



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

5-20

MCPB
Item #
July 19, 2007

MEMORANDUM: Local Map Amendment

Date: July 7, 2007

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief, Development Review Division *RK*
Ralph Wilson, Acting Zoning Supervisor, Development Review Division *RW*

FROM: Elsabett Tesfaye, Development Review Division (301-495-1301). *ET*

SUBJECT **Local Map Amendment No. G-851 and associated Schematic Development Plan: Wildwood Medical Center, LLC**
Reclassification of 3.49 acres of land from the R-90 Zone to the O-M Zone for the property known as Lot N541, Parcel B, Wildwood Manor Shopping Center, located at 10401 Old Georgetown Road, Bethesda.

Applicant: Wildwood Medical Center, LLC.
Master Plan: 1992 North Bethesda-Garrett Park Master Plan

FILING DATE: July 5, 2006
PLANING BOARD: July 19, 2007
PUBLIC HEARING: July 24, 2007

Staff Recommendation:

Approval of Local Map Amendment G-851 and Schematic Development Plan for the following reasons:

1. Local Map Amendment G-851 complies with the purposes of the O-M zone to provide locations for moderate intensity office buildings in areas outside a Central

Business District that will not have an adverse impact on the adjoining neighborhood, and

2. The Schematic Development Plan is in accordance with the requirements of the purpose clause and all other requirements applicable to the requested zone. Staff finds the building height, FAR, setbacks, and other restrictions established in the Schematic Development Plan: (1) to be compatible with and not detrimental to existing or potential development in the general neighborhood; (2) not to overburden existing public facilities or those programmed for availability concurrent with each stage of construction; and (3) to be a more desirable form of development than could be accomplished under the unrestricted standards of the O-M zone.

Binding elements Nos. 3, 4, 5 and 9 of the Schematic Development Plan address important design, landscape, and lighting issues that in staff's view could be more effectively addressed at site plan. An alternative would be to identify these particular issues on the Schematic Development Plan as "Design Elements" for consideration at site plan.

ANALYSIS

A. Location Field Inspection

The subject property is located on the east side of Old Georgetown Road (MD-187) between Rock Spring Drive (north) and Democracy Boulevard (south), approximately 1,200 feet south of the MD 187/I-270 interchange. The property consists of 3.5 acres (152,334 square feet) of land area and is currently developed with a 35,000 square-foot, three-story, medical office building and associated parking lot. The construction of the existing medical office building was approved by special exception in the early 1960s. The property has street frontages along Old Georgetown Road (west) and Berkshire Drive (east). It is accessed from Old Georgetown Road via an access easement on the adjoining property to the north. There is no access to the property from Berkshire Drive.

B. Elements of Proposal

The applicant seeks to reclassify the subject property from the R-90 Zone to the O-M (office building, moderate Intensity) Zone. The applicant proposes to construct a three-story office building with below-grade parking, and a one-story drive-through bank. The applicant also proposes to retain the existing three-story medical office building that was constructed in the 1960's and to modify the

existing surface parking, internal circulation pattern, landscaping, buffering, screening, and walkways.

C. Surrounding Area: The neighborhood is generally defined by the following boundaries:

North	1-270 split
East	Dickens Avenue and Fleming Avenue
South	Democracy Boulevard and Cheshire Drive
West	Rockledge Drive

The neighborhood as defined by staff is characterized by a mixture of residential, institutional, and retail and office uses classified in the R-90, R-90/TDR, C-1 and MXP zones. The single-family detached residential uses in the R-90 and R-90/TDR zones are located in the northeast, east, and southern portion of the neighborhood, east of Old Georgetown Road. The retail uses are located along both the east and west sides of Old Georgetown Road in the C-1 zones. Walter Johnson High School is located on the southwest portion of the neighborhood. The Northwest portion of the neighborhood contains the Davis tract, a mixed-use development of various types of housing, office, institutional and entertainment uses that is currently under development in the MXP Zone.

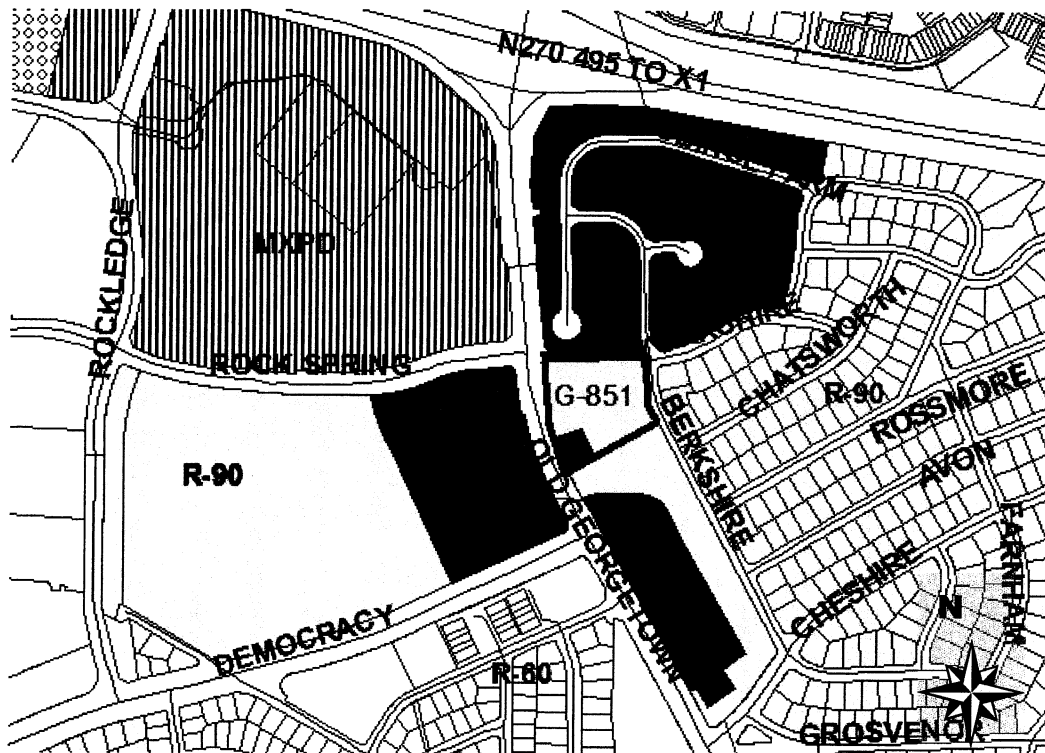


To the north and east across Berkshire Dr., the subject property abuts single-family detached homes in the R-90/TDR and R-90 zones. To the south, the property borders the Wildwood Manor Shopping Center and a gasoline station in the C-1 and R-90 zones. To the west, across old Georgetown Road, the property confronts the Georgetown Square, a commercial center zoned C-1.

D. Zoning History

The property was placed in the R-90 Zone with the enactment of the 1954 comprehensive zoning of the area. In 1964 the County Board of Appeals approved special exception B-A 1631 to allow construction of a medical clinic on the property. The medical clinic was grandfathered with the adoption of Zoning

Text Amendment 87024. The Zoning Text Amendment restricted medical clinics in the residential zones to no more than four medical practitioners. The 1993 Sectional Map Amendment for Bethesda-Garrett Park retained the property in the R-90 Zone.



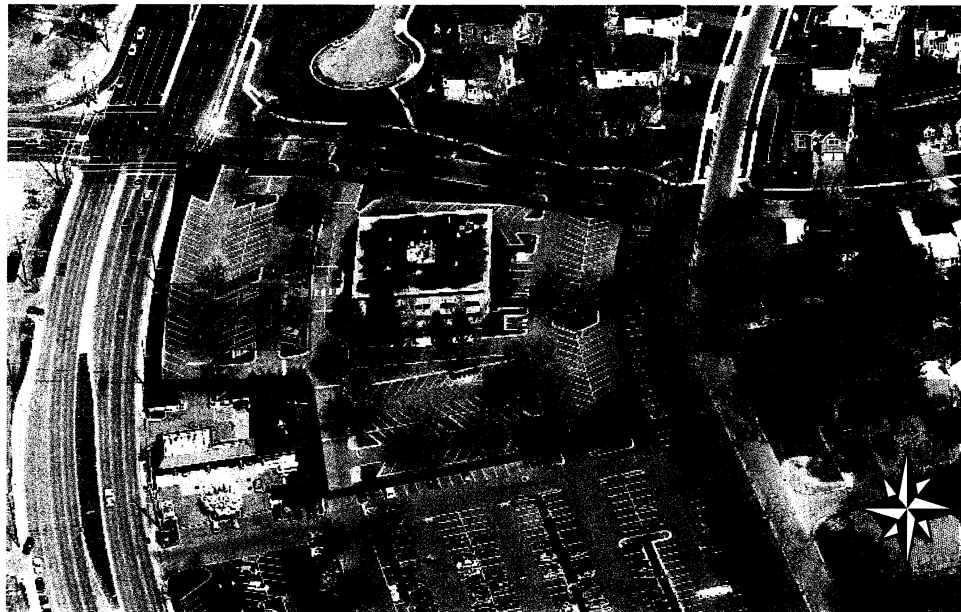
E. Intended Use and Approval Procedure

1. Proposed Development

The applicant requests that the property be reclassified from the R-90 Zone to the O-M Zone. The Schematic Development Plan (SDP) proposes to retain the existing three-story medical office and to construct a three-story 30,000 square foot office building with underground parking and a one-story, 3,450 square-foot bank building with drive-through lanes.

The project will be constructed in two Phases. In Phase I, the SDP proposes to retain the existing medical building and construct a new bank building. In Phase II the applicant proposes to construct a three-story office building with approximately 30,000 square feet of gross floor area and below grade parking.

Egress and ingress to the property is from the existing 40-foot-wide driveway, which is accessed from Old Georgetown Road and narrows to a width of 36 feet in the interior of the property. The driveway connects to two interior driveways—one providing access to the drive-thru lanes of the proposed bank



and the bank's parking lot and the other providing a north-south access extending to the southern property line to connect with an existing entrance to the Wildwood Shopping Center. The north-south driveway is also the access to the existing and proposed office buildings as well as the surface and underground parking facilities.

2. Binding Elements

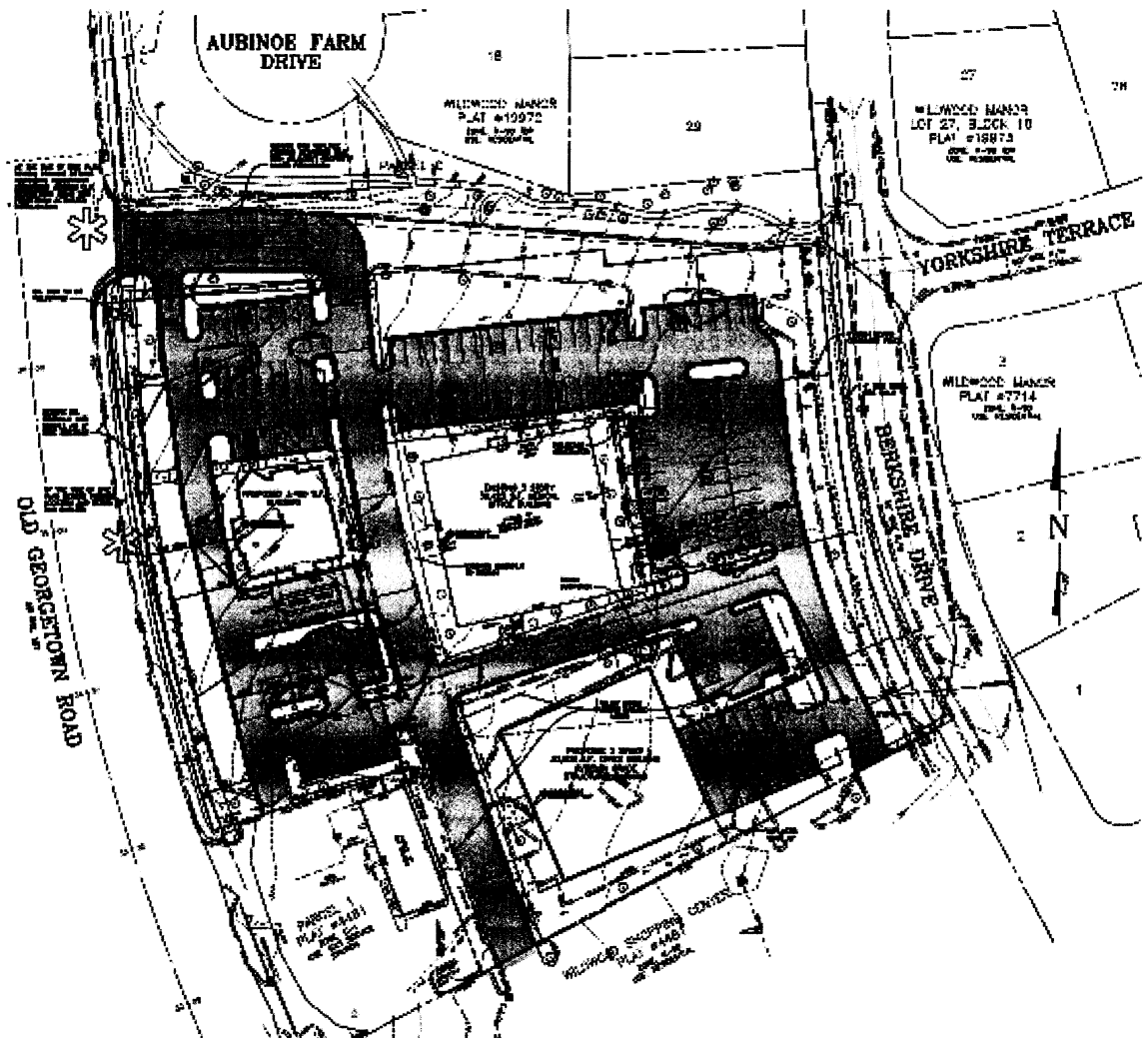
The applicant has submitted a Schematic Development Plan (SDP) in accordance with Section 59-H-2.53. The SDP includes binding elements restrictions with respect to the development standards and use of the property that are more restrictive than the maximums permitted in the O-M zone. The Schematic Development Plan also shows how development will be staged.

The applicant worked with staff and representatives of the Wildwood Manor Citizens Associations to address concerns and issues associated with the application including height, setbacks, screening, buffering, site layout, building orientation, and internal circulation. As a result of intense negotiations and discussions between the applicant and the Wildwood Manor Citizens Association, the applicant revised SDP addresses many of the agreements reached. In many respects, the agreements represent substantial improvements over the original plan and provide the community with similar protections similar to those included in the special exception that now regulates the property.

Although staff supports approval of the O-M application and the associate Schematic Development Plan, staff believes binding elements Nos. 3, 4, 5 and 9 in particular are design elements that are more effectively addressed at site plan than at the rezoning stage. An alternative would be to identify these particular issues on the Schematic Development Plan as "Design Elements" for consideration at site plan.

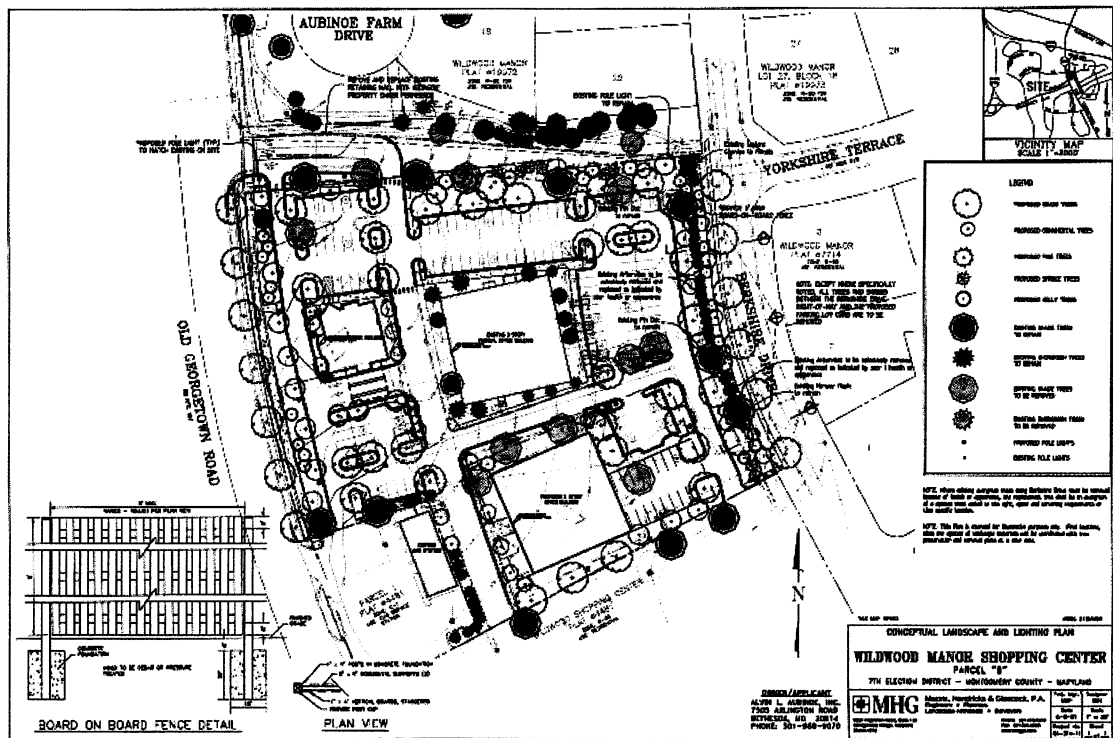
The revised Schematic Development Plan includes the following binding elements.

1. Uses permitted: Office Buildings
 - A. Existing three-story building Offices, general; and offices, professional and business
 - B. Proposed three story building (not to exceed 30,000 square feet in gross floor area) Offices, general; and offices, professional and business excluding medical practitioners.
 - C. Proposed 3,460 square foot building: Offices, general; and offices, professional and business excluding medical practitioners



2. There will be no vehicular access between the subject property and Berkshire Drive.
3. Development of the subject property will be in accordance with the conditions of approval of a stormwater management plan that will employ certain features of "green building" technology for the proposed three-story office building. If any of the major assumptions on which the stormwater management plan approval is predicated change due to unforeseen circumstances, the applicant must reapply to Montgomery County, Maryland for a new stormwater management plan approval.

4. The subject property will be used in a manner such that new freestanding lighting fixtures will be the same type (that is, style, height, wattage) as existing lights, or similar to that which is commercially available. Any lighting fixtures affixed to or associated with the three story buildings on the subject property will be designed, located and operated to provide adequate security lighting and to illuminate the parking and walkway areas, not the buildings themselves. The details of a lighting plan are to be determined at the time of site plan review following completion of the zoning phase.



5. In the area between the right-of-way for Berkshire Drive and the paved area for parking and vehicular circulation on the subject property, the following conditions will exist:
 - A. A four-foot wide concrete sidewalk will be installed in the Berkshire Drive right-of-way. The sidewalk will be extended beyond the southern limits of the subject property to connect to an existing staircase that provides access to the Wildwood Shopping Center.

- B. During the construction of said four-foot wide concrete sidewalk, existing trees and shrubbery between the property line and the paved area of Berkshire Drive, all the way to said staircase, will be preserved to the extent practicable.
 - C. Street trees will be planted in the Berkshire Drive right-of-way, per Montgomery County specifications, between said sidewalk and the street curb.
 - D. Existing trees and shrubs within the Berkshire Drive right-of-way are to be preserved to the extent practicable.
 - E. Running the entire length of the subject property between the easternmost property line of the subject property (the right-of-way for Berkshire Drive) and the paved area for vehicular circulation on the subject property, there will be a green space, at least 30 feet wide, as a buffer to screen the parking area, including the blocking of headlights of cars exiting the garage, and to screen the lower portions of the buildings. Within this green space will be located:
 - (1) A six-foot high board-on-board fence;
 - (2) Shade trees;
 - (3) Evergreen plantings on both sides of the fence selected and located to block headlight glare.
6. Roof top mechanical equipment on the proposed three-story office building will be located as far westward on the building as is practicable (to reduce visibility from residences to the east) and will be screened in such a manner as to reduce visibility and the appearance of height.
7. Not more than 3 stories or 42 feet in height as measured from the average elevation of finished ground surface along the front of the building (per the Zoning Ordinance) *(The underlined statement reflect a revised language per e-mail communications between applicant and staff on June 26, 2007)*
8. Building Setbacks:

Bank Building:

- Not closer than 50 feet to Old Georgetown Road right-of-way

Office Buildings:

- Not less than 16 feet to abutting property line (south)
- Not less than 130 feet to rear (Berkshire Drive) property line

9. FAR shall not exceed 0.46

10. Landscaping shown on the companion “Conceptual Landscaping and Lighting Plan” is intended to provide, among other things, a slightly, all season, green buffer along the common property line with Berkshire Drive which will implement the Binding Elements set forth in paragraph 5 above. The landscaping shown is illustrative only. Final locations, sizes and species of landscape materials will be determined at the time of site plan review.

3. Development Standards:

Section 59-C-4.310 of the Zoning Ordinance specifies the development standards for the O-M Zone. The proposal meets or exceeds all applicable current development standards of the O-M Zone.

The applicant’s Schematic Development Plan provides the following development data:

Current Development Standards: O-M	Required/Allowed	Proposed/ Existing	Binding Element
Minimum Lot Area		152,334 SF (3.50) AC	
59-C-4.31 <ul style="list-style-type: none"> ▪ Maximum lot coverage ▪ Maximum Bldg Height ▪ Green Area 	60% 5 stories or 60 feet 10%	15.7% 3-stories or 48 feet 30% or 45,400 S	3-stories or 48 feet
59-C-4.312 Floor Area	1.5 FAR	0.46 FAR	.46 FAR



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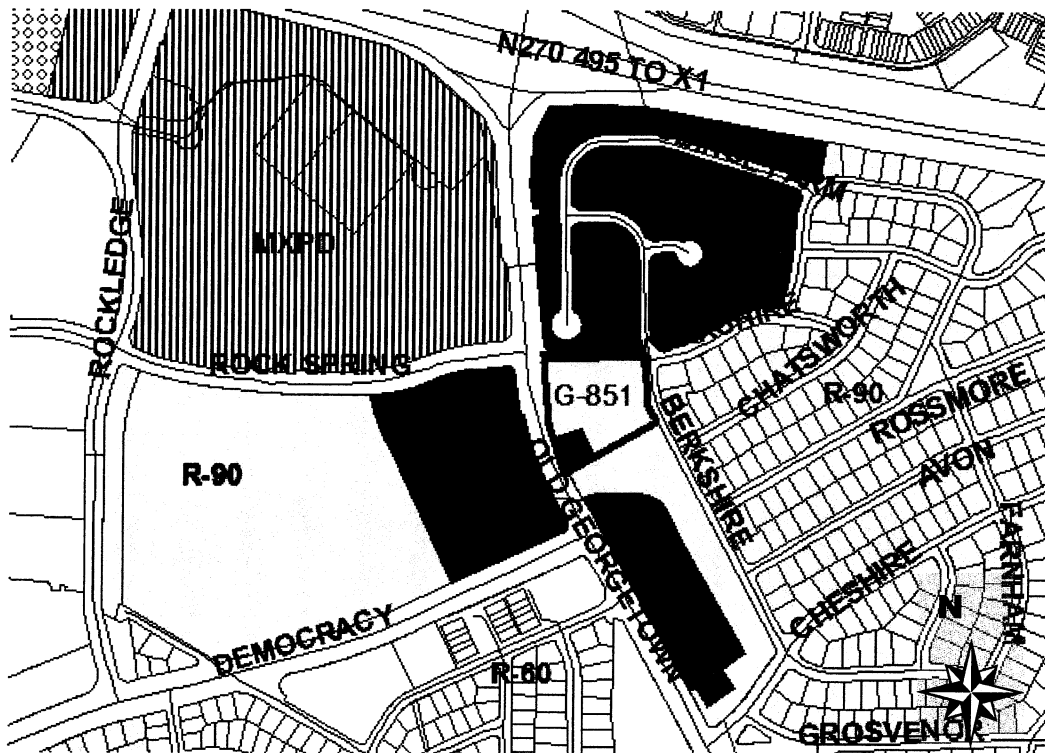


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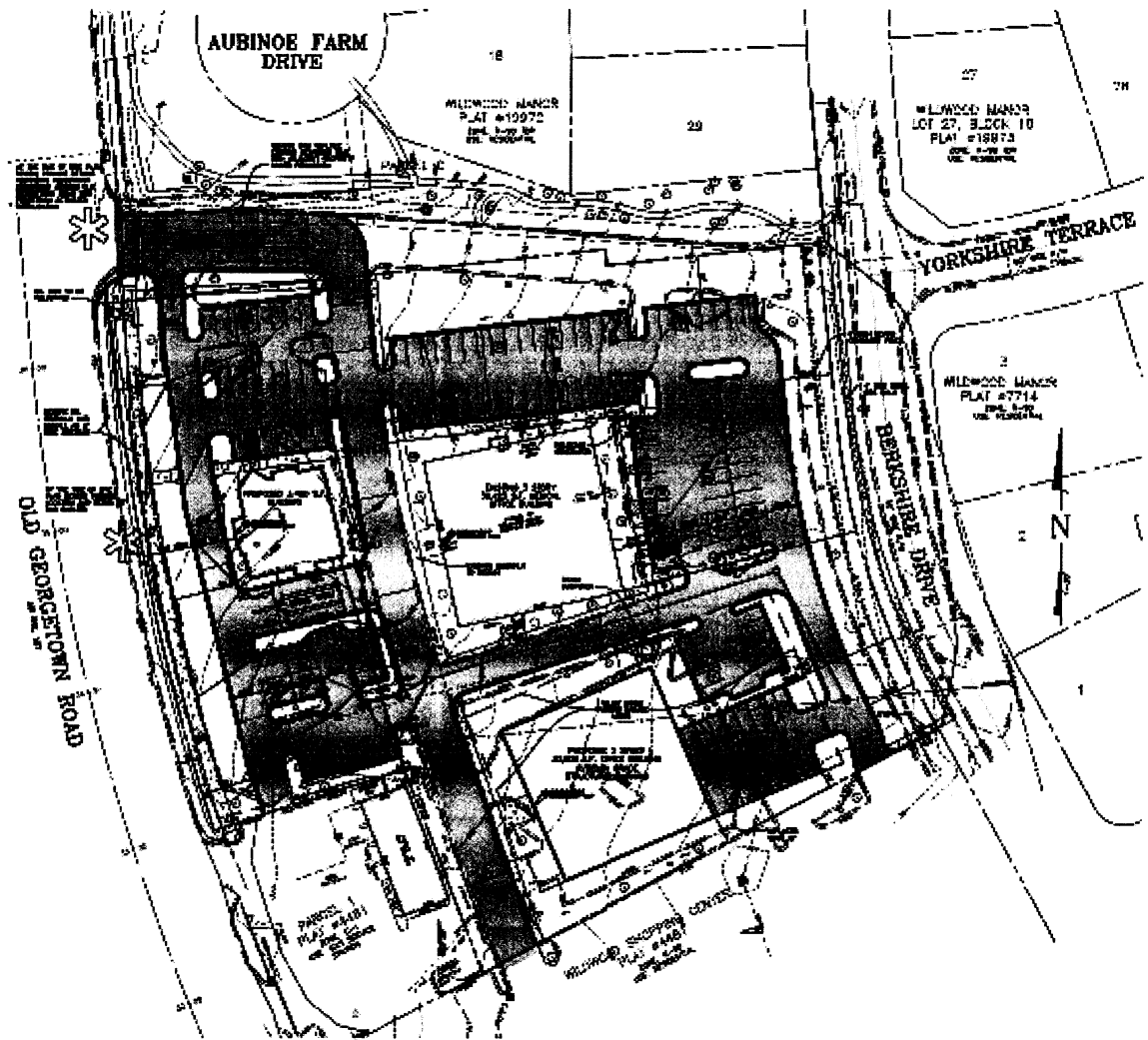
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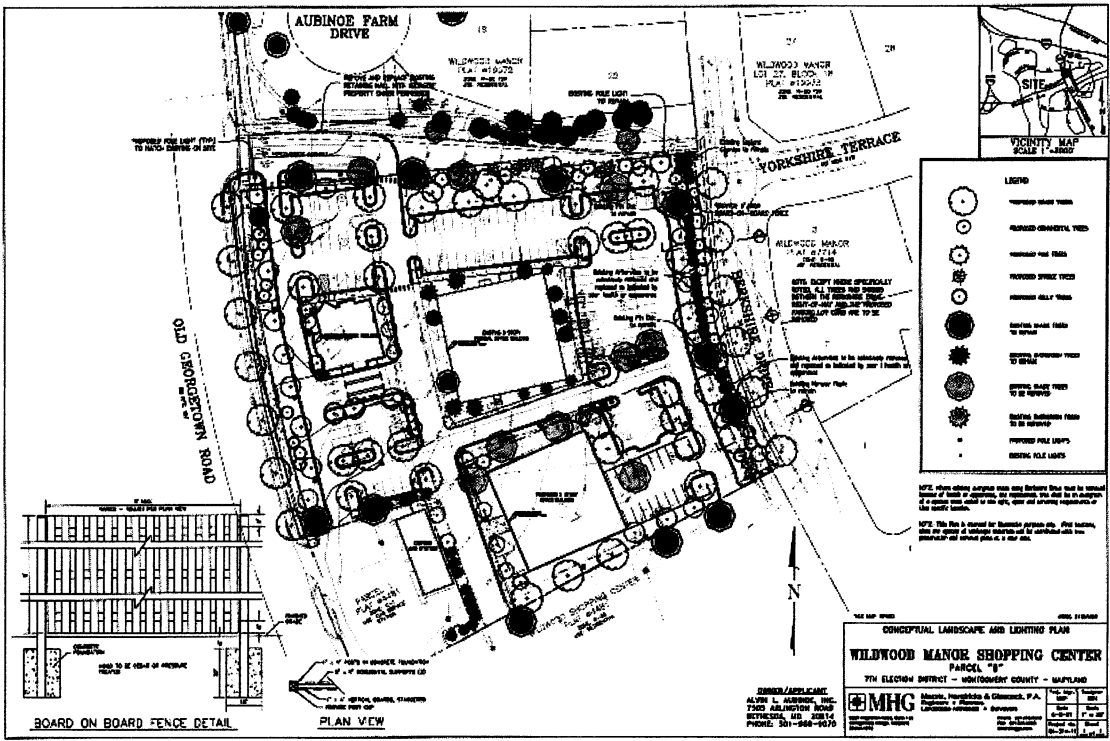
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59-C-4.312 Floor Area	1.5 FAR	0.46 FAR	.46 FAR

<p>59-C4.313 Setbacks</p> <ul style="list-style-type: none"> • From any street r-o-w <ul style="list-style-type: none"> • From an adjoining lot 	<p>15 feet</p> <p>16 feet</p>	<p>Bank bldg: 50 ft from Old Georgetown</p> <p>Office buildings: 145 feet from Berkshire Road; 130 from Old Georgetown Road</p> <p>16 feet f</p>	<p>Bank Building</p> <ul style="list-style-type: none"> • Not closer than 50 feet to Old Georgetown Road right-of-way <p>Office Buildings</p> <ul style="list-style-type: none"> • Not less than 130 feet to rear (Berkshire Drive) property line <ul style="list-style-type: none"> • Not less than 16 feet to abutting property line (south)
<p>Parking</p>	<p>Phase 1 36, 423 of medical @5/1000 = 183 sp 3, 450 sf bank @ 2.7/1000 = 10 sp ----- 193 sp</p> <p>Phase 1 36, 423 of medical @5/1000 = 183 sp 3, 450 sf bank @ 2.7/1000 10 sp 30,000 sf office @ 2.7/1000 81 sp ----- 274 sp</p>	<p>142 sp surface 134 sp garage 276 spaces</p>	
<p>Parking setback</p> <ul style="list-style-type: none"> • From 120' R-o-w • From any other lot line • From adjoining residential zone <p>Adjoining another parking area under different ownership or use</p>	<p>10 ft 4 feet</p> <p><u>R-90</u> Street 30 feet Side 8 feet Rear 25 feet</p> <p>5 ft</p>	<p>30 7ft</p> <p>Street 30 feet Side 8 feet Rear N/A</p> <p>10 ft</p>	

F. Analysis

1. Intent and Purpose of the Zone

Pursuant to Section 59-C-4.310, the purpose of the O-M Zone is the to provide locations for moderate-intensity office buildings in areas outside of central business districts. It is intended that the O-M zone be located in areas where high-intensity uses are not appropriate, but where moderate intensity office buildings will not have an adverse impact on the adjoining neighborhood. This zone is not intended for use in areas which are predominantly one-family residential in character.

The proposed development is in character with the prevailing development pattern that now exists on the property and in the immediate area. The property abuts residential development to the north and east classified in the R-90/TDR and R-90 zones. However, it should be noted that non-residential uses were established on the property long before the residential uses, and that the proposed two new structures (the bank and the office building) would be constructed on a site with a significant amount of impervious surface, and contains a three-story commercial building with a parking lot. The proposed development would be compatible with existing as well as future land uses in the surrounding area.

The existing zone allows single-family detached homes, and the proposed zone allows moderate-intensity office buildings. Given its location relative to existing development in the immediate area, and the nature of the site itself with existing non-residential improvements, the subject property is more appropriate for a bank and office uses as proposed and restricted under the Schematic Development Plan than if developed under the existing R-90 zone. As the proposed project goes forward, particularly at the site plan stage, careful attention should be given to the provision of sufficient and adequate landscaping, setbacks, and screening and buffering and the height of the new building.

In staff's view, the application complies with the purposes of the O-M zone to provide locations for moderate intensity office buildings in areas outside a Central Business District that will not have an adverse impact on the adjoining neighborhood

2. Master Plan

Upon reviewing the proposal for Master Plan consistency, the Community Based Planning Division has offered the following comments:

MASTER PLAN COMPLIANCE

The 1992 Master Plan confirms the R-90 zoning for the site. While no specific recommendations were made for this site, the Plan recognizes that floating zones are available as a tool to implement master plan goals. The pertinent general land use and zoning recommendations in the Plan are as follows:

- 1) Focus future development to land located nearest to Metro stops, new transit stations, and areas served by existing transportation infrastructure.
- 2) Encourage a mixture of land uses in redeveloping areas to promote variety and vitality.
- 3) Encourage a land use pattern that provides opportunities for housing and employment (p 35).

The Plan confirms the County Council actions that prohibited large medical complexes previously allowed in North Bethesda/Garrett Park. The Plan provides the following guidelines to protect residential areas, while attempting to meet important social needs:

- 1) Avoid excessive concentration of special exceptions and other non-residential land uses along major highway corridors.
- 2) Avoid over-concentration of commercial service or office-type special exceptions uses in residential areas.

The Plan emphasizes the utility of floating zones, if the development will be compatible with the surrounding land uses.

Also, an urban design objective of the Plan is to “greatly improve the pedestrian friendliness of new and existing streets, particularly within walking distance of transit nodes, and increase the number of pedestrian and bicycle routes to transit” (p.109 of the plan). In addition the Plan supports crosswalk signalization and clearly marked crosswalks. “Pedestrian activated-walk signals and clearly marked crosswalks should be installed at every intersection with a traffic signal in office/commercial areas... bus shelters should be put in place near all activity centers such as Walter Johnson High School” (p. 187). Finally, the Plan supports amenities that make

walking more comfortable and inviting such as trees. The Plan notes that these conditions are “particularly acute along Old Georgetown Road” (p. 189).

2. Public Facilities

(i) Water and Sewer Service

The property is located in Water and Sewer Category W-1/S-1, and is served by public water and sewer. The Washington Suburban Sanitary Commission (WSSC) staff has offered the following:

The following are WSSC’s comments on G-851, Wildwood Medical Center:

Water mains abut the property. Adequate service can be provided from these mains. There would be no impact to the water distribution system should this property be placed in the O-M zone.

Sewer mains traverse the property. There may be an impact to the sewer collection system should this property be placed in the O-M zone. Some pipes downstream from the property may not have adequate capacity to handle the increased wastewater flow. About 550 linear feet of pipe may have to be replaced with larger diameter pipes.

(ii) Transportation

Upon reviewing the applicant’s traffic analysis and schematic development plan, the Transportation Planning Section staff offered the following comments:

Site Location and Vehicular Access Points

The proposed non-residential development is located on Parcel “B” on the east side of Old Georgetown Road between Democracy Boulevard and the I-270 East Spur. The residential street, Berkshire Drive, runs along the eastern property line and Aubinoe Farm Drive and terminates in a cul-de-sac north of the site. The vehicular access points would remain in their present locations: one from Old Georgetown Road and two others from the cross

easements connecting into the adjoining Wildwood Shopping Center.

Available Transit Service

Ride-On routes 8, 26, and 96 and Metrobus route J-1 operate along Old Georgetown Road. Metrobus routes J-2 and J-3 operate along a segment of Old Georgetown Road north of Democracy Boulevard, as well as Democracy Boulevard.

Master-Planned Roadways and Bikeways

In accordance with the *North Bethesda/Garrett Park Master Plan*, Old Georgetown Road is designated as a major highway, M-4, with the recommended 120-foot minimum right-of-way and a Class III bikeway. Berkshire Drive and Aubinoe Farm Drive are not listed in the *Master Plan*, but are classified as tertiary residential streets with 50-foot-wide rights-of-way.

Transportation Mitigation Requirements

The subject site is located outside the boundary of the North Bethesda Transportation Management District and is not required to participate in the North Bethesda Transportation Management Organization (TMO).

Adequacy of the Public Transportation Facilities

The net increase in peak hour trips within the weekday morning peak period (6:30 to 9:30 a.m.) and the weekday evening peak period (4:00 to 7:00 p.m.) that the proposed development would generate is shown in Table 1 (attached).

Total trips include new, pass-by, and diverted trips. New trips occur when the site is the primary origin or destination of trips. Pass-by trips occur when travelers stop at this site on their way along Old Georgetown Road. Diverted trips are routes that travelers change slightly to stop at the site for a secondary trip purpose.

A traffic study was required to satisfy the Local Area Transportation Review test, because the proposed non-

residential development generates 30 or more total peak hour trips during the weekday morning and evening peak hours. Table 2 (attached) shows the result of the critical lane volume (CLV) analysis for the studied intersections.

The CLVs at the intersection of Old Georgetown Road and Wildwood Manor driveway (Rock Spring Drive) exceed the 1,550 congestion standard in the weekday evening peak hour. The increased capacity provided by the improvement described in Recommendation No. 2 would reduce the CLV values below the 1,550 standard.

As part of the APF test for transportation requirements related to the subject rezoning case the Transportation Planning Section recommends the following:

1. The proposed development must be limited to the existing 36,423-square-foot medical office building, a 3,450-square-foot bank with drive-through windows (Phase I addition), and 30,000-square-foot of new general office building (Phase II addition).
2. The applicant must construct a separate right-turn lane on the westbound of Wildwood Manor driveway (Rock Spring Drive) at its intersection with Old Georgetown Road (MD 187) prior to release of any building permit for the Phase II office building.
3. The site plan for this application must show the following:
 - a. Nine inverted-U bicycle racks in the following locations:
 - 1). Three bicycle racks, one located in front of the existing medical building, the proposed office building, and the proposed bank.
 - 2). Six other racks located in the underground parking garage of the proposed office building near the elevator(s).

- b. The missing pedestrian crosswalks and handicapped ramps in the following locations must be constructed:
- 1). A lead-in sidewalk from Old Georgetown Road on the south side of Wildwood Manor driveway, opposite of Rock Spring Drive.
 - 2). A lead-in sidewalk from Old Georgetown Road on the north side of the proposed bank building.
 - 3). Crosswalks across at all internal driveways.

Table 1 – Weekday Morning and Evening Peak Hour Trips

Type of Land Use	Square Feet	Weekday Peak Hour			
		Morning		Evening	
		New	Total	New	Total
Proposed Additional Land Uses:					
Phase I - Bank with Drive-Through windows	3,450	3	6	10	24
Phase II – General Office Building	30,000	43	43	63	63
Total- Phases I & II	33,450	46	49	73	87
Existing Medical Building	36,423	90	90	135	135
Net Increase in Peak-Hour Trips		136	139	208	222

Table 2– Weekday Morning and Evening Peak Hour Critical Lane Volume (CLV) Analysis

Intersection	CLV Standard Policy Area	Weekday Peak Hour	Traffic Condition				
			Existing	Background	Total Phase I	Total Phases I & II	Total Improved Phase II
Old Georgetown Road & I-270 East Spur Westbound Ramp	1,550 North Bethesda	Morning	983	1,004	1,005	1,013	-----
		Evening	834	1,035	1,036	1,041	-----
Old Georgetown Road & I-270 East Spur Eastbound Ramp	1,550 North Bethesda	Morning	1,055	1,095	1,095	1,102	-----
		Evening	1,103	1,338	1,339	1,349	-----
Old Georgetown Road & Wildwood Manor Driveway – Rock Spring Drive	1,550 North Bethesda	Morning	1,133	1,313	1,315	1,320	1,304
		Evening	1,275	1,529*	1,540*	1,588*	1,509
Old Georgetown Road & Wildwood Shopping Center Driveway – Democracy Boulevard	1,550 North Bethesda	Morning	1,381	1,444	1,444	1,446	-----
		Evening	1,252	1,366	1,366	1,369	-----

* The CLV exceeds the (1,550) congestion standard.

(iii) Schools

The proposed project will not generate additional students and therefore will not affect school capacity in the area.

(iv) Fire and Police

The applicant statement indicates that the subject property is within 1.78 miles of the Bethesda Fire Department #20 and within 4.20 miles of the 2nd District Police Station.

3. Environment

Environmental Planning staff has voiced no concern regarding the subject proposal and has offered the following comments: indicated

Forest Conservation – Chapter 22A

An approved Natural Resource Inventory/Forest Stand Delineation is included in the submission. This project is exempt from Forest conservation because it is a modification of an existing developed property. No forest will be cleared, a Special Protection Area/Water Quality Plan is not required, and a new subdivision plan is not required. The NRI/FSD indicates no forest or specimen trees on site, so a Tree Save Plan is not required.

Environmental Guidelines

This site is located in a highly urban area that was developed before the “Environmental Guidelines” were adopted. It is not located within a Special Protection Area or Primary Management Area. This site has no specimen or significant trees, no steep slopes, and no erodible soils. There are no wetlands or streams.

Water Quality

The site is located in the Lower Mainstem Bethesda subwatershed of the Lower Rock Creek watershed. The subwatershed is designated an Urban Watershed Restoration Area where the CSPA recommends supporting cost-effective stormwater quality controls on redevelopment sites, such as the subject site.

Stormwater Management

A Stormwater Management Concept Plan has been approved for this site.

G. Community Concerns

As previously noted, the applicant met with the Wildwood Manor Citizens Association a number of times to discuss and address various issues and concerns raised by the community. It is staff's understanding that there is general agreement that the plan addresses most of the concerns and issues brought out at the various meetings between the community and the applicant; however, the community still feels that traffic congestion at the Cheshire/Grosvenor intersection is an issue. By a letter dated June 20, 2007 (attachment), the Wildwood Manor Citizens Association has identified and discussed the issues and concerns of the community and the resulting modification to the plan subsequent to discussions with the applicant.

The Community has asked for the following measures to be incorporated into the applicant SDP:

1. Prohibit vehicular access between the subject property and Berkshire Drive.

2. The principles of the Landscape Plan and pedestrian access should be binding elements.
3. Restrict the proposed new building to offices, general, professional and business, excluding medical practitioners uses in order to minimize a potential parking shortage.
4. Include in the binding elements that the height of the office building will be “not more than three-stories or 42 feet in height”.
5. New lighting fixtures should be the same type as or similar to existing lights in terms of style, height and wattage. Lighting fixtures associated to the office buildings should provide adequate security lighting and illuminate the parking and walkway areas, not the building themselves.
6. The Principles of the landscape plan and pedestrian access should be binding elements. Per agreement with the applicant and the community, the binding elements should include the following:
 - Installation of a four-foot –wide concrete sidewalk
 - Preservation of existing trees.
 - Plant street trees in the Berkshire Drive right-of-way.
 - A 30-foot wide buffer yard with a combination of shade trees, evergreen planting and a fence to be provided along the eastern property line (Berkshire Drive frontage).
7. The designation of the neighborhood is too small, and therefore, does not address traffic congestion at the Cheshire/Grosvenor intersection. The Wildwood Manor Citizens Association supports constructing another turn lane or other improvement bettering this situation.

The June 20, 2007 letter indicates that the Wildwood Manor Citizens Association and the applicant addressed all their differences with the exception of the traffic congestion issue at the Cheshire/Grosvenor intersection. The community believes that the Cheshire/Grosvenor intersection issue was not addressed adequately by the applicant and, therefore, continues to oppose the application.

H. Conclusion

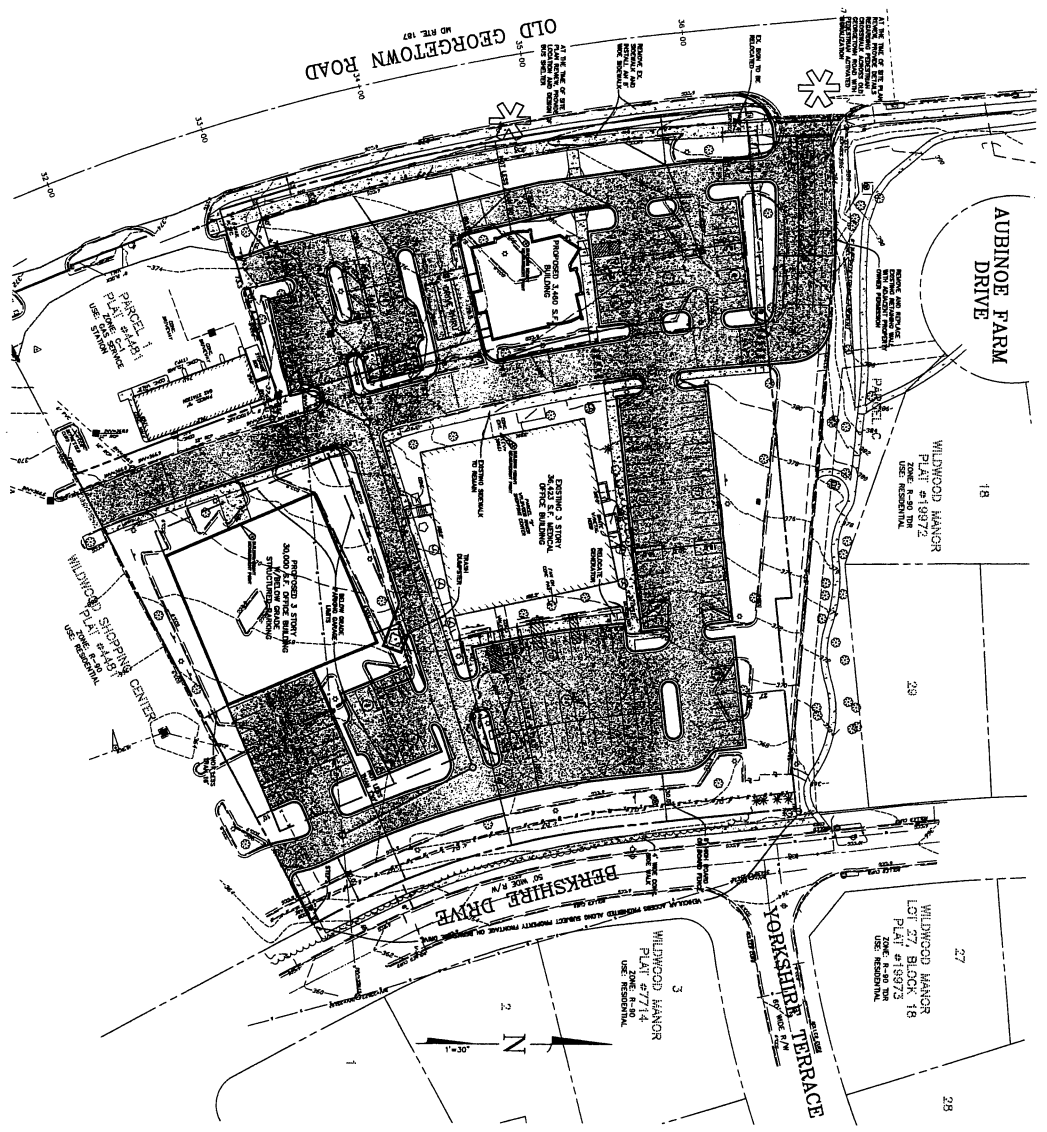
Staff finds that the proposed Local Map Amendment and the associated Schematic Development Plan is consistent with the purpose clause and all applicable standards for the O-M Zone, and are in accord with the land use

recommendations of the 1992 North Bethesda-Garrett Park Master Plan. Therefore, staff recommends approval of the O-M Zone and the proposed Schematic Development Plan.

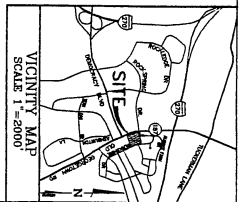
ATTACHMENTS



G-851 WILDWOOD



SECTION	REVISIONS
1. GENERAL NOTES	<ol style="list-style-type: none"> 1. The site is located within the Wildwood Manor subdivision, which is subject to the provisions of the subdivision map and the applicable zoning ordinance. 2. The site is located within the Wildwood Manor subdivision, which is subject to the provisions of the subdivision map and the applicable zoning ordinance. 3. The site is located within the Wildwood Manor subdivision, which is subject to the provisions of the subdivision map and the applicable zoning ordinance. 4. The site is located within the Wildwood Manor subdivision, which is subject to the provisions of the subdivision map and the applicable zoning ordinance. 5. The site is located within the Wildwood Manor subdivision, which is subject to the provisions of the subdivision map and the applicable zoning ordinance. 6. The site is located within the Wildwood Manor subdivision, which is subject to the provisions of the subdivision map and the applicable zoning ordinance. 7. The site is located within the Wildwood Manor subdivision, which is subject to the provisions of the subdivision map and the applicable zoning ordinance. 8. The site is located within the Wildwood Manor subdivision, which is subject to the provisions of the subdivision map and the applicable zoning ordinance. 9. The site is located within the Wildwood Manor subdivision, which is subject to the provisions of the subdivision map and the applicable zoning ordinance. 10. The site is located within the Wildwood Manor subdivision, which is subject to the provisions of the subdivision map and the applicable zoning ordinance.



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OWNER/APPLICANT:
 ALVIN L. AUBINOE, INC.
 7505 ARLINGTON ROAD
 BELTSMO, MD 20814
 PHONE: 301-580-5070

WILDWOOD MANOR SHOPPING CENTER
 PARCEL "B"

7TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

ARCHITECT:
 HOKI, HOKI & ASSOCIATES, P.A.
 1000 WOODBRIDGE AVENUE, SUITE 200
 WASHINGTON, DC 20007

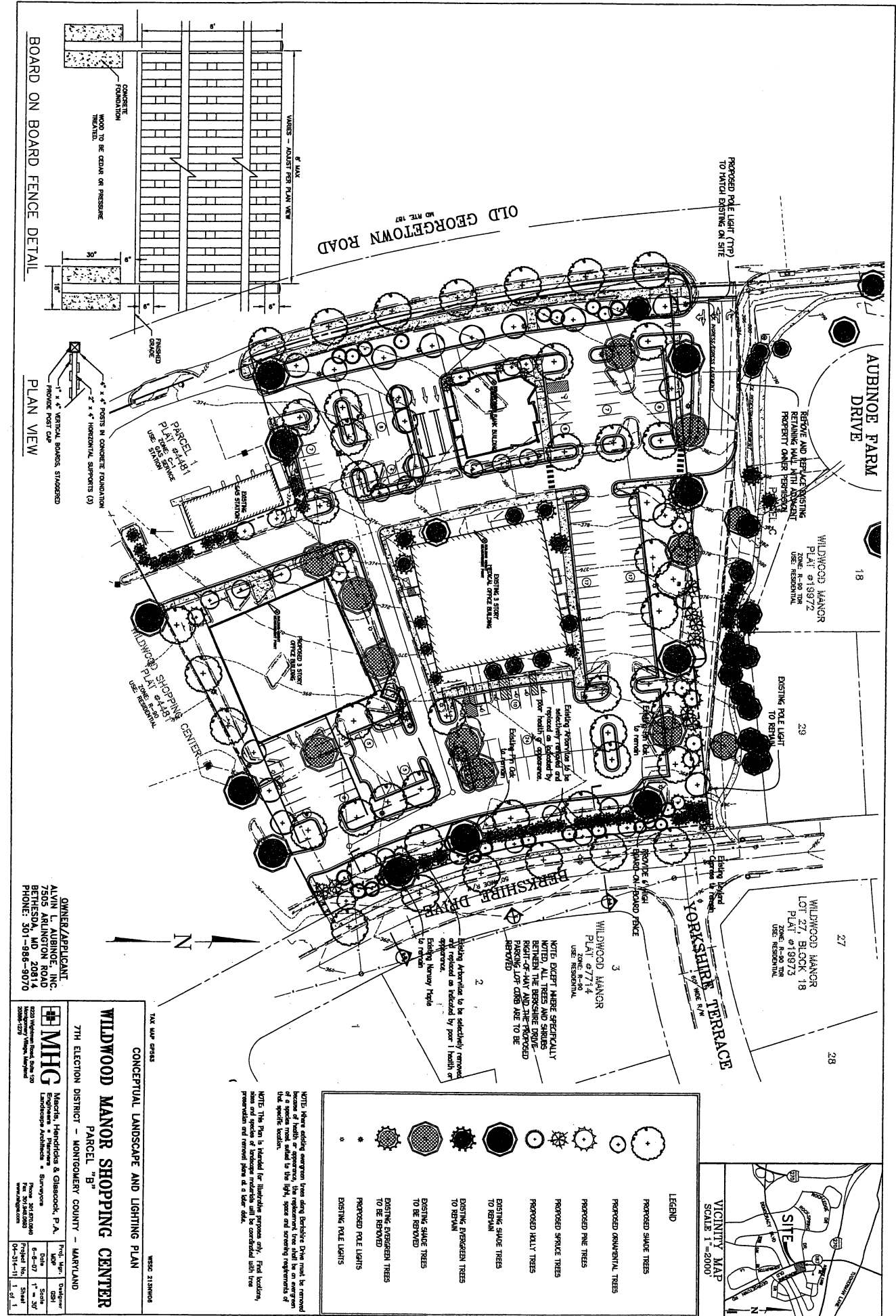
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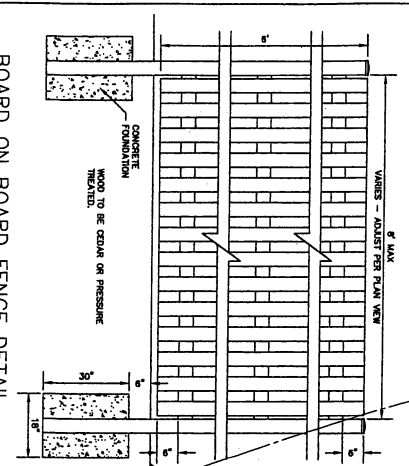
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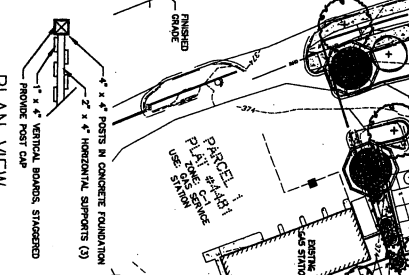
1 OF 1



BOARD ON BOARD FENCE DETAIL



PLAN VIEW



OWNER/APPLICANT:
ALVIN LAMBLING, INC.
7505 ARLINGTON ROAD
BETHESDA, MD 20814
PHONE: 301-988-9070

ARCHITECT:
MAGNETIC DESIGN GROUP
1000 WOODBURY ROAD, SUITE 100
BETHESDA, MD 20814
PHONE: 301-988-9070

LANDSCAPE ARCHITECT:
MAGNETIC DESIGN GROUP
1000 WOODBURY ROAD, SUITE 100
BETHESDA, MD 20814
PHONE: 301-988-9070

DATE: 11/11/11

SCALE: 1" = 20'

1 of 1

CONCEPTUAL LANDSCAPE AND LIGHTING PLAN

WILDWOOD MANOR SHOPPING CENTER

PARCEL "B"

7TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

PROJECT NO. 11-11-11

DATE: 11/11/11

SCALE: 1" = 20'

1 of 1

PROJECT NO. 11-11-11

DATE: 11/11/11

SCALE: 1" = 20'

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PROJECT NO. 11-11-11

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DATE: 11/11/11

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DATE: 11/11/11

SCALE: 1" = 20'

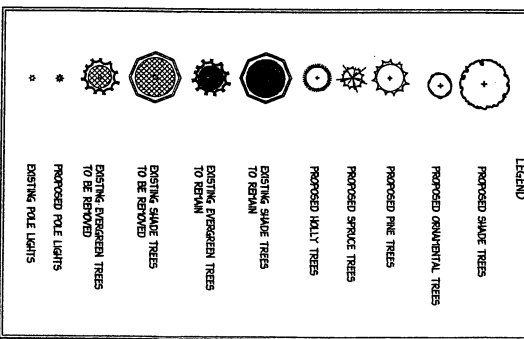
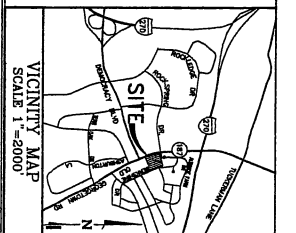
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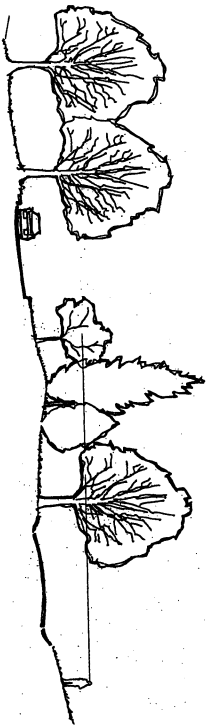
NOTE: Where existing evergreen trees along Berkshire Drive need to be removed because of health or appearance, the replacement tree shall be an ornamental of a species most similar to the light, space and screening requirements of the specific location.

NOTE: This Plan is intended for illustrative purposes only. Field locations, sizes and species of landscape materials will be controlled with tree preservation and removal plans at a later date.

Existing Building

Section A-A

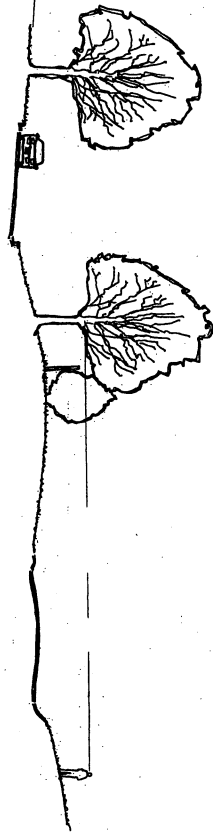
Scale 1" = 10'



Proposed Building

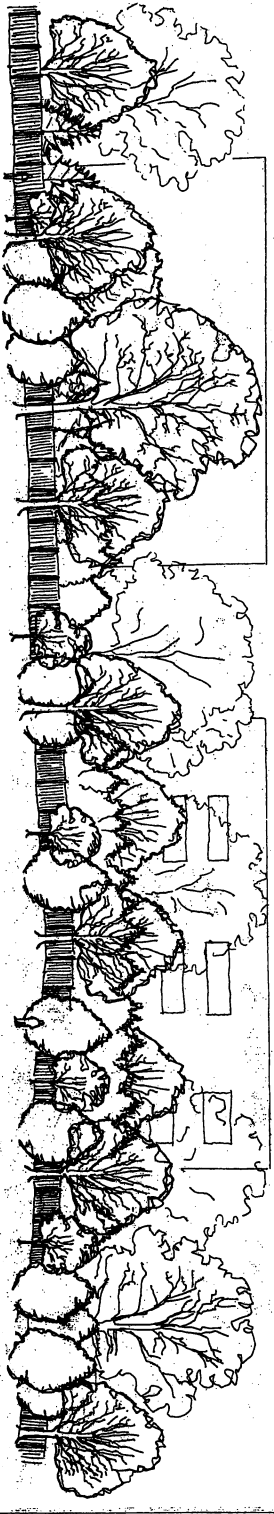
Section B-B

Scale 1" = 10'



Elevation 'C' - East facade of proposed building with landscaped buffer

Scale 1" = 10'



NOTE: All proposed plant materials are represented at 20 year growth dimensions. Existing plantings to remain are represented at actual size. See Conceptual Landscape and Lighting Plan.

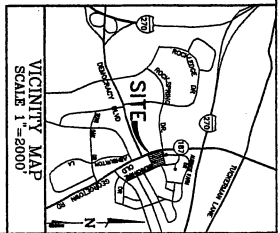


EXHIBIT - LANDSCAPED BUFFER ALONG BERKESHIRE DRIVE

WILDWOOD MANOR SHOPPING CENTER

7TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND
PARCEL "B"

<p>MHC Mascia, Hendrick & Glasscock, P.A. Landscape Architects • Surveyors 1220 Midway Road, Suite 120 Rockville, MD 20850 Phone: 301.714.0400 www.mhc.com</p>	Proj. Mgr.	Designer
	MRP	SGH
Date	Scale	
6-8-07	1" = 10'	
Proj. No. 03-01-040	Sheet No.	1 of 11
4-21-11		

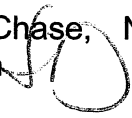


MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

June 21, 2007

MEMORANDUM

TO: Elsabett Tesfaye, Development Review Division

FROM: Judy Daniel, Team Leader, Bethesda-Chevy Chase, North
Bethesda Team, Community-Based Planning Division 
Kristin O'Connor, Senior Planner
Community-Based Planning Division

SUBJECT: Wildwood Medical Center, G-851

ZONE: R-90 to O-M

MASTER PLAN: 1992 North Bethesda/Garrett Park Master Plan

RECOMMENDATION: APPROVAL of Rezoning

BACKGROUND

The site is located within the 1992 Approved and Adopted North Bethesda-Garrett Park Master Plan area. The property, zoned R-90, is surrounded by two single-family residential areas to the north and to the east. A chain link fence runs along the eastern border of the property (along Berkshire Drive). A gas station and the Wildwood Manor Shopping Center border the southern property line. Located across Old Georgetown Road, are: Walter Johnson High School, Georgetown Square Shopping Center and the Davis Parcel (future mixed-use project known as Rock Spring Park).

The site is 3.5 acres and fronts Old Georgetown Road, just south of the 270 Spur. It is developed with a 34,580 square foot medical office building (3 stories) surrounded by surface parking. The site is currently operating under a special exception granted in the early 1960's. Modifications to the Medical Clinic special exception in the late 1980's have placed restrictions on future large clinics operating under special exceptions. Zoning Text Amendment 87024 only permits new medical clinics with not more than four medical practitioners. The ZTA provided for the grandfathering of existing clinics such as the existing clinic on the site.

THE DEVELOPMENT PLAN

The zoning application proposes to rezone the R-90 site to O-M zoning, and construction of additional commercial structures on the site. The two-phased development program includes a bank and an office building. In the first phase, a bank with drive-through lanes and associated parking will be constructed. The second phase includes the construction of a 30,000 square foot office building, with below-grade parking, south of the existing office building. Access to the site will be provided using the existing entrances at the northwest corner of the site. A continuous, interior main street will parallel Old Georgetown Road. The existing office building and the proposed building will front this main drive. A landscaped area with sidewalk will be provided along Old Georgetown Road to the front, and Berkshire Drive to the rear. Parking spaces along the Old Georgetown Road will be removed and landscaped to provide this green buffer along the roadway. The existing landscaped buffer to the north will remain and be augmented as a portion of the driveway will be removed and planted with trees. The eastern side of the site along Berkshire Drive will remain landscaped and fenced. The landscaping will be augmented, and a new 6-foot board-on-board fence will replace the existing 48" chain link fence along the property line.

MASTER PLAN COMPLIANCE

The 1992 Master Plan confirms the R-90 zoning for the site. While no specific recommendations were made for this site, the Plan recognizes that floating zones are available as a tool to implement master plan goals. The pertinent general land use and zoning recommendations in the Plan are as follows:

- 1) Focus future development to land located nearest to Metro stops, new transit stations, and areas served by existing transportation infrastructure.
- 2) Encourage a mixture of land uses in redeveloping areas to promote variety and vitality.
- 3) Encourage a land use pattern that provides opportunities for housing and employment (p 35).

The Plan confirms the County Council actions that prohibited large medical complexes previously allowed in North Bethesda Garrett Park. The Plan provides the following guidelines to protect residential areas, while attempting to meet important social needs:

- 1) Avoid excessive concentration of special exceptions and other non-residential land uses along major highway corridors.
- 2) Avoid over-concentration of commercial service or office-type special exceptions uses in residential areas.

The Plan emphasizes the utility of floating zones, if the development will be compatible with the surrounding land uses.

Also, an urban design objective of the Plan is to “greatly improve the pedestrian friendliness of new and existing streets, particularly within walking distance of transit nodes, and increase the number of pedestrian and bicycle routes to transit” (p.109). In addition the Plan supports crosswalk signalization and clearly marked crosswalks. “Pedestrian activated-walk signals and clearly marked crosswalks should be installed at every intersection with a traffic signal in office/commercial areas... bus shelters should be put in place near all activity centers such as Walter Johnson High School” (p. 187). Finally, the Plan supports amenities that make walking more comfortable and inviting such as trees. The Plan notes that these conditions are “particularly acute along Old Georgetown Road” (p. 189).

COMMUNITY CONCERNS

The applicant presented the proposal to the Wildwood Manor Citizens Association in the fall 2006. Staff attended the night meeting to listen to the concerns of the residents. The Wildwood Manor Citizens Association expressed a range of concerns related to the proposals for buffering and setbacks, on-site parking, landscaping along Berkshire Drive, stormwater management, connections through the site, traffic and cut-through traffic, loss of trees in the rear of the property as a result of providing sidewalk connections, lighting, height of the new office building, location of the dumpster and trash area, and safe connections to the shops across Old Georgetown Road. The applicants met with the community and their representatives and have agreed to the following modifications in response to the concerns:

- The development plan will be revised to clarify that there will be no access between the site and Berkshire Drive along the eastern boundary of the property.
- The Binding Elements for the rezoning will be revised to:
 - i. List certain agreed to elements for the landscaping components:
 - 1. Location of the Berkshire Drive sidewalk
 - 2. Landscaping elements along Berkshire Drive
 - ii. Indicate that there will be no medical offices in the new building
 - iii. Reduce the allowed maximum height of the new building to the approximate height of the existing building - 42 feet or not greater than three stories; and that rooftop mechanical equipment will be located and screened to minimize the actual height.

Staff Concerns

The staff also had concerns with the original submittal, reflecting Master Plan language. The applicant has made the following adjustments to their proposal in response to staff concerns:

1. The landscaping plan along Old Georgetown Road now reflects:
 - a. A 6-foot landscape panel, and a eight-foot wide sidewalk,
 - b. Trees planted at county required intervals of 45'-50' within the landscape panel,

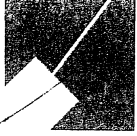
- c. A crosswalk “with pedestrian activated signalization” to be installed at the northwest corner of the site, with details to be addressed at site plan.
 - d. Details and location of bus shelter to be provided at site plan.
2. Improvements and enhancement of the tree line and landscaped buffer along Berkshire Road
 3. Trees added to the interior main street adjacent to the sidewalk
 4. Lighting with cut-off fixtures on the site to minimize the light that trespasses into the front, side and rear yard of adjacent neighbors.

RECOMMENDATION

In response to concerns expressed by the staff and the adjoining neighborhood, the plans for this rezoning have been revised in relationship to landscaping, land use, height and access. The revised plans for this rezoning reflect the guidance within the Master Plan as follows:

1. The site is in an area well served by existing transportation, with immediate access to the I-270 Spur, and close access to Bethesda and North Bethesda.
2. The proposal adds office space in an area of residential and retail uses, thus adding to the mixture of land uses and promoting variety and vitality.
3. The proposal supports and augments a land use pattern that provides opportunities for housing and employment.
4. The proposal will improve the safety and accessibility of pedestrian ways and the visual pattern along this segment of Old Georgetown Road.
5. The location is already used for (and confronts) commercial purposes, so the intensified use of the site avoids excessive concentration of non-residential land uses along major highway corridors, or over-concentration of commercial service or office-type special exceptions uses in residential areas.
6. With the revisions, the development will be compatible with surrounding land uses. The Plan supports the use of floating zones -- provided they are found to be compatible with the surrounding land uses.

Therefore, the Community Based Planning Staff supports this application as revised.





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

MEMORANDUM

DATE: June 20, 2007

TO: Elsabett Tesfaye, Development Review Division

VIA: Jorge A. Valladares, P.E., Countywide Planning Division, Environmental 

FROM: Marion Clark, Countywide Planning Division, Environmental 

SUBJECT: Zoning Application No. G-851
Wildwood Manor

Recommendation: Approval

Forest Conservation – Chapter 22A

An approved Natural Resource Inventory/Forest Stand Delineation is included in the submission. This project is exempt from Forest conservation because it is a modification of an existing developed property. No forest will be cleared, a Special Protection Area/Water Quality Plan is not required, and a new subdivision plan is not required. The NRI/FSD indicates no forest or specimen trees on site, so a Tree Save Plan is not required.

Environmental Guidelines

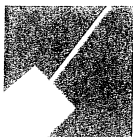
This site is located in a highly urban area that was developed before the “Environmental Guidelines” were adopted. It is not located within a Special Protection Area or Primary Management Area. This site has no specimen or significant trees, no steep slopes, and no erodible soils. There are no wetlands or streams.

Water Quality

The site is located in the Lower Mainstem Bethesda subwatershed of the Lower Rock Creek watershed. The subwatershed is designated an Urban Watershed Restoration Area where the CSPA recommends supporting cost-effective stormwater quality controls on redevelopment sites, such as the subject site.

Stormwater Management

A Stormwater Management Concept Plan has been approved for this site.



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

April 4, 2007

MEMORANDUM

TO: Elsabett Tesfaye, Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning

FROM: Ed Axler, Planner/Coordinator EA
Transportation Planning

SUBJECT: Local Map Amendment Application No. G-851
Wildwood Medical Center
1401 Old Georgetown Road, Bethesda
North Bethesda Policy Area

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject rezoning case requesting a change from R-60 zone to OM zone.

RECOMMENDATIONS

We recommend the following conditions as part of the APF test for transportation requirements related to the subject rezoning case:

1. The proposed development must be limited to the existing 36,423-square-foot medical office building, a 3,450-square-foot bank with drive-through windows (Phase I addition), and 30,000-square-foot of new general office building (Phase II addition).
2. The applicant must construct a separate right-turn lane on the westbound of Wildwood Manor driveway (Rock Spring Drive) at its intersection with Old Georgetown Road (MD 187) prior to release of any building permit for the Phase II office building.

3. The site plan for this application must show the following:
 - a. Nine inverted-U bicycle racks in the following locations:
 - 1) Three bicycle racks, one located in front of the existing medical building, the proposed office building, and the proposed bank.
 - 2) Six other racks located in the underground parking garage of the proposed office building near the elevator(s).
 - b. The missing pedestrian crosswalks and handicapped ramps in the following locations must be constructed:
 - 1) A lead-in sidewalk from Old Georgetown Road on the south side of Wildwood Manor driveway, opposite of Rock Spring Drive.
 - 2) A lead-in sidewalk from Old Georgetown Road on the north side of the proposed bank building.
 - 3) Crosswalks across at all internal driveways.

DISCUSSION

Site Location and Vehicular Access Points

The proposed non-residential development is located on Parcel "B" on the east side of Old Georgetown Road between Democracy Boulevard and the I-270 East Spur. The residential street, Berkshire Drive, runs along the eastern property line and Aubinoe Farm Drive and terminates in a cul-de-sac north of the site. The vehicular access points would remain in their present locations: one from Old Georgetown Road and two other from the cross easements connecting into the adjoining Wildwood Shopping Center.

Available Transit Service

Ride-On routes 8, 26, and 96 and Metrobus route J-1 operate along Old Georgetown Road. Metrobus routes J-2 and J-3 operate along a segment of Old Georgetown Road north of Democracy Boulevard, as well as Democracy Boulevard.

Master-Planned Roadways and Bikeways

In accordance with the *North Bethesda/Takoma Park Master Plan*, Old Georgetown Road is designated as a major highway, M-4, with the recommended 120-foot minimum right-of-way and a Class III bikeway. Berkshire Drive and Aubinoe Farm Drive are not listed in the *Master Plan*, but are classified as tertiary residential streets with 50-foot-wide rights-of-way.

Transportation Mitigation Requirements

The subject site is located outside the boundary of the North Bethesda Transportation Management District and is not required to participate in the North Bethesda Transportation Management Organization (TMO).

Adequacy of the Public Transportation Facilities

The net increase in peak hour trips within the weekday morning peak period (6:30 to 9:30 a.m.) and the weekday evening peak period (4:00 to 7:00 p.m.) that the proposed development would generate is shown in Table 1 (attached).

Total trips include new, pass-by, and diverted trips. New trips occur when the site is the primary origin or destination of trips. Pass-by trips occur when travelers stop at this site on their way along Old Georgetown Road. Diverted trips are routes that travelers change slightly to stop at the site for a secondary trip purpose.

A traffic study was required to satisfy the Local Area Transportation Review test, because the proposed non-residential development generates 30 or more total peak hour trips during the weekday morning and evening peak hours. Table 2 (attached) shows the result of the critical lane volume (CLV) analysis for the studied intersections.

The CLVs at the intersection of Old Georgetown Road and Wildwood Manor driveway (Rock Spring Drive) exceed the 1,550 congestion standard in the weekday evening peak hour. The increased capacity provided by the improvement described in Recommendation No. 2 would reduce the CLV values below the 1,550 standard.

EA:mj
Attachment

Cc: Craig Hedberg
Barbara Kearney – Research pipeline analyst
Chuck Kines
Jody Kline
Kristin O'Connor
Fiona Thomas
Nkosi Yearwood

mmo to Tesfaye for Wildwood G-851.doc

Attachment

Table 1 – Weekday Morning and Evening Peak Hour Trips

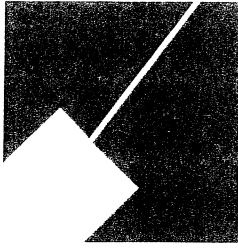
Type of Land Use	Square Feet	Weekday Peak Hour			
		Morning		Evening	
		New	Total	New	Total
Proposed Additional Land Uses:					
Phase I - Bank with Drive-Through windows	3,450	3	6	10	24
Phase II – General office Building	30,000	43	43	63	63
Total- Phases I & II	33,450	46	49	73	87
Existing Medical Building	36,423	90	90	135	135
Net Increase in Peak-Hour Trips		136	139	208	222

Table 2 – Weekday Morning and Evening Peak Hour Critical Lane Volume (CLV) Analysis

Intersection	CLV Standard Policy Area	Weekday Peak Hour	Traffic Condition				
			Existing	Background	Total Phase I	Total Phases I & II	Total Improved Phase II
Old Georgetown Road & I-270 East Spur Westbound Ramp	1,550 North Bethesda	Morning	983	1,004	1,005	1,013	-----
		Evening	834	1,035	1,036	1,041	-----
Old Georgetown Road & I-270 East Spur Eastbound Ramp	1,550 North Bethesda	Morning	1,055	1,095	1,095	1,102	-----
		Evening	1,103	1,338	1,339	1,349	-----
Old Georgetown Road & Wildwood Manor Driveway – Rock Spring Drive	1,550 North Bethesda	Morning	1,133	1,313	1,315	1,320	1,304
		Evening	1,275	1,529*	1,540*	1,588*	1,509
Old Georgetown Road & Wildwood Shopping Center Driveway – Democracy Boulevard	1,550 North Bethesda	Morning	1,381	1,444	1,444	1,446	-----
		Evening	1,252	1,366	1,366	1,369	-----

* The CLV exceeds the (1,550) congestion standard.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

*8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org*

MEMORANDUM

DATE: October 4, 2006

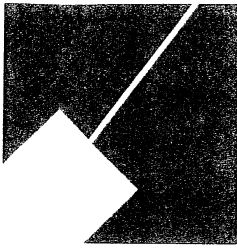
TO: Elsabett Tesfaye
Community Based Planning Division

FROM: Taslima Alam *TBA*
Development Review Division

SUBJECT: Board of Appeals Petition No. G-851

The proposed development requires subdivision. Prior to the release of any building permits the applicant will be required to submit a Preliminary Plan Application pursuant to Chapter 50 of the Subdivision Regulation and a Site Plan application pursuant to Chapter 59D-3 of the zoning ordinance and record a plat in the land records pursuant to Chapter 50 of the Subdivision Regulation.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

MEMORANDUM

DATE: July 19, 2006

TO: John Carter, Division Chief, Community Based Planning Division
Melissa Banach, Strategic Planning Division
Mary Dolan, Environmental Planning Division
Taslina Alam, Development Review Division
Daniel Hardy, Transportation Planning Division
Tanya Schmieler, Park Planning and Development Division
Gwen Wright, Historic Preservation Unit
Judy Daniel, Community Based Planning Team 2
Bruce Crispell, Montgomery County Public Schools
Steven Foster, State Highway Administration
Greg Leck, Montgomery County Public Works & Transportation
Officer in Charge, Dept. of Fire & Rescue Services
Elizabeth Forbes, WSSC

FROM: Carlton Gilbert
Development Review Division

PLEASE REPLY TO: Elsabett Tesfaye

SUBJECT: Zoning Application No. G-851

DOES NOT AFFECT
ANY IDENTIFIED
HISTORIC RESOURCES.
- M. OAKS
8/10/06

The above-cited zoning application is being referred to your division for comment.

Community Planning, Environmental Planning, and Development Review should comment on any aspects relevant to their responsibilities. Transportation Planning should evaluate roadway configuration. Park Planning and Development should comment on any park planning issues involved.

We would appreciate your comment by **Monday, October 2, 2006.**

Thank you for your assistance.

Enclosure: Zoning Application
Schematic Development Plan

Tesfaye, Elsabet

From: Jody Kline [jskline@mmcanby.com]
Sent: Tuesday, June 26, 2007 7:45 AM
To: Tesfaye, Elsabet
Subject: RE: G-851 Wildwood

Elsabet. Along with any other changes to the Schematic Development Plan that may be recommended in your staff report and recommendation, we will change the text of the Binding Element for Building Height to read: "Not more than 3 stories or 42 feet in height as measured from the average elevation of finished ground surface along the front of the building (per the Zoning Ordinance)"

I hope that addresses your concern.

Tesfaye, Elsabett

From: Mollie Habermeier [habermeier@knopf-brown.com]
Sent: Tuesday, June 26, 2007 11:55 AM
To: Tesfaye, Elsabett
Cc: jskline@mmcanby.com
Subject: G-851 Wildwood

Dear Elsabett,

In our June 20, 2007 letter to you, stating the position of the Wildwood Manor Citizens Association (WMCA), we did not oppose the application due to height, because it was our understanding that the new building would be no higher than the existing building in the rear, where it borders Berkshire Drive and the Wildwood Manor homes. We based this understanding on the Applicant's Memorandum of June 14, 2007.

Your email correspondence, which Jody Kline has forwarded us, indicates that the height is to be measured from the front of the building. This leaves you, us, and the Planning Board with no information on the height from the rear of the building. Information on the height of the building on the Berkshire Drive side is crucial, because of the aesthetic impact on the residential community.

The Applicant, in its Memorandum of June 14, 2007, stated that the predicted height of the new building will be no greater than the height of the existing building (410 feet above sea level, with a "fudge factor" of no more than 4 more feet). This needs to be nailed down and become a binding element.

If the new building is no higher than the existing building, WMCA will not oppose the application based on height.

Sincerely yours,

Mollie Habermeier
--
KNOPF & BROWN
401 E. Jefferson Street, Suite 206
Rockville, MD 20850

Phone (301) 545-6100
Fax (301) 545-6103

=====
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LAW OFFICES OF

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WRITER'S DIRECT DIAL
(301) 545-6104

NORMAN G. KNOPF

June 20, 2007

Via Email and Regular Mail

ralph.wilson@mncppc-mc.org

Mr. Ralph Wilson
Acting Supervisor, Zoning Section
Development Review Division
M-NCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

elsabett.iesfaye@mncppc-mc.org

Ms. Elsabett Tesfaye
Senior Planner, Zoning Section
Development Review Division
M-NCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: **Local Map Amendment G-851**

Dear Ralph and Elsabett:

We sent you a letter on June 12, 2007 on behalf of our client, the Wildwood Manor Citizens Association ("WMCA") opposing the application. We have since had discussions with the Applicant and have been advised that it has agreed to make some changes that we requested. This letter contains our current position, based on our understanding of those changes as discussed below. With these changes, WMCA has concerns primarily about one issue, which leads it to continue to oppose the application: the proposal does not include any measures to mitigate traffic congestion at the Cheshire/Grosvenor intersection, which was not included in the traffic study, we believe, due to a narrow definition of neighborhood.

The following concerns set forth in our June 12 letter, numbered as they were in that letter, appear to have been met with changes to which the Applicant has committed:

1. There should be no vehicle access between the subject property and Berkshire Drive. The Applicant has told us that the plans will include a binding element

Mr. Ralph Wilson
Ms. Elsabet Tefaye
June 20, 2007
Page 2

stating, "There will be no vehicular access between the Subject Property and Berkshire Drive."

2. The principles of the Landscape Plan and pedestrian access should be binding elements. The Applicant has told us that the plans will include the following as binding elements:

"In the area between the right-of-way for Berkshire Drive and the paved area for parking and vehicular circulation on the subject property, the following conditions will exist:

A. A four foot wide concrete sidewalk will be installed in the Berkshire Drive right-of-way. The sidewalk will be extended beyond the southern limits of the subject property to connect to an existing staircase that provides access to the Wildwood Shopping Center.

B. During the construction of said four foot wide concrete sidewalk, existing trees and shrubbery between the property line and the paved area of Berkshire Drive, all the way to said staircase, will be preserved to the extent practicable.

C. Street trees will be planted in the Berkshire Drive right-of-way, per Montgomery County specifications, between said sidewalk and the street curb.

D. Existing trees and shrubs within the Berkshire Drive right-of-way are to be preserved to the extent practicable.

E. Running the entire length of the property, between the easternmost property line of the subject property (the right-of-way for Berkshire Drive) and the paved area for vehicular circulation on the subject property, there will be a green space, at least 30 feet wide, as a buffer to screen the parking area, including the blocking of headlights of cars exiting the garage, and to screen the lower portions of the buildings. Within this green space will be located:

- (1) A 6 foot high board-on-board fence;
- (2) Shade trees;
- (3) Evergreen plantings on both sides of the fence selected and located to block headlight glare."

3. Insufficient Parking. Limiting the new buildings to non-medical uses as discussed in #4 below would make it less likely that visitors to the proposed building would use the neighboring residential streets for overflow parking. (WMCA points out,

Mr. Ralph Wilson
Ms. Elsabet Tefaye
June 20, 2007
Page 3

however, that the Applicant is proposing to have only two more spaces than the minimum Code requirement of 274 spaces, which may well turn out to be inadequate in the future.)

4. The new buildings should be restricted to offices, general, professional and business, excluding medical practitioners. The Applicant has told us that the plans will include a binding element under Uses Permitted stating, "Proposed three story building not to exceed 30,000 square feet. Offices, general, and offices, professional and business, excluding medical practitioners." The Applicant has told us that it will specify that this is square feet in gross floor area. It will also include a similar restriction excluding medical practitioners from the proposed 3,460 square foot bank building.

6. Height. We have been advised by the Applicant that a binding element will state that the height of the office buildings will be "Not more than 3 stories or 42 feet in height." The Applicant has told us that the plans will also include a binding element stating, "Roof top mechanical equipment on the proposed three story office building will be located as far westward on the building as is practicable (to reduce visibility from residences to the east) and will be screened in such a manner as to reduce visibility and the appearance of height."

The Applicant has stated in a Memorandum of June 14, 2007, that the first floor plate of the proposed 3 story office building is at elevation 372, and that the predicted height of the proposed building is 408 feet above sea level, compared to the height of the existing building, which is 410 feet above sea level. The maximum height for the proposed building is thus the maximum height of 42 feet plus 372, or 414 feet above sea level. Assuming these figures are accurate, if the binding elements on height are as above, we will not oppose the application because of height.

Lighting was not mentioned in our June 12 letter, because the Applicant had already satisfied our concerns in the plans it submitted on June 6. We understand that the Applicant continues to include the binding element on lighting included on the plans dated 6/6/07: "The Subject Property will be used in a manner such that new freestanding lighting fixtures will be the same type (that is, style, height, wattage) as existing lights, or similar that are commercially available. Any lighting fixtures affixed to or associated with the three story buildings on the Subject Property will be designed, located and operated to provide adequate security lighting and to illuminate the parking and walkway areas, not the buildings themselves."

Mr. Ralph Wilson
Ms. Elsabet Tefaye
June 20, 2007
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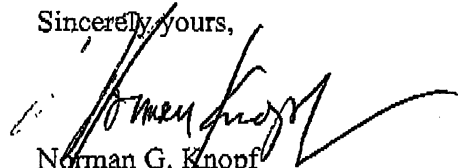
Remaining Issue:

We are very pleased that the Applicant, through Jody Kline, Esq. has met with and communicated frequently with us in an effort to address the community's concerns. All but one of our concerns have been mitigated.

5. The designation of the neighborhood is too small, and therefore does not address traffic congestion at the Cheshire/Grosvenor intersection. WMCA continues to be concerned about this one issue. As we stated in our June 12 letter, WMCA urges you to include this intersection in the traffic study neighborhood. A major ingress and egress to the property to be rezoned (as well as the existing shopping center) is from this location. Visitors to the proposed buildings using this intersection would exacerbate an already difficult traffic situation, in which members of the community frequently wait in long lines to get out to Old Georgetown Road. It appears that there is room in the right-of-way for constructing another turn lane onto Old Georgetown Road. WMCA supports constructing another turn lane or other improvements ameliorating this situation.

We thank you for your consideration of our comments. If you have any questions, please call.

Sincerely yours,



Norman G. Knopf
Attorney for Wildwood Manor CA

cc: Jody Kline, Esq. (Via Email – jskline@mmcanby.com)
Miller, Miller & Canby
Wildwood Manor CA