



ELP at Rock Spring, Local Map Amendment H-135

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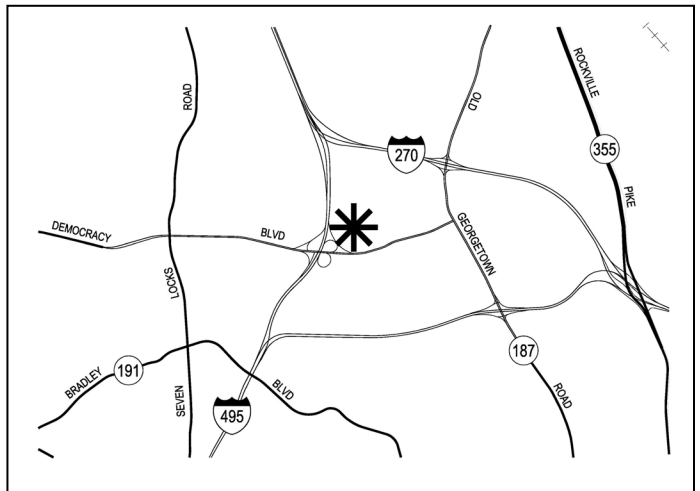
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Completed: 3/16/20

Description

Request to rezone 33.64 acres from the CR-1.5, C-0.75, R-0.75, H-150 Zone to the CRF-1.5, C-0.75, R-1.5, H-150 Zone to construct a Continuing Care Retirement Community with up to 1,300 independent dwelling units, 210 assisted living/memory care units, 50 skilled nursing units, and up to 15,000 square feet of commercial space.

Location: 10400 Fernwood Road, Bethesda.
Master Plan: Rock Spring Sector Plan.
Applicant: ELP Bethesda at Rock Spring LLC.
Application Accepted: December 20, 2019.
Public Hearing by the Hearing Examiner: April 17, 2020.
Review Basis: Chapter 59, Zoning Ordinance.



Summary

- Staff recommends approval of the Local Map Amendment (LMA) to rezone the 33.64-acre property from the CR-1.5, C-0.75, R-0.75, H-150 Zone to the CRF-1.5, C-0.75, R-1.5, H-150 Zone, with binding elements.
- The Property is currently occupied by Marriott International Headquarters which will move to downtown Bethesda in the near future.
- The proposed development addresses the large gap that will be left in Rock Spring by the departure of the Marriott headquarters.
- The Applicant requests an increase in residential density (from 0.75 to 1.5 FAR) to develop a Continuing Care Retirement Community (CCRC). The overall density limit of the current zone (1.5 FAR) would remain the same.
- A subsequent Sketch Plan, Preliminary Plan, and Site Plan will be required if the Local Map Amendment is approved.
- An associated Preliminary Forest Conservation Plan is recommended for approval in a separate staff report.
- Staff has not received any correspondence about this Application.

SECTION 1: STAFF RECOMMENDATION

Staff recommends approval of Local Map Amendment H-135 and the associated Floating Zone Plan with the following binding elements:

1. Provide 1.5 acres of contiguous open space along Fernwood Road, to be improved as a park.
2. Provide a minimum of 5,000 square feet of retail space.
3. Provide at least one major public facility that meets master plan guidance, as defined in Section 4.7.3.A of the Zoning Code, with details to be determined by the Planning Board at Sketch and Site Plan review.

At the time of Sketch Plan, Preliminary Plan and Site Plan(s) approval, the Applicant must address the following:

1. Provide consistent multimodal improvements along Fernwood Road between the I-270 spur and Democracy Boulevard, subject to adequate right-of-way being available.
2. At submittal of the Sketch Plan application, address the following recommendations from the *Rock Spring Sector Plan*:
 - a. dedication of land for needed school sites as the highest priority public amenity (page 18); and
 - b. the environment and sustainability recommendations, particularly regarding preservation of green infrastructure (page 41).
3. Consider additional internal roadway connections, specifically a more direct connection to the northern entrance to Building G/Garage from "Connector Internal Drive."

SECTION 2: PROPERTY AND PROJECT DESCRIPTION

Vicinity

The 33.64-acre Property, identified as Lot N737 Rock Spring Park, Part of Parcels 6 and 12, is the current location of Marriott International Headquarters. It is located at 10400 Fernwood Road and bordered by the I-270 spur to the west, Fernwood Road to the north and east, and an office park/hotel complex to the south. Two large office park complexes and a townhouse development are located on the north side of Fernwood Road, opposite the Property.

The Staff-defined Neighborhood is outlined in yellow in Figure 1 and generally bound by Rockledge Boulevard to the east, Rockledge Drive to the north, Westlake Drive to the west and Democracy Boulevard to the south. The Staff-defined Neighborhood is primarily commercial in character and includes office buildings, Westfield Montgomery Mall, a hotel, a Home Depot and a car dealership. The Neighborhood also includes one residential development, the Montgomery Row townhouse community across the street from the Property on Fernwood Road. Further residential development is planned for the area with a site plan approved in 2018 for a 343-unit multi-family building on the north side of Westlake Terrace (Ourisman Ford Site Plan no. 82009014B) and pending Preliminary/Site Plan applications (nos. 12005018C and 82005003E) for 717 multi-family units at Westfield Montgomery Mall.

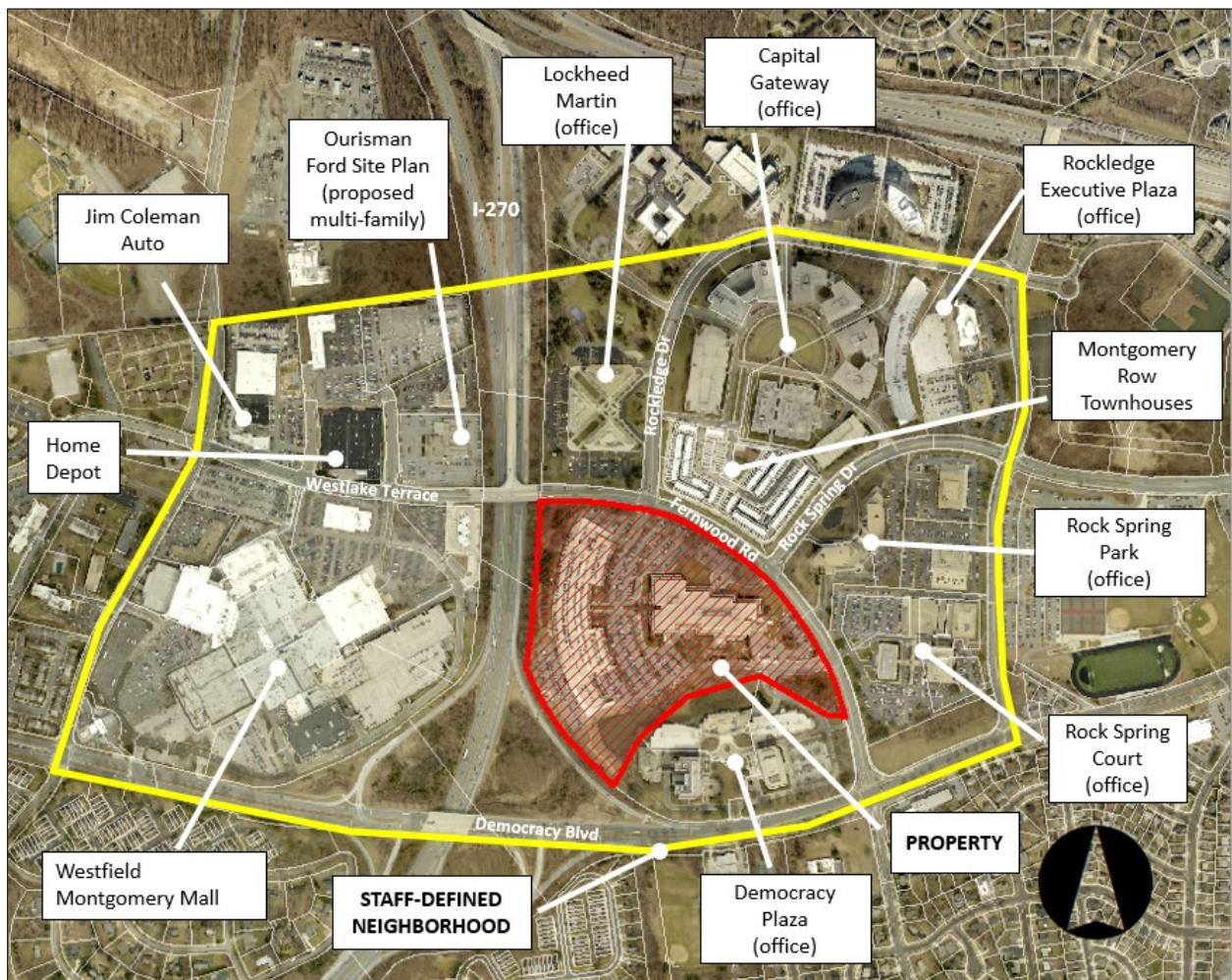


Figure 1: Vicinity Map/Staff Defined Neighborhood

Property Description

The Property is improved with the 775,000-square-foot Marriott headquarters office building located towards the center of the Property, and a three level curvilinear structured parking garage located on the western side of Property. Large surface parking lots cover much of the Property between the parking garage and the office building and along Fernwood Road. The Property contains approximately 2,718 vehicle parking spaces. A gravel road that transitions to dirt is located between the garage and the western Property line, along I-270. The Property has a number of WSSC, storm drain, and other types of existing easements.

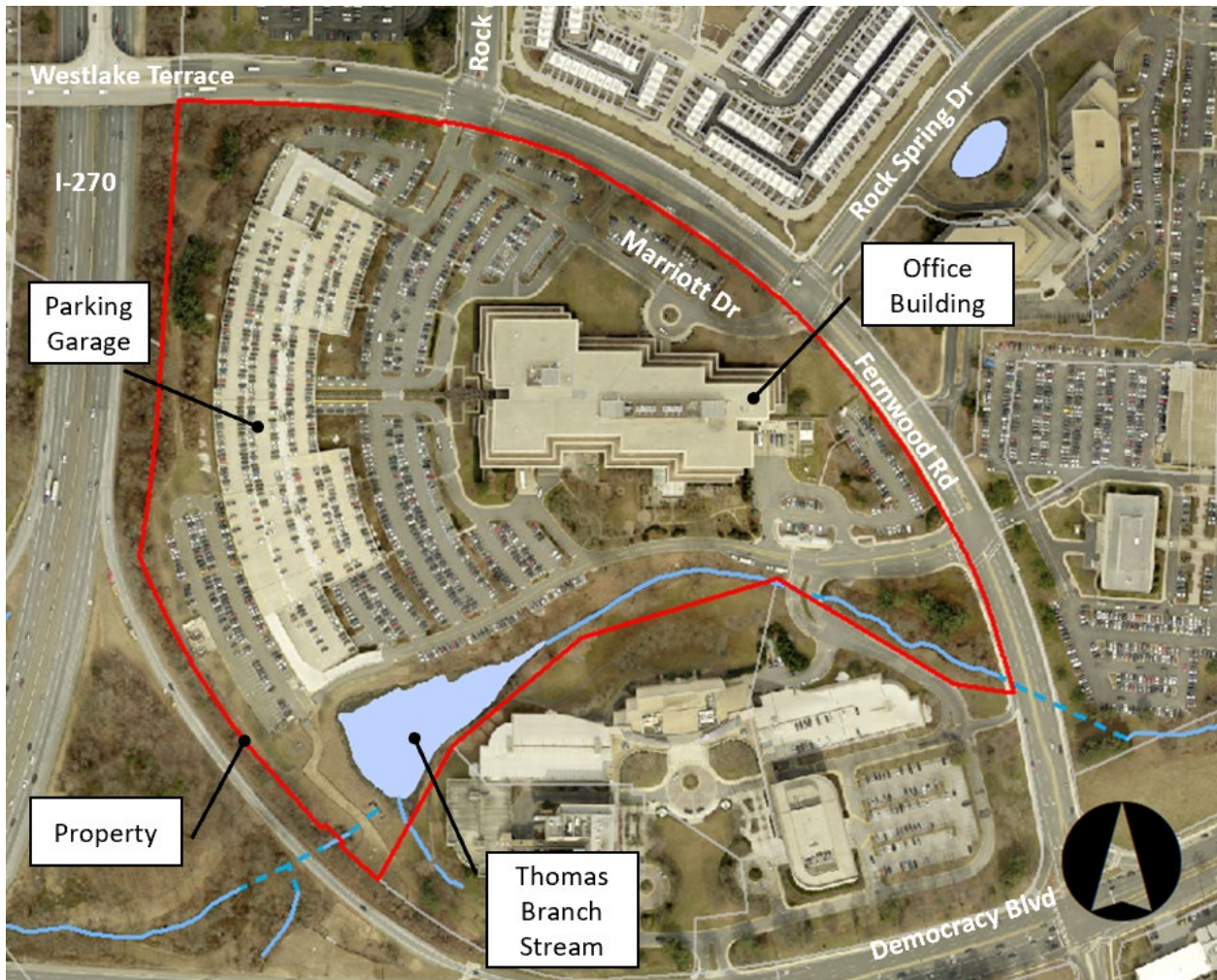


Figure 2: Aerial View of Property (Property outlined in red)

The Thomas Branch stream runs along the southern boundary of the Property which also contains areas of wetland and FEMA designated floodplain. There are no forested areas onsite, but the Property contains a number of specimen trees. There are areas of steep slopes, 25% and greater, located primarily on the south and west portions of the Property.

Existing Transportation Access and Transit Service

The Property fronts on Fernwood Road, which turns into Westlake Terrace heading west towards the bridge over the I-270 spur. Access to the Property is provided by four driveways, including three signalized, full-movement access points on Fernwood Road. The southernmost entrance is located at a signalized intersection with a shared access drive that also provides access to Bethesda Marriott Suites and the office complex located directly south of the property; this entrance leads to employee parking and loading areas. The signalized Fernwood Road and Rock Spring Drive intersection serves as the primary entrance to Marriott International, with low brick walls and brick pavers demarcating the formal entrance into Marriott's campus. An entrance at the signalized intersection of Rockledge Drive and Westlake Terrace/Fernwood Road provides access to Marriott employee parking. An additional right-in, right-out only driveway is located on Fernwood Road between Rockledge Drive and Rock Spring Drive. The existing sidewalk along Fernwood Road and Westlake Terrace is six-to-seven feet wide.

There are three bus stops along the Property frontage. Metrobus routes J1 and J2 operate along Fernwood Road and Westlake Terrace, between the Westfield Montgomery Mall Transit Center, Bethesda Metrorail Station, and the Silver Spring Metrorail Station on weekdays with 20-30 minute headways. Both routes operate Saturday service, but only the J2 operates on Sunday. Ride On routes 6, 26, 47, and 96 operate weekday service on Fernwood Road; routes 26 and 47 also operate service on Saturday and Sunday.

Zoning/Regulatory History

The existing office complex was the subject of site plan nos. 819841670, 819850860, and 819940180 at which time the Property was located within the I-3 Zone. In 2014, the Property was rezoned to EOF-0.75 under District Map Amendment G-956. In 2018, Sectional Map Amendment H-126, which implemented the recommendations of the 2017 *Rock Spring Sector Plan*, rezoned the Property to the current zone, CR-1.5, C-0.75, R-0.75, H-150.

Proposal

The Applicant plans to demolish the existing office building and redevelop the Property with a Continuing Care Retirement Community (CCRC) as demonstrated in Figure 3 and Attachment 1. The proposed CCRC will include up to 1300 independent dwelling units, 160-210 assisted living/memory care units, and 30-50 skilled nursing units. The facility will employ approximately 650 full-time staff. In addition to the residential units, a total of approximately 100,000 to 130,000 square feet of amenity space will be provided within the CCRC including food service, recreation areas, exercise rooms, and medical support space. At the request of Staff, the Applicant has included 5,000- 15,000 square feet of commercial space to help activate the Fernwood Road Property frontage, with the final location to be determined at subsequent regulatory approvals.

Along Fernwood Road, the proposed buildings will be oriented towards the street and a 1.5-acre civic green/park will be located southeast of the Fernwood Road/Rock Spring Drive intersection (Figure 3). A proposed linear park will wrap around the western and southern sides of the Property with a walking trail along the stream and the rear of the Property and connecting with Fernwood Road at the western Property terminus. This walking trail will be open to the public. In addition, a number of green spaces will be provided internal to the Property for the benefit of residents.

Transportation Access

The Applicant proposes to utilize existing vehicular access at the three signalized intersections and will eliminate the right-in/right-out driveway. The portion of the southern access road west of the entrance to the adjacent property will be relocated further to the north, out of the stream valley buffer. The other two access points will be located at signalized intersections in approximately the same location as the existing driveways, one at Fernwood Road and Rock Spring Drive, and the other at Fernwood Road and Rockledge Drive. A system of proposed private streets and sidewalks will provide internal circulation throughout the Property while overhead walkways will connect the proposed buildings for residents and staff. A total of 1,800 parking spaces are proposed, the majority of which will be provided in the existing structured parking garage or a new below grade parking garage.



Figure 3: Floating Zone Open Space Plan

The Property's Fernwood Road frontage will be improved with a 10-foot wide protected bike lane and a seven-foot-wide sidewalk consistent with the 2019 Urban Design Guidelines for Rock Spring & White Flint 2 Sector Plans. Staff will require the Applicant to provide consistent streetscape improvements along Fernwood Road between the southern terminus of the Property and Democracy Boulevard. Future consideration is necessary for pedestrian and bicycle facilities at the Property's three proposed access points. Internal sidewalks and pedestrian facilities will be determined through the development review process.

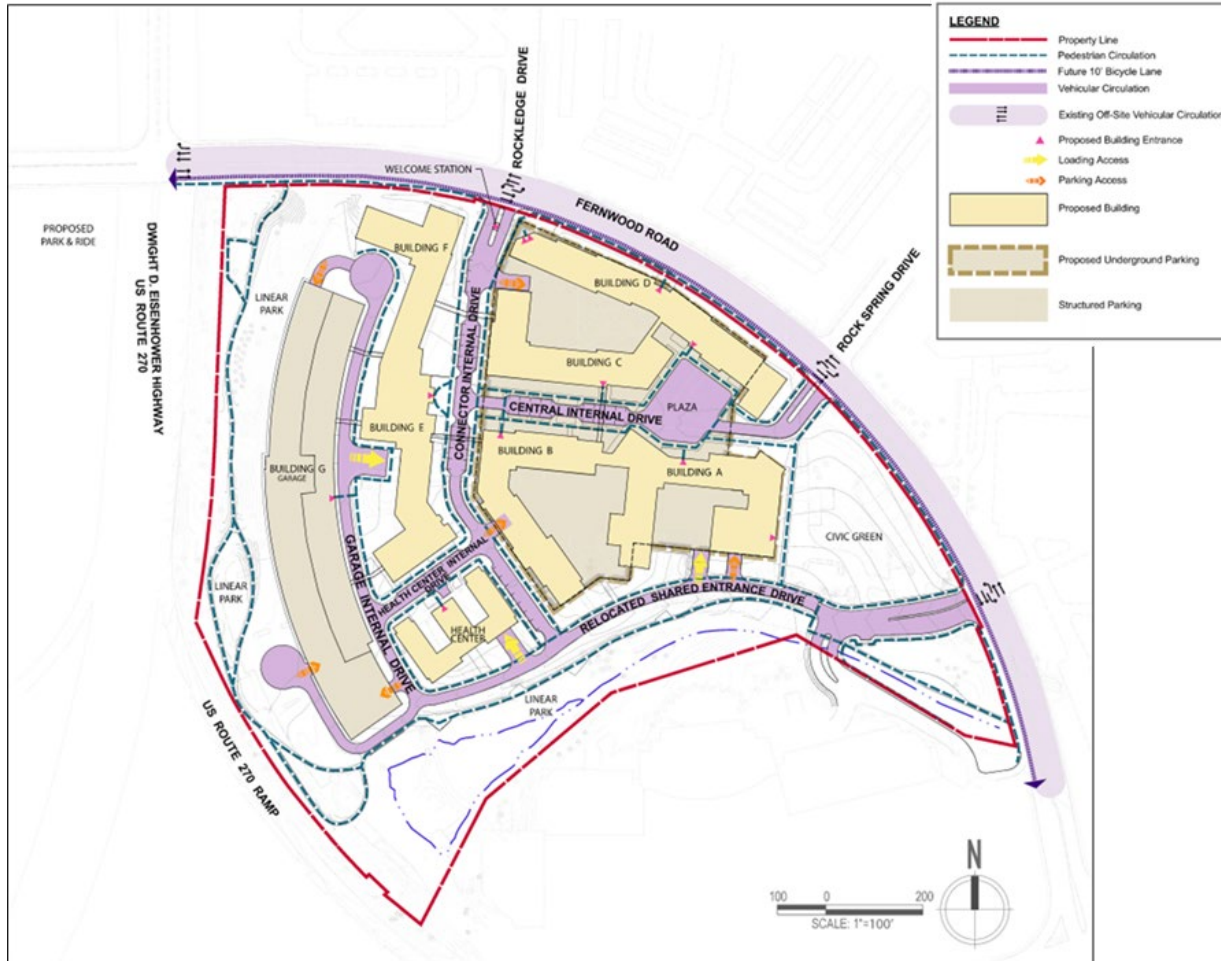


Figure 4: Circulation Plan

Site Design and Architecture

The Project includes eight new buildings that will generally range in height from six stories up to 13 stories, which must comply with the height limits of the zone, and will also include a one-story marketing center and pavilion building. The existing two-story parking garage in the western portion of the Property will be retained and reused, and four stories of residential development will be built atop of it.

Each of the independent living buildings will house an average of 150 to 200 residential units, with elevated enclosed bridges connecting buildings. The bridges will provide connectivity, allowing the residents to move freely between the buildings in a climate-controlled setting. Most of the CCRC's common areas such as dining rooms, libraries, and spaces for fitness, wellness, arts, meetings, etc. will be dispersed among the buildings at ground level, with many having a direct connection to outdoor landscaped areas and interior courtyards.

Proposed buildings along Fernwood Road will front onto the road to promote street level activity. The Applicant anticipates a small amount of retail located at the corner of the entrance drive, across from Rockledge Drive and a café/coffee shop along the eastern end of the frontage, near the civic green.

Pocket parks will be also provided along the sidewalk and the buildings fronting on Fernwood Road will include private terraces.

The Applicant describes the proposed architecture as follows:

The buildings will be designed to create a human scaled architecture by employing a variety of methods including varying building heights of six to 13 floors; massing that is broken down by volumetric offsets, bays, balconies, varying roof lines and roof terraces if and where appropriate; clearly expressed bases with taller ground floor heights; accentuated building corners; and main entries. A variety of elevational compositions, materials and color palettes will provide variety between the buildings, while maintaining continuity and compatibility between the buildings, to reinforce the overall CCRC's identity as a whole and singular community.

Architecture, landscaping, and site design details will be reviewed and approved by the Planning Board at subsequent Sketch, Preliminary, and Site Plan applications.

Community Outreach

The Applicant has complied with the required notification signage and has informed all of the adjacent property owners, community organizations and homeowners associations within one-half mile of the Property about the Application and the proposed Project. Staff has not received any correspondence about this Application.

SECTION 3: FINDINGS

For a Floating zone application, the District Council must find that the floating zone plan will:

Section 7.2.1.E.2.a. substantially conform with the recommendations of the applicable master plan, general plan, and other applicable County plans;

The floating zone plan substantially conforms with the recommendations of the 2017 *Rock Spring Sector Plan* (Sector Plan or Plan). The Sector Plan recognizes the history of the Rock Spring area from its heyday as one of Montgomery County's premier office parks in the 1980s through early 2000s to the increasing vacancy rates in the late 2000s and Marriott International's plans to relocate its headquarters to a transit proximate location (page 7). According to the Plan, the relocation of Marriott would increase the office park's vacancy rate to 39%, absent other changes. The proposed development addresses the large gap that will be left in Rock Spring by the departure of the Marriott headquarters.

The proposed CCRC is consistent with the Sector Plan's overall vision to encourage the evolution of the area into, "a well-integrated, amenity-rich district for existing employers and future residents" (p 17). The project will help fulfill the overall vision by accomplishing the following overarching Plan goals

- Adding a new type of residential infill development to area's existing mix of uses, helping to reshape the area into a more well-integrated community.
- Increasing publicly accessible green spaces within the Plan area by providing a 1.5-acre civic green/park and a walking trail open to the public and an enhanced streetscape for pedestrians and bicyclists.

- Concentrating new activity along the “central spine” (Fernwood Road/Rock Spring Drive as the proposed buildings and the civic green will line the Property frontage along Fernwood Road.
 - Helping to create a safe, low stress pedestrian and bicycle network with proposed streetscape improvements along Fernwood Road.
- (p. 20)

The Plan includes the Property within the Rock Spring Central/Mixed-Use Business Campus District, identified as a traditional suburban format office park built primarily in the 1970s and 1980s. The Plan recommended the CR zone for the Property for the purpose of providing options and flexibility for infill or redevelopment in the future should circumstances change for the office buildings. Further, the Plan recognizes that redevelopment scenarios may arise that are not anticipated by the current zoning and recommends the option for a CR Floating Zone (CRF), with densities that can range between 1.5 and 2.5 FAR and building heights between 150 and 200 feet (p 35). The proposed zone, CRF-1.5, C-0.75, R-1.5, H-150, is well within these limitations.

The Sector Plan provides design and connectivity guidance for redeveloping properties within the central Rock Spring area (p.36). The floating zone plan shows that the Project achieves the important Plan design goal of prioritizing the establishment of the central spine as a pedestrian-friendly environment by orienting development towards it. Consistency with design, connectivity and environmental recommendations in the Sector Plan will be further assessed during subsequent regulatory approvals.

Open Spaces

The Sector Plan includes open space recommendations specific to the Subject Property:

- *If the Marriott site redevelops, the Plan recommends public civic gathering/green open spaces, plazas, and active recreation spaces at this location. Of the approximately 3.3 acres of required open space, one of the spaces should include a civic green of one to two acres of usable open space to accommodate large community gatherings and events. The civic green should include a large lawn area to support multiple uses including markets, festivals, and recreational uses.*
 - *The Plan recommends creating and continuing a greenway with a walking trail along the existing tributary.*
- (p. 60)

The floating zone provides a 1.5-acre civic green and a linear park area around the western and southern sides of the Property consistent with the Plan’s open space recommendations.

Public Benefits

The Sector Plan states that any application for a CRF Zone must include major public benefits (p 35). Since the Planning Board will ultimately determine the schedule of public benefits during subsequent regulatory approvals, Staff recommends that this requirement be captured as a binding element. The Applicant proposes the civic green fronting on Fernwood Road as a major public benefit and intends to retain a fee interest in this open space in order to ensure continued maintenance of it to the Applicant’s standards and alleviate the County Park’s Department of a financial maintenance burden. However, the Parks Department has indicated interest in owning and operating this 1.5-acre space. Staff will continue to work with the Applicant and the Parks department on the design and ultimate ownership of the civic green during subsequent regulatory approvals.

The Plan prioritizes the public benefits as follows:

- Dedication of land for needed school site as the highest priority public benefit.
- Providing 15% MPDUs is the highest priority public amenity for new residential development, unless the Property is required to dedicate land for a school or athletic field.
- Other major public facilities including land for parks and school athletic fields, dedications for the North Bethesda Transitway, a library, a recreation center, County service center, public transportation or utility upgrade.
- Diversity of uses and activities.
- Connectivity and mobility.
- Reuse of existing building. (p. 81)

Staff has asked the Applicant to address the need for dedication of land for school sites prior to Sketch Plan approval. Given the proposed civic green and other anticipated infrastructure improvements, Staff does not anticipate that this Property will need to dedicate land for a school, but Staff has asked the Applicant for other creative ways of addressing this recommendation. At this time, the Applicant proposes public benefit points for transit proximity, architectural elevations, exceptional design, building reuse, public open space, enhanced accessibility for the disabled, structured parking and habitat preservation and restoration.

Environment and Sustainability

The Sector Plan recommends preservation of substantial portions of the existing green infrastructure in the Rock Spring office park and taking advantage of opportunities to increase tree canopy through redevelopment with an ultimate goal of 40% tree canopy within the plan area (pg. 43). Since the Property contains a significant number of large, mature trees in good condition, Staff recommends that the Applicant work with Staff during subsequent regulatory approvals to retain existing trees to the extent practicable, especially along the Property's Fernwood Road frontage.

Master-Planned Roadways

The Property fronts on Fernwood Road, which turns into Westlake Terrace heading west towards the bridge over the I-270 spur. Fernwood Road is 80-foot wide and transitions into the 90-foot-wide Westlake Terrace to accommodate the bridge crossing over I-270.

The Sector Plan reclassified both Fernwood Road (B-2) and Westlake Terrace from arterial to business district streets, with the number of lanes reduced from four to two to accommodate a two-way separated bike lane. The reduction of lanes is also known as a "road diet." The intention is to create a "complete street" along Rock Spring's central spine that is safer for people that walk, bike, and use transit. The road diet involves reducing the four through travel lanes to two travel lanes and replacing the center left turn lanes with a single two-way left turning lane. Space from the eliminated lanes will be used for a two-way separated bike lane on the south/west side of Fernwood Road and Westlake Terrace.

Additional internal roadway connections are desired, specifically a more direct connection to the northern entrance to Building G/Garage from "Connector Internal Drive."

Master-Planned Bikeways and Bicycle Parking

The 2018 *Bicycle Master Plan* recommends a two-way separated bike lane on the east side of Fernwood Road from Democracy Boulevard to Rockledge Drive, and a two-way separated bike lane on the south side of Westlake Terrace west of Rockledge Drive. However, the 2019 Urban Design Guidelines for Rock Spring and White Flint 2 Sector Plans switched the orientation of the separated bike lanes entirely to the west side of Fernwood Road and south side of Westlake Terrace. The two-way separated bike lane should be 10-feet wide and separated from the travel lane on Fernwood Road by a landscaped or concrete buffer. The two-way separated bike lane should be continued to the intersection of Fernwood Road and Democracy Boulevard. Additionally, short- and long-term bicycle parking will be required on-site.

Section 7.2.1.E.2.b. further the public interest;

The proposed rezoning furthers the public interest in a few ways. First, the proposed CCRC allows for redevelopment of the Property with a residential use consistent with the vision of the Rock Spring Sector Plan. The proposed Project takes advantage of Marriot International's departure from Rock Spring to provide a significant residential infill development in a location proximate to a rich array of goods and services.

Although the use is classified as residential, it includes a significant employment component as the CCRC will employ up to 650 full time staff. Further, the CCRC will not generate any school children that would further burden the Walter Johnson High School cluster and the new use will generate less traffic than the existing office use.

Finally, the proposed CCRC will provide additional housing options for the County's growing population of older adults.

Section 7.2.1.E.2.c. satisfy the intent and standards of the proposed zone and, to the extent the Hearing Examiner finds it necessary to ensure compatibility, meet other applicable requirements of this Chapter;

Section 59-5.1.2. Floating Zone Intent Statement

The intent of the Floating zones is to:

- A. *Implement comprehensive planning objectives by:*
 - 1. *furthering the goals of the general plan, applicable master plan, and functional master plans;*
 - 2. *ensuring that the proposed uses are in balance with and supported by the existing and planned infrastructure in the general plan, applicable master plan, functional master plan staging, and applicable public facilities requirements; and*
 - 3. *allowing design flexibility to integrate development into circulation networks, land use patterns, and natural features within and connected to the property; and*

The proposed development is consistent with the goals of the *Rock Spring Sector Plan* as described on pages 8-10 of this report. While the proposed CCRC contributes to the goal of diversifying the uses in the Plan area by introducing a residential component, there is no impact on the school system from the proposed CCRC. The Project is designed to promote the sense of a street grid, although vehicles outside the CCRC are unlikely to circulate

through the Property given that it provides no connection to any public street. The Project incorporates restoration of the Thomas Branch stream into the proposed development and adds a linear open space with a walking trail adjacent to the stream.

The public facilities are adequate to accommodate the proposed use. The Project will reduce the burden on the transportation infrastructure by generating considerably fewer trips than the existing office use. Due to the senior age demographic of the future residents, there will be no burden on public schools. The Property is serviced by existing water and sewer, and is located within water and sewer categories W-1 and S-1.

Electric, gas, and telecommunications services will also be available. Other public facilities and services – including police stations, firehouses, and health care facilities – are currently operating in accordance with the Subdivision Staging Policy (SSP) and will continue to be sufficient following construction of the Project.

B. Encourage the appropriate use of land by:

- 1. providing flexible applicability to respond to changing economic, demographic, and planning trends that occur between comprehensive District or Sectional Map Amendments;*
- 2. allowing various uses, building types, and densities as determined by a property's size and base zone to serve a diverse and evolving population; and*
- 3. ensuring that development satisfies basic sustainability requirements, including open space standards and environmental protection and mitigation; and*

Approval of the requested Local Map Amendment to increase the residential density from 0.75 to 1.5, without changing the overall permitted density, allows the soon to be vacant Property to be redeveloped with a CCRC that will serve the increasing senior population of Montgomery County. The proposed use takes full advantage of the Property's prime location to introduce a residential use to an aging office park where the existing supply of office space surpasses the demand. At the same time, the Project will decrease impact on the public roads while not burdening the public school system.

The Preliminary Forest Conservation Plan associated with the LMA application shows compliance with the Forest Conservation Law and a significant reduction in the existing amount of stream valley buffer encroachment. The existing development was built before stream valley buffers were applied to development plans. The southern entrance, access road, and other development amount to approximately 1.20 acres of existing stream valley buffer encroachment. A portion of the southern entrance road cannot be relocated out of the buffer because it also serves to provide access to the property to the south of this site.

In reviewing the Preliminary Forest Conservation Plan, Planning Department environmental staff worked with the Applicant to relocate the portion of the southern access road, located west of the entrance to the adjacent property, out of the stream buffer. An asphalt walking path for the benefit of the residents of the retirement community will be constructed on a portion of the previous road and parking area. The combined area of stream valley buffer encroachment created by the proposed road and path is approximately 0.73 acres. This constitutes almost a half-acre reduction in the existing stream valley buffer encroachment.

The *Environmental Guidelines* require that any approved stream valley buffer encroachment avoid sensitive areas, such as floodplains and wetlands; minimize the area of encroachment; and provide compensation for lost buffer function. To satisfy the Environmental Guidelines, subsequent regulatory applications must include measures to enhance the stream buffer function, including restoring areas where impervious surfaces are being removed, managing invasive species, and planting buffer areas with native species where not in conflict with other easements. This is a condition of approval for the Preliminary Forest Conservation Plan.

The Project provides 10 acres of open space, well in excess of the 10% of net area required.

C. *Ensure protection of established neighborhoods by:*

1. *establishing compatible relationships between new development and existing neighborhoods through limits on applicability, density, and uses;*
2. *providing development standards and general compatibility standards to protect the character of adjacent neighborhoods; and*
3. *allowing design flexibility to provide mitigation of any negative impacts found to be caused by the new use.*

The proposed rezoning will comply with the overall density and height recommended in the *Rock Spring Sector Plan*. The change requested in this Application is an increase in the amount of residential, but not overall, density. The scale of the proposed use is compatible with the scale of development in the surrounding office park and as envisioned in the Sector Plan. The proposed use of the Property as a CCRC is consistent with the continued evolution of the area from an office park to a mixed-use neighborhood. The Project will provide an improved streetscape along Fernwood Road, thus framing the street in a more relevant, urbanized style that will be an improvement over the 1970s office park aesthetic of Rock Spring. At the same time, the Project will provide a generous amount of publicly accessible open space that will improve the aesthetics and livability of the Neighborhood.

Section 59-5.1.3. Applicability

The Property is currently classified in a CR Zone, rather than an Agricultural or Rural Residential zone, so a floating zone can be approved on this Property. A floating zone is recommended for the Property on page 35 of the *Rock Spring Sector Plan*, thus no prerequisites are required for this Application.

Section 59- 5.3.2. Purpose

The purpose of the Commercial/Residential Floating zones is to:

- A. *allow development of mixed-use centers and communities at a range of densities and heights flexible enough to respond to various settings;*
- B. *allow flexibility in uses for a site; and*
- C. *provide mixed-use development that is compatible with adjacent development.*

This Application seeks to take advantage of the flexibility afforded by the CR floating zone to increase the amount of residential density allowed on the Property to build a CCRC, which will add to the diversity of uses in the Rock Spring community. The proposed development is compatible with adjacent development as Rock Spring evolves from a purely commercial district to the mixed-use community envisioned in the Sector Plan.

Section 59- 5.3.3. Land Uses

The CRF Zone allows the same uses allowed in the Euclidean CR Zone. CCRCs are classified as Residential Care Facilities in the Zoning Code. A Residential Care Facility (Over 16 Persons) is allowed as a permitted use in the CR Zone and therefore allowed as a permitted use in the proposed CRF Zone. Staff has worked with the Applicant to establish the binding elements on page 2 of this report.

Section 59- 5.3.4. Building Types Allowed

The CRF Zone allows any building type.

Section 5.3.5. Development Standards for CRF Zone

	Required/Allowed Zoning Ordinance Development Standards	Proposed
Site Area		
Gross Tract Area:		36.0152 acres / 1,568,822 s.f.
Previously Dedicated ROW:		2.3719 acres / 103,320 s.f.
Net Lot Area:		33.6433 acres / 1,465,502 s.f.
Existing Zone	CR 1.5, C-0.75, R-0.75, H-150	CRF 1.5, C-0.75, R-1.5, H-150
Density of Development Max.: (59.5.3.5.A)	2,353,233 s.f. (1,568,822 x 1.5)	2,353,233 s.f.
Independent Living		1300 units
Assisted Living		160-210 units
Skilled Nursing		30-50 units
Indoor Amenity Space		100,000 to 130,000 s.f.
Retail		5,000 to 15,000 s.f.
Building Height Max. (59.5.3.5.B)	150'	150'
Public Open Space Min. (59.6.3.1)		
10% of net area under application (59.4.5.4.B.1) (5% of public open space may be a café)	3.36 acres	Min. 10 acres (Incl. min. 1.5 acres in civic green)
Civic Green		1.5 acres
Linear Park		8.45 acres (2900 linear feet)
Outdoor Café Plaza		0.05 acres
Screening, recreational facilities and landscaping	As required by 59-6	Project will comply with 59-6
Common Open Space (59.3.5.D.2.b)	N/A	Min. 2.50 acres
Parking		
Vehicle Parking (59-6.2.4.B)	0.5-1 space per independent living unit. 1-1.5 spaces per residential care facility unit, 1-5 spaces per 1000 g.s.f. recreational facilities	Approx. 1800 spaces
Bicycle Parking (59.6.2.4.C)	0.25 per 1000 s.f. / 50 spaces max.	50 spaces
Motorcycle/Scooter Parking (59.6.2.3.C)	2% of the number of vehicle spaces must be provided for motorcycles spaces in facilities with more than 50 parking spaces. Max. of 10 motorcycle spaces required.	10 spaces
Spaces for Charging Electric Vehicle (59.6.2.3.E)	Min. of 1 space/ 100 parking spaces provided in a facility must be converted to a station for charging electric vehicles.	Approx. 18 spaces
Building Setbacks Min. (59.5.3.5.B)		
Front Setback from Fernwood Drive	0'	15'-40'
Side Setback from I-270	100'	100' Min.

Section 7.2.1.E.2.d. be compatible with existing and approved adjacent development;

The proposed CCRC will be built at a scale and density that is consistent with the existing office buildings in the Staff-defined neighborhood and the proposed residential developments on nearby Westlake Terrace (the approved, but unbuilt Ourisman Ford project and the project pending site plan approval at Westfield Montgomery Mall). The CCRC use will complement the evolution of the area from a commercial office park to a mixed-use community.

Section 7.2.1.E.2.e. generate traffic that does not exceed the critical lane volume or volume/ capacity ratio standard as applicable under the Planning Board’s LATR Guidelines, or, if traffic exceeds the applicable standard, that the applicant demonstrate an ability to mitigate such adverse impacts; and

Fewer trips are expected to be generated by the proposed development than the existing office use. As such, the Property is not required to submit a Traffic Impact Study. The age-restricted housing use that will replace the existing office space will significantly reduce the number of peak-hour trips to and from the Property, as trip-generation rates for age-restricted housing are lower than the rates for office use. The existing 775,000 square-foot office campus generates 755 morning peak-hour trips and 796 evening peak-hour trips. As proposed, the 1,560-unit CCRC is projected to generate 218 morning peak-hour trips and 250 evening peak-hour trips.

As of 2015, morning and evening peak-hour critical lane volume (CLV) delay levels at four signalized intersections near the site operate well below the threshold for the North Bethesda Policy Area (1,550): Westlake Terrace / I-270 Interchange, Fernwood Road / Rockledge Drive, Fernwood Road / Rock Spring Drive, and Fernwood Road / Democracy Boulevard. This development proposal will not create unacceptable intersection congestion levels, as it will not generate traffic that exceeds the North Bethesda Policy Area CLV standard (1,550). Therefore, no LATR mitigation is required.

Section 7.2.1.E.2.f. when applying a non-Residential Floating zone to a property previously under a Residential Detached zone, not adversely affect the character of the surrounding neighborhood.

Not applicable; the Property is currently under a CR Zone, not a Residential Detached Zone.

SECTION 4: CONCLUSION

The proposed CRF Zone complies with the standards and requirements for approval of a Local Map Amendment. The proposed zone and use are consistent with the goals and recommendations of the *Rock Spring Sector Plan*, are in the public interest, and will not alter the character of the surrounding neighborhood. Staff recommends approval of the Local Map Amendment and the associated Floating Zone Plan with the proposed binding elements.

ATTACHMENT

1. Floating Zone Plan

