. The Applicant must provide a Public Access Covenant for the benefit of the public over the master-planned natural surface trails in a form and substance approved by the M-NCPPC Office of the General Counsel and recorded in the Montgomery County Land Records.

15. LATR

- a. Within one year of the mailing date of the Resolution, the following off-site improvements must be permitted and bonded (to ensure construction) pursuant to MCDOT requirements:
 - i. Reconstruct the curb ramp and install new Detectable Warning Surface (DWS) on the north side of the crosswalk at the entrance of 2101 East Jefferson Street. This requires the removal of the existing ramp and curb at this location.
- b. If, at the time the Applicant submits for permits to construct one of the required LATR Off-Site Improvements, the improvement is no longer necessary or desirable, because: i) it has been constructed or is under construction by another applicant or as part of a capital improvement project by a government agency, or, ii) the applicable master plan has changed and no longer requires or suggests the improvement, the Applicant can propose an alternative LATR Off-Site Improvement from the priority list of improvements provided

in the subject Staff Report that is of similar value, and this alternative improvement, if reviewed and approved by Planning Staff, can be substituted and shown on a revised Certified Site Plan.

16. APF Validity

The Adequate Public Facilities Review (APF) will remain valid for five (5) years from the initiation date in Section 50.4.3.J.5 of the County Code.

SECTION 2: SITE DESCRIPTION

VICINITY

The Subject Property (shown in yellow) is located at 6120 Executive Boulevard in North Bethesda, within the Executive Boulevard District as defined in the 2018 *White Flint 2 Sector Plan*. To the north and east of the Property are areas generally developed with commercial uses, including the Pike & Rose mixed-use development, and to the west and south of the Property are established single-family residential neighborhoods. The Subject Property is currently zoned CR-1.5, C-1.5, R-1.0, H-100, however, the Property was formerly zoned I-3 on October 29, 2014 and is being reviewed under the former Zoning designation and Code provisions.



Figure 1 - Aerial Vicinity Map (Subject Property outlined in yellow)

PROPERTY DESCRIPTION

The Subject Property is approximately 12.94 acres and is described as Parcel M, Washington Science Center, as shown on Plat No. 12895. The Subject Property is currently zoned CR-1.5, C-1.5, R-1.0, H-100', but the Subject Application is being reviewed under the standards and procedures for the property's previous I-3 zone from the Zoning Ordinance in effect on October 29, 2014, as permitted by Section 59-7.7.1.B.1 and Section 59-7.7.1.B.3.a.

The Property consists of two existing office buildings that were originally approved for 354,840 square feet of office development under the I-3 zone as part of Site Plan No. 819830800. The two symmetrical buildings, one to the north and one to the south, are located near the center of the lot. To the south of the southern office building is an existing parking garage, which in combination with surface parking to the west, north, and east of the two buildings provide 1,138 parking spaces on the Subject Property. The existing Child Day Care Center includes approximately 15,500 square feet of interior space on the ground floor of the existing southern office building, as well as a 5,800 square-foot outdoor play area on the parking deck to the south.

The western portion of the Subject Property is forested and provides screening and a buffer between the residential neighborhood to the west and the office and commercial development to the east. There is a tributary stream of Cabin John Creek running east to west along the southern boundary of the property. The 1.80-acre stream buffer occupying the southern portion of the property includes wetlands, wetland buffers, hydraulically-adjacent steep slopes, and 0.68 acres of delineated 100-year floodplain. There are no records of rare, threatened, or endangered species of plant or animals for this site. The property lies within the Cabin John Creek watershed, which is designated a Maryland Use Class I-P stream. It is not part of a Special Protection Area.

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

Site Plan No. 819830800 was approved by the Planning Board on October 13, 1983², for 354,840 square feet of office development in the I-3 zone.

Site Plan No. 81983080A was approved by the Planning Board on July 5, 2007 (via MCPB Resolution No. 07-47), to make minor modifications to the Site, including the provision of a five-foot-wide sidewalk between Parcels L and M and construction of a new guard house with security gates at the Parcel L entrance.

Site Plan No. 81983080B was approved by the Planning Board on July 28, 2022 (via MCPB Resolution No. 22-082), to convert approximately 15,500 square feet of existing office space into a child day care center for up to 120 children and 60 staff, to replace 22 existing parking spaces with an outdoor play area, and to make upgrades to building entrances and walkways for ADA compliance.

PROPOSAL

The Subject Application proposes to increase the capacity of the existing child day care center occupying approximately 15,500 square feet of the existing office building from a maximum of 120 children to a maximum of 190 children. The number of allowable Day Care Center employees on site will remain at 60. The Subject Application also proposes to install a fenced outdoor play area within the forested area to the west of the building, which will be accessed via a walkway (to be constructed by the Applicant) connecting the play area with the existing day care space within the existing building. The proposed new natural play area will be 7,121-square feet, and include movable play equipment and a 4-foot-wide rubberized cycle track. The play area surface will be entirely mulch with the exception of the rubberized cycle track. The existing day care center also includes a 5,800-square-foot play area on the existing parking deck to the south of the existing building. The existing 15,500 square feet of Day Care Center space, in addition to the existing 5,800-square foot play area on the parking deck and the 7,121-square-foot play area at the west of the building proposed as part of the Subject Application, will be sufficient for the operation of the Day Care Center with up to 190 children. The Day Care Center will be subject to the requirements of the Maryland State Department of Education - Division of Early Childhood, which is responsible for all childcare licensing and regulation in the state of Maryland.

² This site plan approval pre-dates M-NCPPC numbering system for Opinions and Resolutions.

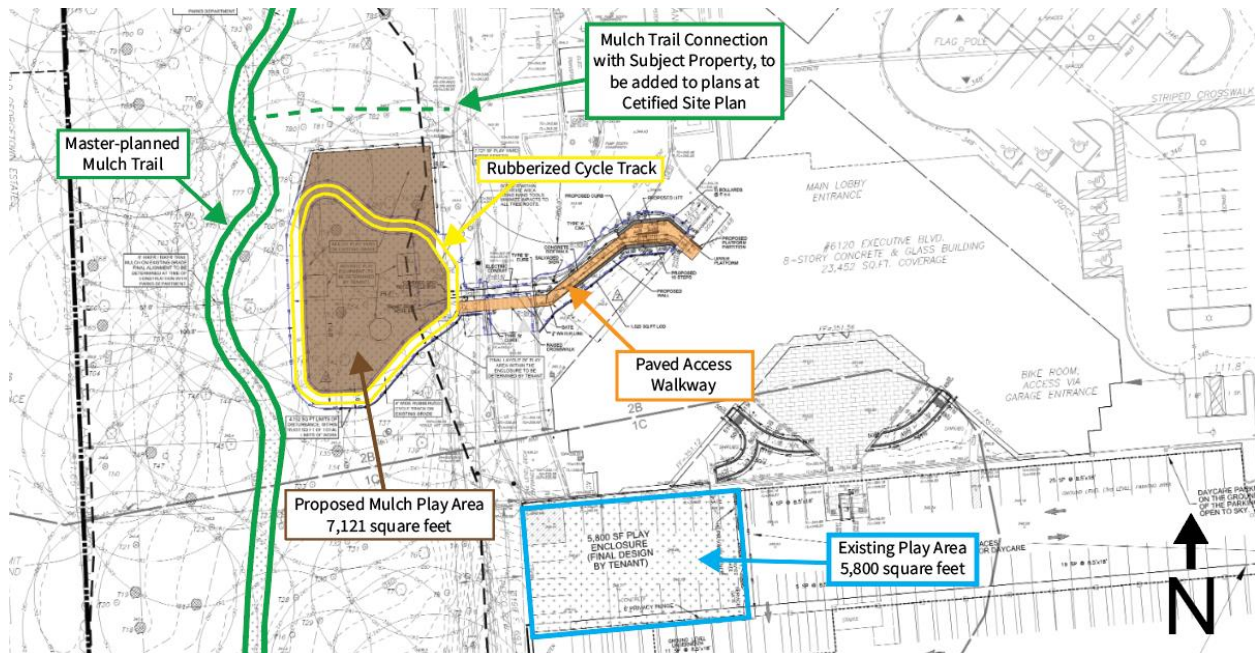


Figure 2 – Annotated Site Plan

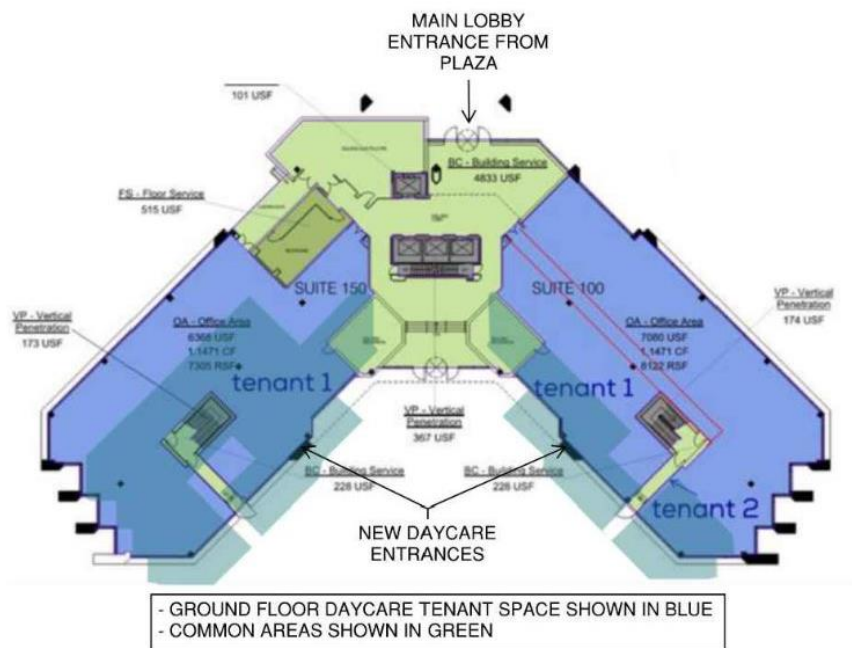


Figure 3 – Existing Daycare Tenant Space

The Subject Application also proposes to install a natural-surface trail along the west and south sides of the Property, which is a Master Plan recommendation. The north-south trail along the western side of the Property will connect to the adjacent property to the north and to Luxmanor Local Park to the south. The east-west portion of the trail will connect with the north-south portion of the trail at the

southwest of the property and will extend east so that the master-planned east-west trail connection can be realized as properties to the east redevelop. The connection to Luxmanor Local Park will also include a pedestrian bridge crossing over the Cabin John Creek tributary stream that will be fully funded by the Applicant in coordination with Montgomery Parks. In all, the total limits of work for the project cover 18,431 square feet, but due to the extensive use of mulch for both the natural surface trails and for the proposed new play area, the limits of disturbance for the project cover only 4,152 square feet.

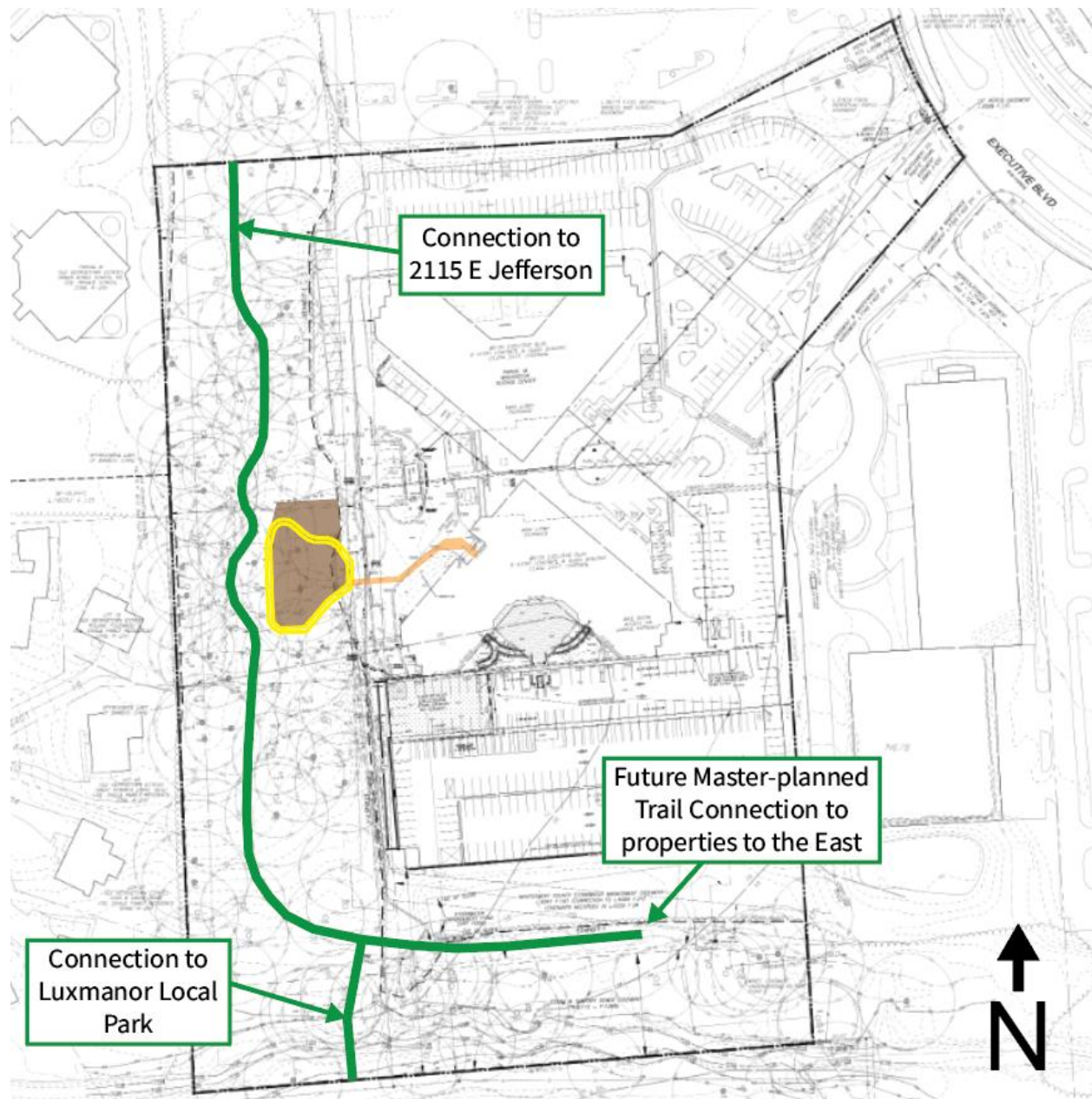


Figure 4 – Proposed Natural Surface Trails

TRANSPORTATION

The existing access point from East Jefferson Street will be maintained in its current configuration. The internal parking areas will continue to provide vehicular circulation for office staff and visitors, pick-up/drop-off, deliveries, as well as other short-term parking needs. However, to provide adequate, safe, and efficient access, the existing signalized access will be upgraded with new accessible pedestrian signals (APS) and countdown pedestrian signals (CPS).

No changes will be made to the existing East Jefferson Street frontage which has an eight-foot-wide sidewalk behind a six-foot-wide street buffer. As recommended by the 2018 *Bicycle Master Plan* and detailed within the 2019 *Urban Design Guidelines for Rock Spring and White Flint 2 Sector Plans*, a two-way separated bikeway is planned along the eastern/northern frontage of East Jefferson Street, across the road from the Subject Site, which will not be constructed as part of this proposal.

An eight-foot-wide north-south natural surface trail at the west of the Site will be constructed as part of the development. This trail connection was identified in the 2018 *White Flint 2 Sector Plan*. The trail will connect to Luxmanor Local Park to the south in coordination with Montgomery Parks and includes a bridge over the stream at the southern boundary of the site. The northern end of the trail will terminate at the Subject Property's northern property line, which borders 2115 East Jefferson Street to the north. 2115 East Jefferson Street has received Sketch Plan approval (320220110) for a townhouse development that includes a trail at the west of the property. At the time of redevelopment of 2115 East Jefferson Street, the Subject Property's north-south trail will connect to the trail proposed on 2115 East Jefferson at the Subject Property's northern property line. An eight-foot-wide east-west natural surface trail will connect to the north-south trail adjacent to the existing parking structure. In the interim, this east-west trail will terminate within the stream buffer on the Subject Site but will be connected to the adjacent property to the east when it redevelops. As conditioned, the north-south trail will connect to the building's western parking area.

The Site is within three quarters of a mile of the North Bethesda Metrorail Station and is served by Metrorail's Red Line. Ride On Routes 5, 26, and 81 service the Property from existing bus stops located along East Jefferson Street, on the adjacent properties to the north and east:

- Ride On route 5 provides service between the Silver Spring Metro Station and the Twinbrook Metro Station.
- Ride On route 26 provides service between the Glenmont Metro Station and the Montgomery Mall Transit Center.
- Ride On route 81 provides service between the Rockville Metro Station and North Bethesda Metro Station.

ENVIRONMENT

Environmental Guidelines

The approximately 12.94-acre site lies within the Cabin John Creek watershed, which is a State Use Class I-P stream. This Property is not within a Special Protection Area. The southern portion of the site includes mature forest, stream buffer areas, steep slopes, and 100-year floodplain. There are no recorded occurrences of Rare, Threatened or Endangered species on the Property. No disturbance of the stream buffer, steep slopes, or 100-year floodplain is proposed with this Application. The Project as submitted is in conformance with the Montgomery County Planning Department's *Environmental Guidelines*.

Forest Conservation

No forest will be disturbed in association with this Application. The proposed play area has been designed in response to the existing trees at the west of the Subject Property, and the implementation of the play area will not result in any significant or specimen trees being removed. The play area, as well as the master-planned proposed trails, utilize mulch as a surface, which has minimal impacts on the environment and minimizes the imperviousness of the proposed improvements. The limits of work for the Subject Application, which include the implementation of mulch on the master-planned trails and within the proposed play area, cover 18,411 square feet. However, the limits of disturbance for the Subject Application, which does not include the mulched areas, cover 4,152 square feet. Due to the Applicant's proposal of less than 5,000 square feet of land disturbance, a sediment control permit will not be required for the proposed activity. There is a tributary stream of Cabin John Creek running east to west along the southern boundary of the property. The 1.80-acre stream buffer occupying the southern portion of the property includes wetlands, wetland buffers, hydraulically-adjacent steep slopes, and 0.68 acres of delineated 100-year floodplain. The proposed work and its associated Limits of Disturbance are occurring outside of the stream buffer.

An exemption from Article II of Chapter 22A (the Forest Conservation Law), FCP Exemption Number 42023242E, was confirmed by Planning Staff on June 26, 2023. The property meets the requirements for an exemption under Section 22A-5(t)(1) for a modification to an existing developed non-residential property. With the confirmation of the exemption, this project is in compliance with Chapter 22A requirements.

MASTER PLAN

The Subject Application will further the goals and objectives of the 2018 *White Flint 2 Sector Plan*. The Master Plan specifically recommends “additional child daycare and senior services to support existing and future families” (page 94). More broadly, the Master Plan recommends “new...nonresidential uses in the Executive Boulevard office park” (page 20) and encourages the “adaptive re-use” of existing buildings (page 26). The Subject Application fulfills these recommendations by increasing the capacity of the approximately 15,500-square-foot existing day care center from a maximum of 120 children to a maximum of 190 children. The day care is anticipated to serve the needs of both employees in the Executive Boulevard office park, as well as families in the adjacent residential areas.

SECTION 4: FINDINGS AND ANALYSIS

Pursuant to Section 59-7.7.1.B.3.a, this Amendment was reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014 (the Prior Code). The modifications proposed through the Subject Site Plan Amendments do not alter the intent of the original site plans, as amended.

The Amendment complies with the general requirements and development standards of the Prior Code, and substantially conforms with the goals and recommendations of the 2018 *White Flint 2 Sector Plan*. The elements of the proposed Site Plan Amendment No. 81983080C remains consistent with the original findings, as modified to accommodate the proposed building and site revisions.

Section 59-D-3.4.c of the Prior Code provides the findings that the Planning Board must make before approving a site plan application. The following is an analysis of how the Site Plan Amendment satisfies these findings:

- 1) *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan;***

The Site Plan Amendment is consistent with all previous entitlements.

- 2) *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56;***

As shown on the Development Data Table on the Site Plan Amendment drawings, the Site Plan Amendment meets all of the requirements of the former I-3 zone. There are no proposed physical changes to the existing building, and the day care center will continue to occupy 15,500 square feet within the ground floor of the existing office building. The principal change proposed with the Subject Application is the increase in daycare capacity from 120 children to 190 children, in addition to exterior changes that include a natural surface trail, a nature-themed play area, and a paved access walkway connecting the daycare to the play area. The day care use is a permitted use in the I-3 zone.

Table 1: Development Standards

| Standard (I-3) | Required | Previously Approved 81983080B | Proposed with Amendment |
|---|---------------------|-------------------------------|---------------------------|
| Lot Area (min) | n/a | 12.94 acres | 12.94 acres |
| Density (max) | .5 FAR ³ | 354,840 sf | 354,840 sf |
| Office | | 339,340 sf | 339,340 sf |
| Child Day Care Center | | 15,500 sf | 15,500 sf |
| Minimum Green Area (min) | 35% | 319,944 sf (56.8%) | 319,944 sf (56.8%) |
| Height (max) | 100 feet | 100 feet | 100 feet (as existing) |
| | | | |
| BUILDING SETBACKS | | | |
| Abutting residentially zoned property recommended for one-family zoning and development on the applicable master plan | 200 feet | 217 feet ⁴ | 217 feet (as existing) |
| Abutting residentially zoned land recommended for residential zoning and development other than single-family | 100 feet | 203 feet | 203 feet (as existing) |
| Abutting an arterial road, local street, or private street within the I-3 or R&D zones | 25 feet | 331 feet | 331 feet (as existing) |
| Abutting a lot classified in the I-3 or R&D zone | 25 feet | 111 feet | 111 feet (as existing) |
| | | | |
| PARKING SETBACKS | | | |
| Abutting residentially zoned property recommended for one-family zoning and development on the applicable master plan | 100 feet | 176 feet | 176 feet (as existing) |
| Abutting residentially zoned land recommended for residential zoning and development other than single-family | 100 feet | 148 feet | 148 feet (as existing) |
| Abutting an arterial road, local street, or private street within the I-3 or R&D zones | 35 feet | 91 feet | 91 feet (as existing) |
| Abutting a lot classified in the I-3 or R&D zone | 25 feet | 8 ⁵ feet | 8 feet (as existing) |

³ Max FAR for I-3 zone is .5, however Site Plan 819830800 was approved for 354,840 sf of office development (.63 FAR) on October 13, 1983.

⁴ From 59-C-5.34 of the Prior Code, "If proposed building is more than 40 feet in height then 1 foot of additional building setback for each 2 feet of height" The building is 100 feet in height, requiring an additional 30 feet of setback above the required. Site Plan 819830800 was approved with a setback of 217 feet on October 13, 1983.

⁵ The Prior Code Section 59-C-5.34 allowed Planning Board approval because the neighboring property was under the same preliminary plan.

Table 2: Parking

| Vehicle Parking | | | |
|-----------------------|--------------------------|------------------------|--------------|
| Use | | Required | Proposed |
| Office | 2.7 spaces per 1,000 gsf | 917 spaces | 1,046 spaces |
| Child Day Care Center | 1 space per employee | 60 spaces | 60 spaces |
| | 1 space per 6 children | 32 spaces | 32 spaces |
| Total spaces | | 1,009 spaces | 1,138 spaces |
| | | | |
| Bicycle Parking | | Required | Proposed |
| | | 20 spaces ⁶ | 30 spaces |

3) The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient;

The existing access point from East Jefferson Street will be maintained in its current configuration. The internal parking areas will continue to provide vehicular circulation for office staff and visitors, pick-up/drop-off, deliveries, as well as other short-term parking needs. Two new 8-foot-wide natural surface trails will be installed by the Applicant consistent with the 2018 *White Flint 2 Sector Plan*. The north-south trail is located at the west of the Subject Property and will connect to Luxmanor Local Park to the south in coordination with Montgomery Parks. The northern end of the trail will terminate at the Subject Property's northern property line in the interim, which borders 2115 East Jefferson Street to the north. 2115 East Jefferson Street has received Sketch Plan approval (320220110) for a townhouse development that includes a trail at the west of the property. At the time of redevelopment of 2115 East Jefferson Street, the Subject Property's north-south trail will connect to the trail proposed on 2115 East Jefferson at the Subject Property's northern property line. As conditioned, the north-south trail will connect to the building's western parking area.

The east-west trail will connect to the north-south trail at the southwest of the Subject Property. In the interim the east-west trail will terminate in the stream buffer but will connect to the adjacent eastern property when it is redeveloped.

To satisfy Section 59-D.3.4.d of the Zoning Ordinance and provide adequate, safe, and efficient access, the existing signalized access will be upgraded by the applicant with new countdown pedestrian signals (CPS) for the existing crosswalks.

⁶ Per Section 59-E-2.3.a of the 2004 Zoning Ordinance, all parking facilities containing more than 50 parking spaces shall provide one bicycle parking space for each 20 automobile parking spaces in the facility. Not more than 20 bicycle parking stalls shall be required for any one facility.

4) Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development;

The proposed day care will complement the existing office uses on the Property and in the surrounding area, as was specifically acknowledged in the Sector Plan. A child day care center is a permitted use under the I-3 zone.

5) The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law;

The Project is exempt from Stormwater Management (Chapter 19) requirements due to its limited scope. The Subject Application proposes less than 5,000 square feet of disturbance and less than 100 cubic yards of earth movement, and therefore a Sediment Control Permit is not required.

As discussed in the Environment section on page 13 of this Staff Report, an exemption from Article II of Chapter 22A (the Forest Conservation Law), FCP Exemption Number 42023242E, was confirmed by Planning Staff on June 26, 2023. The property meets the requirements for an exemption under Section 22A-5(t)(1) for a modification to an existing developed non-residential property. With the confirmation of the exemption, this project is in compliance with Chapter 22A requirements.

In addition to the required findings for a Site Plan application under the old code, the Subject Site Plan Amendment makes an Adequate Public Facilities finding for the Day Care Center's proposed capacity of 190 children and 60 employees.

[Local Area Transportation Review \(LATR\)](#)

As a proposed development with 326,660 square feet office (311,233 square feet of office and 15,427 square feet of daycare use)⁷, the Project is estimated to generate 763 total peak hour person trips in the morning and 731 total peak hour person trips in the evening. After accounting for peak hour person trips currently associated with the approved/vested 354,840 square feet of office on the Site, (659 morning peak hour person trips and 628 evening peak hour person trips), the Project is estimated to generate 104 net new morning peak hour person trips and 103 net new evening peak hour person trips. As a result of the estimated transportation impact, the Project must submit a Transportation Impact Study with the Subject Site Plan to satisfy the Local Area Transportation Review (LATR).

⁷ Numbers used for LATR purposes are the actual built square footages. The numbers shown in the development table are what the Project was approved for.

Table 3: Washington Science Center Parcel M Estimated Person Trip Generation

| Land Use | Morning Peak Hour | Evening Peak Hour |
|-----------------------------------|-------------------|-------------------|
| Existing Approved/Vested (credit) | | |
| General Office 354,840 sq ft | 659 | 628 |
| Proposed | | |
| General Office 311,233 sq ft | 587 | 563 |
| Daycare 190 Students | 176 | 168 |
| Proposed Total | 763 | 731 |
| | | |
| Net New Person Trips | 104 | 103 |

Source: Transportation Impact study by Lenhart Traffic Consulting dated May 23, 2023, amended by staff

Travel Mode Adequacy Test

The project is in the North Bethesda Policy Area, which is an orange Policy Area. The 2020-2024 *Growth and Infrastructure Policy* requires evaluation of all transportation modes, including: auto-drive, transit, walking and biking in orange Policy Areas. Mode-specific adequacy tests are required for any project estimated to generate 50 or more net new peak hour person trips. The mode split of the total person trips for the Project are summarized by travel mode in Table 4. The Project's estimated transportation impact necessitates that the Transportation Impact Study evaluate the four (4) travel mode adequacy tests.

Table 4: Washington Science Center Parcel M Trip Estimate by Mode

| | Total Person-Trips | Auto-Driver | Transit | Pedestrian ⁸ | Bicycle |
|-------------------|--------------------|-------------|---------|-------------------------|---------|
| Morning Peak Hour | 763 | 496 | 67 | 125 | 58 |
| Evening Peak Hour | 731 | 476 | 64 | 120 | 56 |

Source: Transportation Impact study by Lenhart Traffic Consulting Inc., dated May 23, 2023, amended by staff

- Motor Vehicle system adequacy was evaluated by analyzing one intersection in each direction from the site as well as the site access signal. Under the LATR Guidelines, intersections in the North Bethesda Policy Area with an average intersection delay of 71 seconds or less are considered adequate. Analysis from the Transportation Study dated May 23, 2023 performed by Lenhart Traffic Consulting, Inc. show that all intersections operate with an average delay of 71 seconds or less under built conditions.

⁸ Pedestrian trips are calculated by adding non-motorized and transit trips.

- Transit system adequacy was evaluated by inventorying two bus stops located within 1,000 feet of the Property. Where shelters and associated amenities are not provided, the Applicant must install the standard amenities in coordination with MCDOT.
- Pedestrian system adequacy was evaluated within 750 feet of the Property. Mitigation will be required to achieve a Pedestrian Level of Comfort (PLOC) greater than 2 (Somewhat Comfortable), and/or deficiencies identified for streetlamps within the scoped boundary. The Pedestrian system adequacy also requires mitigation for ADA deficiencies identified within 375 feet of the Property.
- Bicycle system adequacy was evaluated by analyzing bikeways within 750 feet of the Property. Mitigation will be required to achieve a Level of Traffic Stress 2 (LTS-2) or lower, consistent with the Bicycle Master Plan.

Under Section 8 of 2022 *Local Area Transportation Review Guidelines* (LATR Proportionality Guide), the maximum cost of mitigation improvements the Applicant is required to construct or fund for a project consisting of 15,427 square feet of Daycare is not to exceed \$11,570 (see calculation below).

LATR Proportionality Guide = (Extent of Development) (LATR Proportionality Guide Rate) (LATR Proportionality Guide Adjustment Factor)

$$\$11,570 = (15,427 \text{ square feet}) (\$1.50) (50\%)$$

For the Subject Site Plan, the cost of construction and/or mitigation payments for mitigation projects is not to exceed \$11,570. After evaluating the adequacy of each of the required transportation modes, the Applicant identified a comprehensive list of deficiencies, by which a prioritized list of mitigation improvements was submitted to Staff for review. In compliance with the 2022 LATR Guidelines, the final list of prioritized projects was finalized by the reviewing agencies and are now conditioned for approval of the Site Plan. The table identifies those projects which could be feasibly constructed. The final list of projects is included in Table 5 and a map of the projects is provided on Figure 5 below. The first project is the top priority; however, two additional projects are listed as potential alternatives if it is determined that the first project cannot be constructed.

Table 5: Washington Science Center Parcel M LATR Mitigation Project List

| Map ID | Project Location | Project Description | Construct/Mitigation Payment | Project Cost |
|------------------------------|---|---|------------------------------|--------------------|
| 1 | Curb ramp on the north side of the crosswalk at the entrance to 2101 East Jefferson Street (Kaiser Office Building) | Reconstruct the curb ramp and install new Detectable Warning Surface (DWS). This requires the removal of the existing ramp and curb. | Construct | \$10,820.71 |
| 2 | Curb ramps and crosswalk on the north side of Executive Boulevard at the entrance to 6153 Executive Boulevard | Removal and reconstruction of the east curb ramp to appropriate ADA standards. Installation of DWS on both curb ramps and crosswalk restriping. | Construct (alternative) | \$14,209.96 |
| 3 | Curb ramps and crosswalk on the south side of Executive Boulevard at the entrance to 6110 Executive Boulevard | Installation of DWS on both curb ramps and crosswalk restriping | Construct (alternative) | \$2,934.25 |
| Total | | | | \$10,820.71 |
| Total (alternative 1) | | | | \$14,209.96 |
| Total (alternative 2) | | | | \$2,934.25 |
| Proportionality Guide | | | | \$11,570.00 |

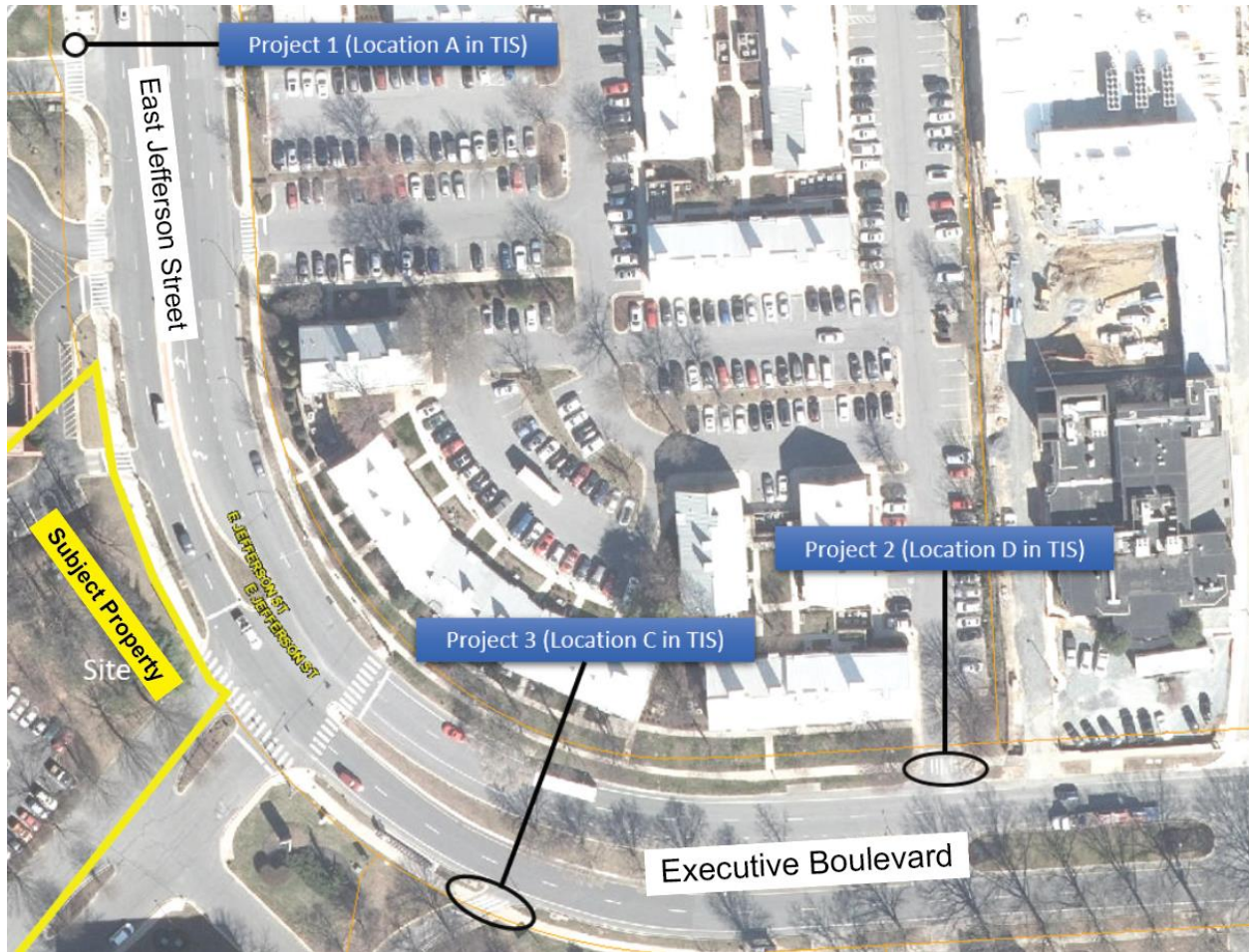


Figure 5 – Map of Off-site LATR Mitigation Projects

As conditioned, all off-site mitigation projects must be permitted, bonded for construction, and all mitigation payments must be paid within one year of the mailing date of the Resolution. Montgomery County Planning, MCDOT, and MDOT SHA staff reviewed the Transportation Impact Statement (TIS) and approved the mitigation project list. Therefore, the Applicant has satisfied the requirements of the LATR, and the public transportation facilities are adequate for the Site.

SECTION 5: COMMUNITY OUTREACH

The Applicant has met signage and noticing requirements for the submitted Application. As of date of this Staff Report, no correspondence has been received.

SECTION 6: CONCLUSION

The Subject Application meets all of the requirements established in the Prior Code, as allowed by the current Zoning Ordinance Section 59-7.7.1.B.3, and complies with the recommendations of the 2018 *White Flint 2 Sector Plan*. The Application was reviewed by other applicable County agencies, all of whom have recommended approval of the plans. Therefore, Staff recommends approval of the Application with the conditions as specified at the beginning of the Staff Report.

ATTACHMENTS

Attachment A: Site Plan

Attachment B: Agency Letters

PARCEL M WASHINGTON SCIENCE CENTER
SITE PLAN 81983080C

6120 & 6130 EXECUTIVE BLVD
MONTGOMERY COUNTY, MARYLAND
4TH ELECTION DISTRICT
PLAT 12885
WSSC SHEET 215NW06, TAX MAP G052

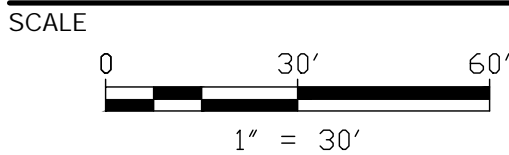
SEAL



Professional Certification: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 29891
Expiration Date: 01/14/2024

KEY MAP



REVISIONS

| No. | DATE | BY | Description |
|-----|------|----|-------------|
| | | | |
| | | | |
| | | | |
| | | | |

DRAWN BY: PN
APPROVED BY: KDM
CHECKED BY: PS
DATE: NOVEMBER 2022
TITLE: SITE PLAN

PROJECT NO. 50149542
SP-004

SHEET NO. 07-BSITE-81983080C-004

AMENDMENT LIST

1. Revision to allow the Daycare Center an increased maximum capacity of 190 students and 60 staff.
2. Construct a second playground within the forested area and construct a new ADA accessible sidewalk from Building 6120 to the playground.
3. Construct an 8' Hiker/Biker Trail to align with future trail on adjacent property.

LEGEND

- EXISTING MAJOR CONTOURS
- EXISTING MINOR CONTOURS
- EXISTING ADJACENT PROPERTY
- EXISTING CURB
- PROJECT BOUNDARY
- EXISTING TREE LINE
- EXISTING HEDGEROW OR NON-WOODLAND AREAS
- CHAIN LINK FENCE
- WATER LINE
- SANITARY SEWER LINE
- STORM DRAIN LINE
- EXISTING SIGNIFICANT TREE 24" - 30" DBH
- EXISTING SIGNIFICANT TREE ≥ 30" DBH
- EXISTING TREE DEAD / TO BE REMOVED
- PROPOSED SIDEWALK
- PROPOSED WALL
- PROPOSED FENCE
- PROPOSED LIMIT OF WORK
- PROPOSED LIMIT OF DISTURBANCE
- PROPOSED SPOT GRADE
- OH, ROOF / BUILDING OVERHANG
- PROPERTY CORNER SYMBOL
- GMP GAS MARKER POST
- COMMUNICATIONS HANDHOLE
- FHH FHH
- WV WATER VALVE
- WM WATER METER
- WM WATER MANHOLE
- FM FIRE HYDRANT
- GM GAS METER
- GM GAS MANHOLE
- GV GAS VALVE
- TS TRAFFIC SIGN
- LIGHT POLE
- TELEPHONE JUNCTION BOX
- STORM DRAIN MANHOLE
- POWER POLE
- GUY WIRE
- ELECTRIC MANHOLE
- ELECTRIC TRANSFORMER
- SANITARY MANHOLE
- TELEPHONE MANHOLE OR PEDESTAL
- ROLLARD
- CLEANOUT
- STORM INLET GRATE
- BRL BUILDING RESTRICTION LINE
- IRY IRRIGATION CONTROL

Developer's Certificate

THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES OF THE SITE PLAN APPROVAL NO. 81983080C INCLUDING APPROVAL CONDITIONS, DEVELOPMENT PROGRAM, AND CERTIFIED SITE PLAN.

Developer: Executive Plaza Ventures, LLC
Company: Mindy Tucker
Contact Person

Address: c/o MCRE Partners LLC
9 E. 38th Street, 11th Floor New York, NY 10016

Phone: (914) 589-6464

Signature: _____

DPS-ROW CONDITIONS OF APPROVAL

May 1, 2023

81983080C Parcel M Washington Science Center

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

“07-BSITE-81983080C-002.pdf” uploaded on/ dated **“12/1/2022”**.

As there seems to be minimal impact to the County ROW, we do not have any comment at this point.



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Al R. Roshdieh
Director

July 7, 2023

Mr. Richard Brockmyer, Transportation Planner III
Area 2 Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive, Floor 13
Wheaton MD 20902

RE: Washington Science Center
Traffic Impact Study Review

Dear Mr. Brockmyer:

We have completed our review of the revised Local Area Transportation Review and Transportation Policy Area Review (TIS) report dated May 23, 2023, and prepared by Lenhart Traffic Consulting, Inc. Total development evaluated by the analysis includes:

- Replacing 15,247 square feet of the existing office space with a day care (190 students).

We offer the following comments:

Adequacy Determination

1. The project uses the 2020-2024 Growth and Infrastructure Policy adopted on November 16, 2020, (Council Resolution #19-655).
2. The following adequacy tests are required for the project:
 - a. The subject site is in the Orange Policy Area (North Bethesda); therefore, the motor adequacy test is required.
 - b. The project will generate between 100-199 peak hour person trips, the pedestrian, bicycle, and transit adequacy tests **are required** since the development generates more than 50-peak hour trips for each adequacy.

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

Mr. Richard Brockmyer
Washington Science Center
July 7, 2023
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Motor Vehicle System Adequacy

1. The project studied three intersections, including its site access point along Executive Boulevard. The other two intersections studied are Josiah Henson Parkway and Executive Boulevard and Executive Boulevard and Old Georgetown Road.
2. The Executive Boulevard and Old Georgetown Road is in the White Flint Policy Area, a Red Policy Area that does not require vehicle adequacy test. However, MCDOT believes that while the intersection is in a red policy area, the project is located in an Orange Policy Area, and it is required to be studied.
3. Based on the consultant's study, each intersection will operate with an average delay below the 71 second threshold; therefore, no mitigation is required.

Pedestrian System Adequacy

1. Per the GIP, the applicant is required to analyze three components of the Pedestrian System Adequacy Test within 750-foot study area – Pedestrian Level of Comfort (PLOC), Street lights, and ADA Compliance.
 - a. The PLOC deficiencies show that several sections of paths and crossings evaluated do meet the standards. The consultant states that the improvements need to be made would be “substantial” which are unlikely to be completed by the applicant given the cost constraint established in the proportionality guide.
 - b. The consultant states that the streetlighting meets the adequacy requirements of Montgomery County and there is ample street lighting within the walkshed.
 - c. The consultant depicts the ADA compliance issues within 300-feet of the site. The applicant details the specific compliance issues and recommended mitigation.
2. In addition, the applicant has agreed to fix update the pedestrian crossings at their site access point. This will include the pedestrian signal heads and crosswalks. Staff have agreed to the following condition:

To satisfy Section 59-D.3.4.d of the zoning ordinance and provide adequate, safe, and efficient access, within one year of the submittal of the Certified Site Plan, the Applicant must upgrade the existing signalized access with new accessible pedestrian signals (APS) and countdown pedestrian signals (CPS). The design and construction must be coordinated with MCDOT.

Bicycle System Adequacy

1. The consultant analyzed 750-feet from the site frontage for bicycle system adequacy. This test is to evaluate the Level of Traffic Stress for bicyclists in this area.

Mr. Richard Brockmyer
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July 7, 2023
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2. Based on their analysis, the consultant recommends separated bike lanes to meet the low level of traffic stress. According to the consultant, they recommend that the off-site improvement budget be utilized for the pedestrian system, since the bicycle system is a significant amount.

Bus Transit System Adequacy

1. Per the GIP, the consultant studied the bus transit system adequacy within 1,000 feet of the site frontage.
2. The Consultant states that they are responsible for upgrading two bus shelters. Based on the cost of constructing the bus shelters, the bus transit improvements are not feasible according to the consultant.

Vision Zero Impact Statement

1. A Vision Zero Statement is required since the project generates more than 50 peak hour person trips. This statement must assess and propose solutions to high injury networks and safety issues, review traffic speeds, and describe in detail how safe site access will be provided.
2. According to the consultant, the eastern portion of Executive Boulevard in the study area is located within the White Flint West Workaround Vision Zero Project. This includes various projects to improve travel and safety in White Flint. There are no HIN segments within the study required distances.

SUMMARY

We agree with the findings of the report. The vehicular adequacy test is met and no mitigation is required. The applicant will provide upgraded pedestrian facilities at their site access point.

Mr. Richard Brockmyer
Washington Science Center
July 7, 2023
Page 4

Thank you for the opportunity to review this report. If you have any questions or comments regarding this letter, please contact me for this project, at (240) 777-2118 or rebecca.torma@montgomerycountymd.gov.

Sincerely,

Rebecca Torma

Rebecca Torma, Manager
Development Review Team
Office of Transportation Policy

[SharePoint/transportation/directors office/development review/Rebecca/Tis/Washington science center tis review.docx](#)

cc-e: Correspondence FY 2024