



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

MCPB
Item #
3/12/09



MEMORANDUM

DATE: February 27, 2009

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Catherine Conlon, Subdivision Supervisor *CC*
Development Review Division

FROM: *NB*
Neil Braunstein, Planner Coordinator (301-495-4532)
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: One lot for 200 multiple-family dwelling units and 7,700 square feet of retail use

PROJECT NAME: Monty
CASE #: 120090060
REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: CBD-2
LOCATION: Located on the northwest side of Fairmont Avenue, 150 feet southwest of Norfolk Avenue
MASTER PLAN: Woodmont Triangle Amendment to the Bethesda CBD Sector Plan

APPLICANT: Monty LLC
ENGINEER: Vika
ATTORNEY: Linowes & Blocher

FILING DATE: September 9, 2008
HEARING DATE: March 12, 2009

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to one lot for a mixed-use building with up to 210,188 square feet of floor area, consisting of up to 7,700 square feet of retail floor area and up to 202,488 square feet of residential floor area. The residential floor area may comprise no more than 200 dwelling units, of which 15% must be moderately priced dwelling units (MPDUs).
- 2) The final number of MPDUs as per condition #1 above will be determined at the time of site plan.
- 3) The final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, and sidewalks will be determined at site plan.
- 4) The applicant must comply with the conditions of Project Plan 920070020 and Project Plan Amendment 92007002A.
- 5) The record plat(s) must reflect liber/folio references for all density transfer easements utilized by the development.
- 6) The record plat must reflect a public use and access easement over all public use spaces.
- 7) The applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS) stormwater management approval dated August 6, 2008. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 8) The applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letter dated January 22, 2009. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 9) The certified preliminary plan must include a note stating that a WB-40 vehicle (40-foot wheelbase) is the largest vehicle that can be accommodated by the loading area on Fairmont Avenue.
- 10) The applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s).
- 11) The applicant must satisfy the policy area mobility review (PAMR) test by installing or funding the installation of an off-site information kiosk as a non-automobile transportation improvement within the Bethesda Central Business District Policy Area. The location of the kiosk must be coordinated with Bethesda Transportation Solutions and approved by the MCDOT prior to approval of the site plan. The kiosk must be installed by the Applicant prior to certification of the site plan. If the Applicant elects not to install the information kiosk, a payment schedule, bond, or another acceptable financial instrument must be executed with the appropriate government agency prior to certification of the site plan.
- 12) The applicant must provide inverted-U bike racks within 15 feet of a main entrance to the building and bike lockers in the garage near the elevator, in a well-lit area. The number of bike racks and lockers and their ultimate location will be determined at site plan.
- 13) Before any building permit can be issued, the applicant must make the applicable school facilities payment to the MCDPS.
- 14) No clearing, grading or recording of plats prior to certified site plan approval.

- 15) The record plat must show necessary easements.
- 16) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board resolution.

SITE DESCRIPTION

The subject property, shown below and in Attachment A, consists of eight parts of platted lots comprising 24,500 square feet of land, including 4,000 square feet of land that was previously dedicated to public use. The property is located on the northwest side of Fairmont Avenue, 150 feet southwest of Norfolk Avenue, with frontage on both Fairmont Avenue and St. Elmo Avenue. The property is developed with several low-rise commercial buildings, all of which will be removed to accommodate the proposed development. Properties to the north, south, east, and west of the site are developed with low-rise commercial buildings in the CBD-1 and CBD-2 zones. In addition to the site proposed for development, the application includes the density from five additional properties consisting of a total of seven parts of lots that comprise 24,087 square feet of land. This density will be transferred to the subject property (Attachment B). The total gross tract area of the properties that are sending development rights and the property receiving the development rights (i.e., the site to be developed, or the subject property) is 48,587 square feet.

The subject property is located within the Lower Rock Creek watershed. The site is entirely developed and contains no forest, environmental buffers or other sensitive features.



PROJECT DESCRIPTION

The applicant proposes to combine eight parts of lots to create one 20,500-square-foot lot, transfer development rights from seven nearby but not adjacent parts of lots, and construct a 17-story building containing 200 multiple-family dwellings, including 15% moderately-priced dwelling units (MPDUs), and 7,700 square feet of retail space. The project is being developed under the optional method of development, with the use of bonus density MPDUs and a density transfer. The project is being developed at a floor area ratio (FAR) of 4.88, which includes the 22% density bonus afforded by the provision of the 15% MPDUs. The seven parts of lots that are sending development rights to the subject property will retain sufficient development rights to be developed with standard method projects. Collectively, these properties will retain the right to develop up to 27,087 square feet of gross floor area, based on an FAR of 1 for those in the CBD-1 zone and an FAR of 2 for those in the CBD-2 zone. Several of the sending properties are developed with existing buildings, which are within the allowed density that will be retained on each property. A recorded easement for each sending property limits the properties to this amount of development. Any attempt to develop the sending properties and a density higher than standard method would trigger a project plan amendment, and this would alert staff to the fact that the densities are limited to standard method. The combination of the recorded easements and the project plan amendment process will ensure that an application is not processed for an inappropriate increase in density.

Street access to the subject property is provided by St. Elmo Avenue and Fairmont Avenue. A condition of the approved project plan requires that any necessary right-of-way for these streets be dedicated at the time of preliminary plan approval, but no additional right-of-way is needed for these streets. A driveway from St. Elmo Avenue will provide vehicular access to an underground parking garage. A second driveway from Fairmont Avenue will provide vehicular access to a loading space. Pedestrian access will be provided by sidewalks on St. Elmo Avenue and Fairmont Avenue. A walkway on the southwestern side of the building is proposed to provide a pedestrian link between the two streets. The site is served by public water and public sewer.

As an optional method project, a project plan was approved by the Planning Board on May 31, 2007, and an amendment to that plan was approved by the Planning Board on February 7, 2008. The amendment increased the maximum number of dwelling units from 133 to 200. The project will provide a minimum of 5,480 square feet of on-site public use space, including the area in front of the building and the mid-block pedestrian connection. The amount of public use space was calculated as 20% of the area of the subject property and 10% of the area of the sending properties. Any sending property that is developed as a standard method project in the future would be required to provide an additional 10% public use space at that time. In addition, the project will provide a minimum of 10,480 square feet of off-site amenities, including streetscape improvements on Fairmont Avenue, St. Elmo Avenue, and Norfolk Avenue.

(Attachment C – proposed plan)

ANALYSIS AND FINDINGS

Master Plan Compliance

The Woodmont Triangle Amendment to the Bethesda CBD Sector Plan recommends that properties within the Woodmont Triangle:

- provide opportunities to increase the supply of housing to serve a variety of income levels
- retain existing retail and provide opportunities to expand and create new small-scale retail businesses
- improve the safety and character of existing streets
- utilize density transfer to encourage retention of small-scale retail businesses
- establish north-south, mid-block pedestrian connections

The sector plan provides specific recommendations for Block 44 of the Woodmont Triangle Study Area, which is the block on which the subject property is located. Because this block is among the closest to the Bethesda Metrorail station, the plan acknowledges that it has the potential for higher density development. The sector plan further recommends that the then-existing CBD-1 and CBD-R2 zoning be changed to CBD-2, which was accomplished with a sectional map amendment.

The proposed subdivision substantially conforms to the recommendations adopted in the sector plan in that it will provide 200 new residential units in the study area, 15% of which will be moderately-priced dwelling units (MPDUs), thereby increasing the housing supply. The project is being developed under the optional method with the use of density transfer. The density transfer will increase the development intensity on the subject property, in accordance with the sector plan, while reducing the development potential on five properties elsewhere in the study area. The reduction in development potential on the five off-site properties encourages the retention of existing small-scale retail businesses, as recommended in the sector plan. The preliminary plan proposes 7,700 square feet of ground-floor retail space, thereby providing a new opportunity for small-scale retail in the sector plan area. The applicant proposes to install standard Bethesda CBD streetscape, including pavers, street trees, and lighting, on Fairmont Avenue and St. Elmo Avenue, thereby improving the safety and character of those streets. Finally, the preliminary plan includes a mid-block pedestrian connection between Fairmont Avenue and St. Elmo Avenue, as recommended in the sector plan.

Public Facilities

Roads and Transportation Facilities

Sector-Planned Transportation Demand Management

The subject property is located in the Bethesda Transportation Management District (TMD). The goal of the Transportation Management District is to achieve a 37% non-automobile-driver mode share for employees working in Bethesda CBD. With less than 25 employees, the applicant is not required to enter into a Traffic Mitigation Agreement with the Planning Board and MCDOT to participate in the Bethesda TMD.

Public Transit Availability

The site is located approximately 1,500 feet from the Bethesda Metrorail Station. Bus service is not available along St. Elmo Avenue or Fairmont Avenue. However, Ride-On routes 29, 30, 32, 34, 47, 70, and 92 operate along nearby Old Georgetown Road (MD 187), and Ride-On route 42 operates along nearby Woodmont Avenue.

Sector-Planned Roadways and Bikeways

In accordance with the *Bethesda Central Business District Sector Plan*, the sector-planned roadways and bikeways are as follows:

1. Fairmont Avenue is designated as a business district street with a recommended 60-foot right-of-way and a designated bicycle-friendly area.
2. St. Elmo Avenue is designated as a business district street with a recommended 70-foot right-of-way and a designated bicycle-friendly area.

Pedestrian Facilities

Pedestrian facilities will not be adversely impacted by the proposed mixed-use development. The existing sidewalks along the property frontages of St. Elmo Avenue and Fairmont Avenue are proposed to be improved by applying the standards of the Bethesda streetscape standards, including pavers, street trees and street lights. A walkway is proposed along the southwest property line to provide a midblock pedestrian connection between St. Elmo Avenue and Fairmont Avenue.

Local Area Transportation Review

Table 1 below shows the net increase in the peak-hour trips generated by the proposed land uses during the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.):

Table 1: Site-Generated Peak-Hour Trips*

Land Uses	Square Feet or Dwelling Units	Site-Generated Peak-Hour Trips	
		Morning	Evening
Existing Land Uses			
General Retail Space	9,668	6	25
General Office Space	6,200	9	9
Miscellaneous Service Space	3,625	5	5
Subtotal- Peak-Hour Trips	19,493	20	39
Proposed Land Uses			
High-Rise Apartments	200	60	60
General Retail Uses (not including a Fast Food Restaurant)	7,700	5	20
Subtotal- Peak-Hour Trips	-----	65	80
Net Increase in Peak-Hour Trips		45	41

*=Peak-hour trips calculated using the trip-generation rates in the *LATR and PAMR Guidelines*.

In accordance with the *Local Area Transportation Review and Policy Area Mobility Review Guidelines*, a traffic study was submitted to satisfy Local Area Transportation Review (LATR) because the proposed land uses generate 30 or more peak-hour trips within the weekday morning and evening peak periods. Table 2 below shows the calculated Critical Lane Volume (CLV) values at analyzed intersections for existing, background (trips generated from approved but un-built developments) and total traffic conditions:

Table 2: Calculated Critical Lane Volumes at the Analyzed Intersections

Analyzed Intersection	Peak Hour	Traffic Condition		
		Existing	Background	Total
Norfolk Avenue & St. Elmo Avenue	Morning	562	567	589
	Evening	713	736	784
Norfolk Avenue & Woodmont Avenue	Morning	899	1,027	1,037
	Evening	701	775	784
Old Georgetown Road & Woodmont Avenue	Morning	1,282	1,393	1,399
	Evening	1,427	1,537	1,545
Old Georgetown Road & St Elmo Avenue-Arlington Road-Wilson Lane (MD 188)	Morning	1,242	1,280	1,286
	Evening	1,519	1,571*	1,550*
Old Georgetown Road & Fairmont Avenue	Morning	816	859*	858*
	Evening	701	771	772
Woodmont Avenue & St. Elmo Avenue	Morning	1,022	1,083	1,092
	Evening	797	873	877

* = The total CLV is less than background CLV because existing retail/office/service-related trips are in the critical movement direction while the trips generated by the proposed apartments are in the non-critical movement direction.

All of the CLV values are less than the 1,800 congestion standard for the Bethesda CBD Policy Area at all the analyzed intersections in all traffic conditions and, thus, LATR requirements are satisfied.

Policy Area Mobility Review

Under the current *Growth Policy*, the Policy Area Mobility Review (PAMR) test requires the applicant to mitigate 30% of the net new peak-hour trips generated by the proposed land uses within the weekday morning and evening peak periods. A site located in proximity to a Metrorail Station, such as the Bethesda CBD, has an inherent PAMR trip reduction credit because transit service is much better than in other parts of the County. The resultant trip reduction is the difference between the vehicular peak-hour trips calculated using the higher county-wide trip-generation rates and the trips calculated using the lower Bethesda CBD rates. Table 3 below depicts how the vehicular trip reduction contributes towards meeting the PAMR requirements.

Table 3: Vehicular Trips Mitigated by being located near a Metrorail Station

Line No.	Land Use		Square Feet or Apartment Units	New Peak Hour Trips	
				Morning	Evening
Starting Base Condition using the Higher Countywide Trip-Generation Rates					
1	Proposed	Ground Floor Retail Space	7,700	+13	+54
2		High-Rise Apartments	200	+69	+80
3	Existing	Retail Space	9,668	- 6	- 25
4		Office Space	6,200	- 9	- 9
5		Miscellaneous Service Space	3,625	- 5	- 5
6	Base Number of Vehicular Trips (Lines 1 + 2 - 3 - 4 - 5)			62	95
7	PAMR 30% New Site-Generated Vehicle Trips (Line 6 x 0.30)			19	29
Compared with the Lower Bethesda CBD Trip-Generation Rates					
8	Net Increase in Peak-Hour Trips from Table 1			-45	-41
9	Vehicular Trip Reduction: Countywide minus Bethesda CBD Trip Rates (Line 6 – Line 8)			17	54
10	Is the required PAMR test satisfied? (Line 9 > Line 7)			No	Yes
Number of Vehicular Peak-Hour Trips to be Mitigated (Line 7 - Line 9)				2	---

Thus, all but two new peak-hour trips within the weekday morning peak period can be satisfied for PAMR simply by the project being located in the Bethesda CBD Policy Area near a Metrorail Station. As indicated in Condition 11, the applicant's traffic engineer proposed to install or fund the installation of an off-site information kiosk in the CBD as an off-site non-automobile improvement to mitigate the remaining two trips. The traffic engineer is working with Bethesda Transportation Solutions, MCDOT, and MNCPPC staff to find an appropriate location for the information kiosk within the Bethesda CBD Policy Area and establish an acceptable installation plan prior to certification of the site plan.

Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed improvements.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The property will be served by public water and public sewer. The application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that

the property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations, firehouses and health services, are operating according to the Growth Policy resolution currently in effect and will be adequate to serve the property. The Application is not within a school moratorium area, but a school facilities payment must be made prior to issuance of building permits on the lot. Electrical, gas, and telecommunications services are also available to serve the Property.

Environment

The site does not contain any streams, wetlands, floodplains, or other environmentally sensitive features, and there are no environmental buffers on the site. Environmental guidelines for protection of environmentally sensitive areas, therefore, are not applicable to this subdivision. The application is exempt from Forest Conservation Law requirements.

The MCDPS Stormwater Management Section approved the stormwater management concept on August 6, 2008. The stormwater management concept includes water quality control via green roof technology and a structural filter. Onsite recharge is not required because this is a redevelopment project. Channel protection is not required because the one-year post-development peak discharge is less than 2 cubic feet per second.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lot was reviewed for compliance with the dimensional requirements for the CBD-2 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Citizen Correspondence and Issues

The applicant conducted a pre-submission community meeting on July 9, 2008. At the meeting, citizens asked questions about the height of the proposed building, the anticipated groundbreaking date, and whether the units would be apartments or condominiums. The developer responded to these questions at the meeting. In addition, written notice of the plan submittal and the public hearing date was given by the applicant and staff. As of the date of this report, no citizen letters have been received.

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and complies with the recommendations of the Woodmont Triangle Amendment to the Bethesda CBD Sector Plan. Access and public facilities will be adequate to

serve the proposed lot, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Attachments

Attachment A – Vicinity Development Map

Attachment B – Gross Tract Area Exhibit

Attachment C – Proposed Development Plan

Attachment D – Agency Correspondence Referenced in Conditions

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Monty				
Plan Number: 120090060				
Zoning: CBD-2				
# of Lots: 1				
# of Outlots: N/a				
Dev. Type: Mixed Use				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	18,000 sq. ft.	24,500 sq. ft. minimum	NB	2/27/09
Lot Width	Not specified	100 ft. minimum	NB	2/27/09
Lot Frontage	Not specified	100 ft. minimum	NB	2/27/09
Setbacks				
Front	Not specified	To be determined at site plan	NB	2/27/09
Side	Not specified	To be determined at site plan	NB	2/27/09
Rear	Not specified	To be determined at site plan	NB	2/27/09
Height	174 ft. Max.	To be determined at site plan	NB	2/27/09
Minimum Public Use Space	20% of net lot area and 10% of net lot area of transfer properties	To be determined at site plan	NB	2/27/09
Max s.f. per Zoning	237,275	237,275	NB	2/27/09
MPDUs	Min. 12.5% of total units	15% of total units	NB	2/27/09
TDRs	N/a		NB	2/27/09
Site Plan Req'd?	Yes		NB	2/27/09
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street		Yes	NB	2/27/09
Road dedication and frontage improvements		Yes	Agency letter	1/22/09
Environmental Guidelines		N/a	Staff memo	10/27/08
Forest Conservation		Exempt	Staff memo	10/27/08
Master Plan Compliance		Yes	Staff memo	10/27/08
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management		Yes	Agency letter	8/6/08
Water and Sewer (WSSC)		Yes	Agency comments	10/27/08
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	10/27/08
Well and Septic		N/a	Agency comments	10/27/08
Local Area Traffic Review		Yes	Staff memo	2/05/09
Policy Area Mobility Review		Yes	Staff memo	2/05/09
Transportation Management Agreement		No	Staff memo	10/27/08
School Cluster in Moratorium?		No	NB	2/27/09
School Facilities Payment		Yes	NB	2/27/09
Fire and Rescue		Yes	Agency letter	1/15/09



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

August 6, 2008

Carla Reid Joyner
Director

Mr. Ghassan Khouri, P.E.
Vika, Inc.
20251 Century Boulevard, Suite 400
Germantown, MD 20874

Re: Stormwater Management **CONCEPT** Request
for Monty Property
Preliminary Plan #: Pending
SM File #: 234110
Tract Size/Zone: 0.47 Ac./CBD-2
Total Concept Area: 0.47 Ac.
Lots/Block: 54, 55, 56, 57, 87, 88, 89, & 90
Watershed: Lower Rock Creek

Dear Mr. Khouri:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control via green roof technology and a proprietary structural filter. Onsite recharge is not required since this is redevelopment. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, *all* disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. All covered parking is to drain to the WSSC sewer system.
6. Provide a copy of the mechanical drawings to verify that the roof and open areas drain to the stormwater structure and that the covered parking/loading areas drain to the WSSC system.
7. Provide adequate maintenance access to the structure. This may include a mountable curb or a driveway apron.
8. The green roof is proposed for 67% of the main building rooftop. Coordinate the design with professional green roof designers and installers.
9. Based on site constraints the proprietary filter will be designed as a flow based structure.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm CN234110 Monty Property.DWK

cc: C. Conlon
S. Federline
SM File # 234110

QN -Onsite; Acres: 0.47
QL - Onsite; Acres: 0.47
Recharge is not provided



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

RECEIVED
January 22, 2009
JAN 22 2009
DEVELOPMENT REVIEW

RE: Preliminary Plan #1-20090060
Monty

Dear Ms. Conlon:

We have completed our review of the above referenced preliminary plan dated January 21, 2009. An earlier version of this plan was reviewed by the Development Review Committee at its meeting on October 27, 2008. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
2. The vehicle turning movement plan provided by the applicant is acceptable. A note is to be placed on the preliminary plan indicating that a WB-40 vehicle is the largest vehicle that can be accommodated by the loading area on Fairmont Avenue.
3. Curb radii for intersection type driveways must be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site.
4. The sight distance study is acceptable. A copy of the accepted sight distance evaluation form is enclosed for your information and reference.
5. The drainage study is acceptable.

Division of Traffic Engineering and Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
Customer Service 240-777-6000 • Main Office 240-777-2190 • 240-777-6013 TTY • 240-777-2080 FAX
trafficops@montgomerycountymd.gov

6. Relocation of utilities along existing roads to accommodate any required roadway or streetscape improvements shall be the responsibility of the applicant.
7. Coordinate with Department of Fire and Rescue regarding requirements for emergency vehicle access.
8. The owner is required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems and open space areas including the pedestrian linkage prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
9. The applicant is required to execute and record a Declaration of Covenants (for Maintenance and Liability) or enter into an agreement with the Bethesda Urban District for maintenance of streetscape elements including sidewalks.
10. At the permit stage the applicant is required to coordinate with the Division of Parking Management to determine the final locations of parking meters. Please coordinate with Mr. Jeremy Sounders, Senior Planner in their Operations Section, at 240-777-6000.
11. If the proposed development will alter any existing street lights, signing and/or pavement markings, please contact Mr. Fred Lees of our Traffic Engineering Studies Section at 240-777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
12. The species of trees and tree spacing within the County right of way is to be in accordance with the applicable MCDOT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office, (301) 854-6060, to plant trees within the public right of way.
13. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - A. Construct sidewalks, driveway aprons, handicap ramps and street trees in accordance with Bethesda CBD streetscape requirements.
 - B. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - C. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses

Ms. Catherine Conlon
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January 22, 2009
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and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by DPS.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Ms. Linda Duhamel at linda.duhamel@montgomerycountymd.gov or (240) 777-6000.

Sincerely,



Gregory M. Leck, Manager
Division of Traffic Engineering and Operations
Development Review Group

Enclosures (2)

Cc: Bob Hillerson, Monty, LLC
Thomas Keady, The Bainbridge Companies
Jeffrey Amateau, VIK A Engineering
William Landfair, VIK A Engineering
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Jeremy Souders; DOT Parking Management
Preliminary Plan Folder
Preliminary Plan Notebook