



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

Staff Report: Preliminary Plan No. 120100120, Wheaton Safeway
Project Plan No. 920100020, Wheaton Safeway

ITEM #: _____

MCPB HEARING DATE: April 15, 2010

REPORT DATE: April 1, 2010

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
 Cathy Conlon, Supervisor *CC*
 Robert Kronenberg, Supervisor *RK*
 Development Review Division



FROM: Erin Grayson, Senior Planner *EG*
 Development Review Division
 301.495.4598
erin.grayson@mncppc.org

Sandra Pereira, Senior Planner *SP*
 Development Review Division
 301.495.2186
Sandra.Pereira@mncppc-mc.org

APPLICATION DESCRIPTION: Proposal to build a 200-foot tall, 18-story building with 500 residential dwelling units and 59,500 square foot of commercial uses; 1.92 acres; CBD-3 Zone; located on the northeast quadrant of the intersection of Georgia Avenue and Reddie Drive (11215 Georgia Avenue); 1990 Sector Plan for the Wheaton CBD.

APPLICANT: 11215 Georgia Ave LLC

FILING DATE: Preliminary Plan: October 28, 2009
 Project Plan: October 28, 2009

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY: The Applicant proposes to consolidate 13 lots, 2 parcel parts and a previously abandoned alley and redevelop the Wheaton Safeway site for a mixed use development including first floor grocery and retail space and an 18-story, 500-unit high-rise residential building with structured parking for all uses. Pedestrian access to the building will be located on Georgia Avenue and Reddie Drive; vehicular access will be located on Georgia Avenue and Fern Street. The proposal includes onsite public use space, streetscaping, a public art component, and a significant financial contribution to the development of a new civic green in the Wheaton CBD.

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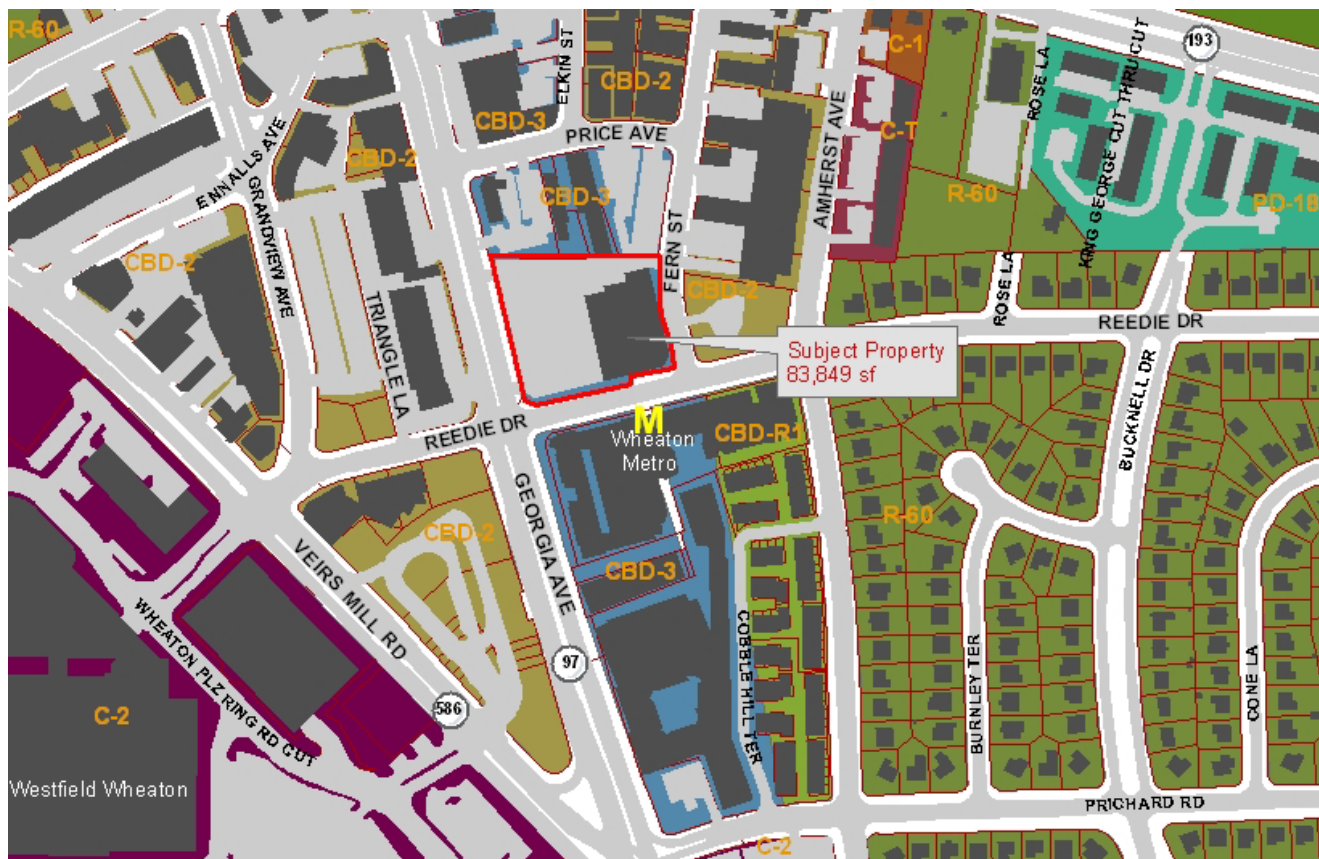
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SECTION 1: CONTEXT AND PROPOSAL

SITE DESCRIPTION

Vicinity

The subject property is located in the northeast quadrant of the intersection of Georgia Avenue and Reedie Drive in the Wheaton Central Business District. The site is zoned CBD-3. Directly north of the property are commercial buildings, including a bank and a car wash, zoned CBD-3. The Wheaton Metro Station and a condominium building, also zoned CBD-3, are located south of the site across Reedie Drive. The Wheaton Veterans' Park and a county parking facility, zoned CBD-2, are located to the east along Fern Street. Commercial storefronts line Georgia Avenue west of the property and are in the CBD-2 zone.

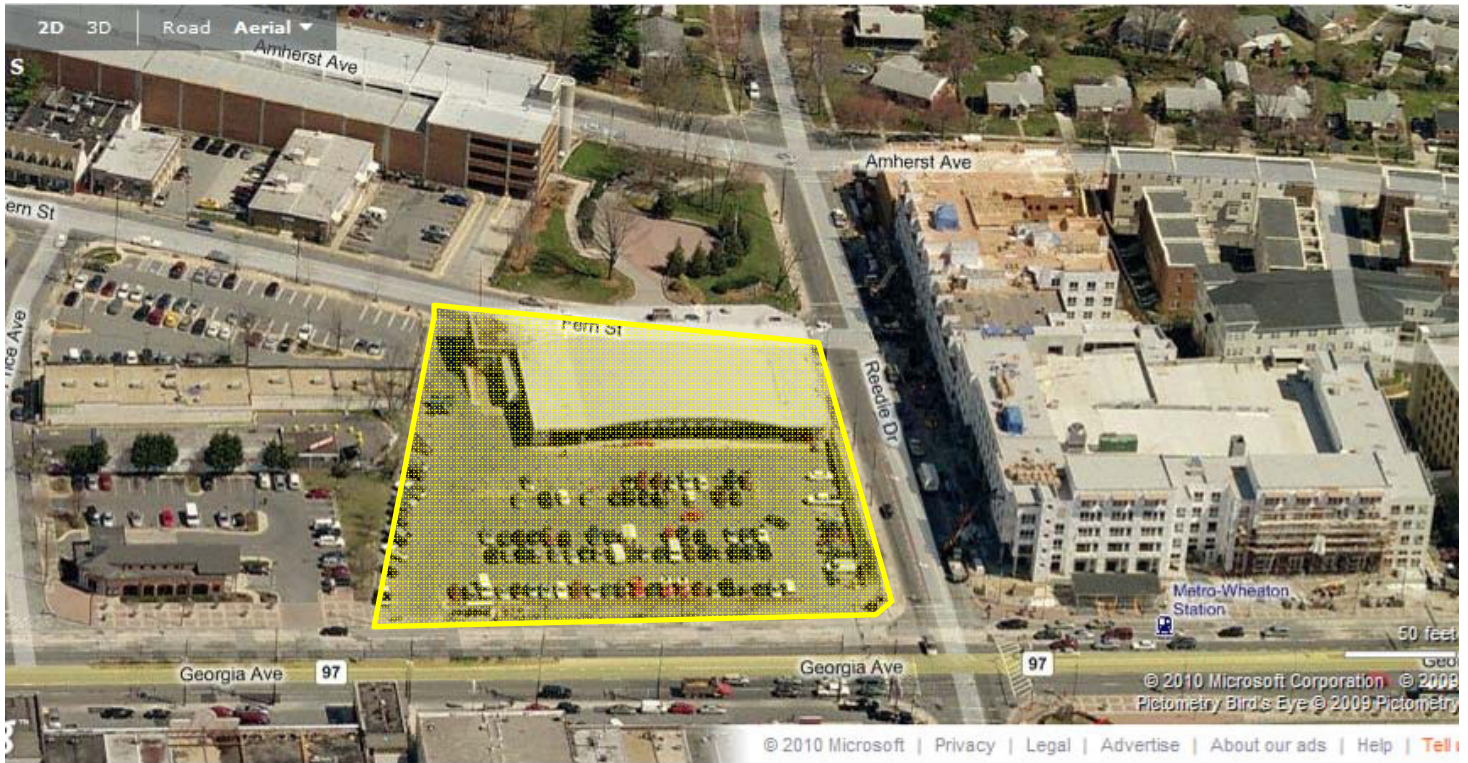


Vicinity Map

Site Analysis

The Wheaton Safeway site consists of Part of Parcel A, Part of Parcel B, lots 1-13 and a previously abandoned alley in Block C of Wheaton Forest. The gross tract area is 83,849 square feet (108,557 square feet when prior right-of-way dedications are taken into account). The subject property is currently improved with the existing Safeway Store and associated parking lot and garage. The site slopes approximately 19 feet from the front entrance on Georgia Avenue down to Fern Street at the rear of the store where the garage entrance is two levels lower. The use of a retaining wall along the south side of the existing building and parking lot keeps the front portion of the site flat.

There are no known rare, threatened, or endangered species on site; there are no forests, 100-year floodplains, stream buffers, wetlands, or steep slopes on site. There are no known historic properties or features associated with the property. The site is located in the Sligo Creek watershed, which has a Use I designation.



Aerial Photo Looking East

PROJECT DESCRIPTION

Proposal

Land Use

The application proposes to demolish the existing Safeway store and associated parking structure and build a mixed-use residential building 200 feet in height with ground-floor commercial uses, including a grocery store and a separate retail space. The total proposed 627,000 square feet of development includes 59,500 square feet of commercial uses.



Illustrative Landscape Plan

Design & Architecture

The footprint of the proposed building takes up most of the site, except for an area of public use space along Georgia Avenue. The building base at street level consists of a grocery store, a separate retail space and a lobby area for the residential units. The structured parking below the

grocery accommodates 140 spaces and loading areas dedicated for the Safeway store. Above the grocery store are 3 levels of residential parking with a combined total of 411 spaces. These levels of above ground structured parking will have a similar architectural treatment in terms of fenestration and materials as the rest of the building. The 18-story high-rise building of 200-feet features 3 separate towers of residential units above the “building base” that break up its massing. The towers overlook green roof courtyards that serve as amenity areas for the future residents. The architecture is modern and in keeping with the style of the recently developed residential buildings to the south.

At street level especially along Georgia Avenue and Reddie Drive, the architecture and design of the building are articulated to emphasize the pedestrian scale and activation of the streetscape environment. The building elevations include large amounts of glass surfaces and see through storefronts. On Reddie Drive, the architecture highlights a secondary entrance to the grocery store with an elevator lobby at street level. Because of the grade difference along Reddie, the storefront for the grocery is above street level, however the glass walls extend down and provide visibility into the parking garage below. On Fern Street, the architecture will reduce the impact of the garage and loading entrances by including areas for art.



Georgia Ave Elevation



Reedie Drive Elevation



Fern Street Elevation

With regard to building height and the surrounding context, the shade and massing relationships associated with this proposal help to visualize the particulars of this project. As shown below, the greatest impact to surrounding properties is during the month of December in the morning hours when the proposed building will cast the greatest amount of shade onto the adjacent block to the north. Given that a significant portion of the shadow falls on a surface parking lot, detrimental impacts or adverse effects on adjacent properties are minimal as it relates to massing, height and use of public space. During the summer months, when outdoor spaces get the most

usage, the shadow impact of the proposed building is minimal on the surrounding properties, including Veteran's Park, and the glass facades further offset the shadow effect.



Shadow Study

Public Use Space & Amenities

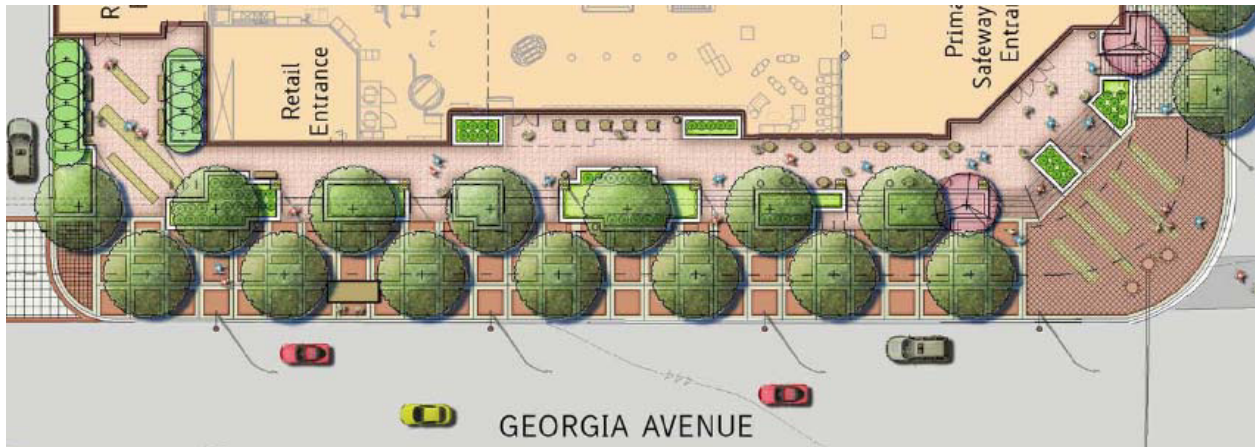
The development proposes 8,500 square feet of on-site public use space (11% of the net lot area) and 13,800 square feet of off-site public *amenity* space (18% of the net lot area). However, staff recommends that only 7,615 sf (9.9% of the net lot area) be counted towards the 20% public use space requirement. The area not counted (885 sf) consists of small planting areas in the rear of the building next to the loading and vehicular entrances to the parking garages and the planting area north of the garage entrance on Georgia Avenue, none of which are likely to be used by the public as an amenity area.

The onsite public use space is composed primarily of a terraced plaza area with seating and landscaped planters along the Georgia Avenue sidewalk. A double row of trees will better complement the massing of the building and add pedestrian scale to the Georgia Avenue streetscape. As the concept and design of the public art component develops, it will be integrated into this area to provide increased visual interest for the pedestrian and a strong integration with the architecture and the public space. The small public use space at the corner of Reedie Drive and Fern Street is intended for display of artwork or a plaque/information related to Wheaton's history.

The balance of the required on-site public use space (now 10.1% of the net lot area, or about 7,750 sf.) will be met via a contribution to the Amenity Fund, as discussed in the Project Analysis below. In addition to improving the streetscape in front of the site to Wheaton

Streetscape standards, or as amended, the Applicant is providing public art. Final details of the proposed open space and public amenities will be determined during Site Plan review.

The proposed financial contribution towards the Public Use Space and Amenity Fund will be used to enhance amenity space provided for in connection with any redevelopment of Montgomery County Parking Lot 13 in the Wheaton CBD [Appendix F]. Parking Lot 13 was recommended as the key civic open space for Wheaton in the preliminary Wheaton Sector Plan Update, presented to the Planning Board on December 3, 2009.



Onsite Public Use Space along Georgia Avenue



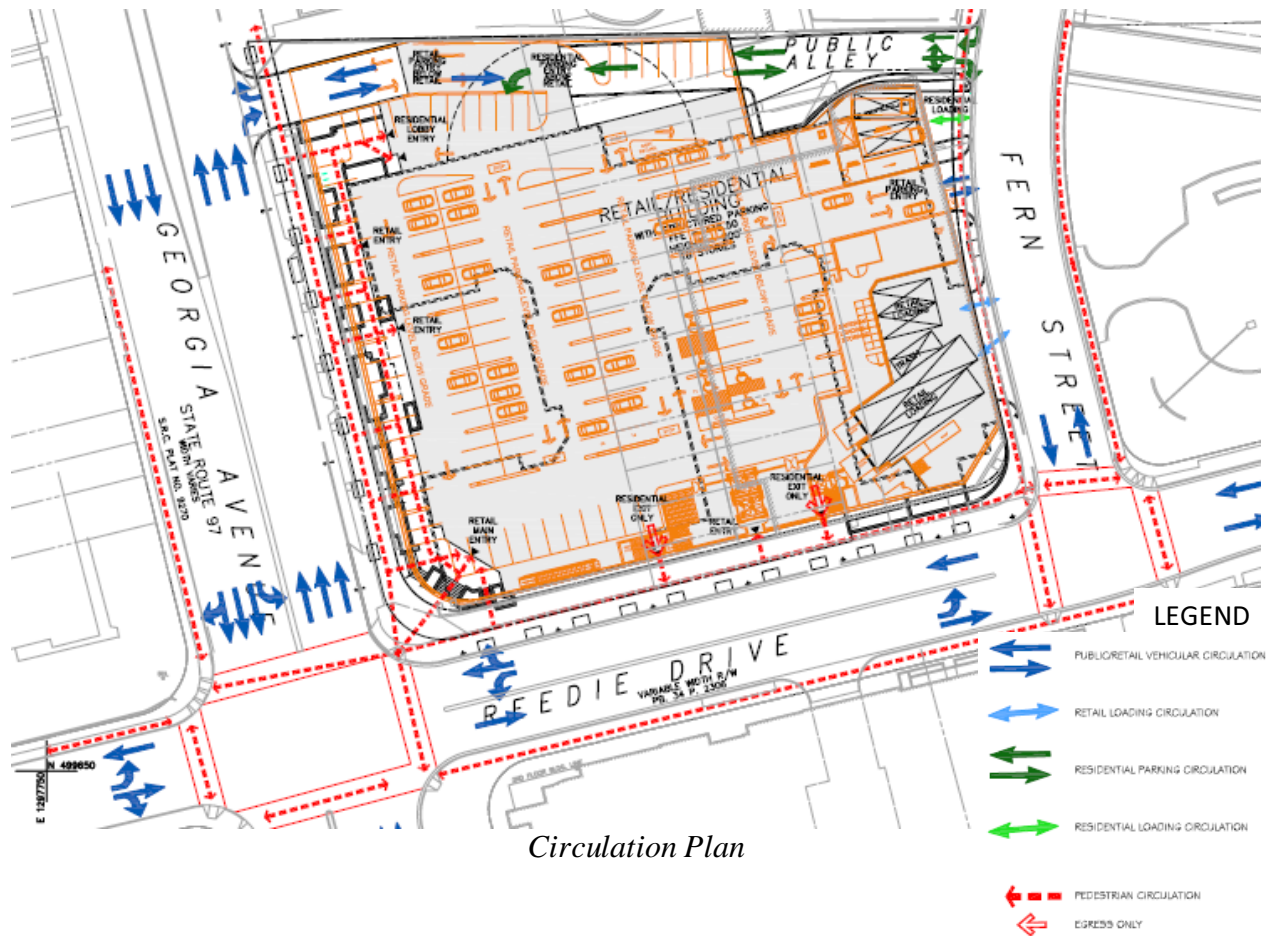
Georgia Avenue streetscape and plaza - Section

Vehicular and Pedestrian Circulation

Vehicular access to the building is limited to Georgia Avenue for the retail parking and Fern Street for the residential and retail parking and for the loading areas. The access point to the retail parking originally proposed on Reddie Drive was eliminated in favor of an uninterrupted streetscape with an additional pedestrian entrance to the grocery store. The proposal improves vehicular circulation on Georgia Avenue by reducing the number of curb cuts. The development proposes one right-in/right-out vehicular entrance to the underground retail parking for the Safeway from Georgia Avenue. The remaining vehicular access and loading will occur from Fern Street. This includes separate full-movement access points for the residential and retail parking garages, and separate residential and retail loading areas.

Pedestrian circulation is directed around the perimeter of the building where the building fronts onto public streets, through the proposed public art, landscaping, hardscaping, and installation of the Wheaton Streetscape standard (or as amended). Pedestrian access to the building along Georgia Avenue includes entrances to the residential building, grocery store and separate retail space. Along Reddie Drive, there will be a secondary entrance to the grocery store and residential stairwell exits. All access points to the ground-floor retail uses are crucial to activating the streetscape.

Staff explored the idea of adding a mid-block crossing on Reddie Drive to enhance pedestrian safety by designating a crossing point between the mid-block Metro access and the grocery store entrance along Reddie Drive. After meeting with DOT and watching several videos illustrating sight distance and turning movements at the intersection of Georgia Avenue and Reddie Drive, there was a general consensus that a mid-block crossing in this location would create unsafe conditions for pedestrians and, therefore, could not be supported. The main reasons against the mid-block crossing were the short distance to the corner of Reddie and Georgia combined with the topography along Reddie which diminishes sight distance.



Circulation Plan

Community Outreach

The application information was properly posted on the Property. On September 24, 2009, a pre-submission meeting was held, as required, and on November 2, 2009, the Applicant properly notified adjacent and confronting property owners and civic associations of the project and preliminary plan submissions. An affidavit of posting was provided to Staff by the Applicant on October 27th, 2009. The Applicant and representatives of the project have met with the Wheaton Redevelopment Advisory Committee on 4 occasions, the Wheaton Urban District Advisory Committee on 2 occasions, and have corresponded frequently with Rob Klein and other Staff at the Wheaton Redevelopment Authority as well as Natalie Cantor of the Mid-County Government Services Center. Staff has received inquiries from concerned parties regarding this application for redevelopment but has not received any emails, letters or phone calls in opposition to the project and preliminary plans as of the date of this report. Staff received a letter of support from the Wheaton Urban District Advisory Committee [Appendix C].

SECTION 2: PLAN ANALYSIS

Substantial Master Plan Conformance

The subject property lies within the boundaries of the *Approved and Adopted 1990 Master Plan for the Wheaton Central Business District and Vicinity*. The site is located at 11215 Georgia Avenue in an area of the CBD designated as “Metro Center” which is envisioned to develop “with the highest intensity of new activities [...] an area of mixed uses, including high density residential and office activities, a range of services, and retail development scaled to serve the surrounding population” (p. 23). The proposed mixed-use development features an 18-story high-rise residential building with 500 dwelling units, and 59,500 square feet of street-level commercial uses, including a grocery store and a separate retail space.



Perspective Sketch looking Northeast

Land Use and Zoning

The proposal conforms to the land use and zoning recommended by the Master Plan. The Master Plan specifically recommends that this site include “a substantial residential component and street-level retail” and retain “a supermarket to serve nearby residents on this parcel or elsewhere in the CBD” (p.46). The proposal will replace the existing 22,979 square feet Safeway store with

a larger, state-of-the-art grocery store, which will serve the proposed 500 residential dwelling units above as well as the surrounding neighbors. In addition, the proposal includes a separate retail space with direct pedestrian access to Georgia Avenue to better activate this streetscape. The subject property is zoned CBD-3, as is recommended by the Master Plan.

Master Plan Conformance

The *Approved and Adopted 1990 Master Plan for the Wheaton Central Business District and Vicinity* is organized around several goals and objectives that the Project satisfies:

- Creation of new residential and mixed-use development around the metro station and in areas of high transit accessibility;
- Creation of a range of housing opportunities to serve a broad spectrum of the metropolitan population;
- Development of attractive open spaces in convenient locations;
- Creation of boulevards that tie existing open space together using street trees, plazas, and pedestrian and bicycle pathways.



Perspective Sketch looking West

Transportation

Vehicular and Pedestrian Access

Vehicular access to the 1-level garage below the Safeway store (retail garage) will be provided from Georgia Avenue and Fern Street. Vehicular access to the 3-level residential garage located

above the grocery store and to the retail/residential loading areas will be provided from Fern Street. Walk-in/walk-out access to the Safeway store and the residential apartment units are provided along Georgia Avenue. Additionally, a walk-in/walk-out access to the Safeway store and walk-out access to the residential units is provided along Reddie Drive. Sidewalks will be reconstructed along Georgia Avenue, Reddie Drive, and Fern Street to meet the Wheaton streetscape standards, or as amended.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 1990 Approved and Adopted *Wheaton CBD and Vicinity Sector Plan* describes the following roadways and bikeways:

1. Georgia Avenue (MD 97), along the western property boundary, as a major highway (M-8) with a minimum right-of-way width of 120 feet.
2. Reddie Drive, along the southern property boundary, as a business district street with a minimum right-of-way width of 84 feet and bike lanes.
3. Fern Street, along the eastern property boundary, as a business district street with a minimum right-of-way width of 60 feet.

Local Area Transportation Review

A traffic study dated March 10, 2010, and an Addendum to the traffic study dated March 23, 2010, was submitted for the preliminary plan for Adequate Public Facilities (APF) review purposes since the density proposed on the property, a 59,500 square foot Safeway store and 500 residential apartment units, generated **30** or more total peak-hour vehicle trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods.

Using Institute of Transportation Engineers (ITE) *Trip Generation (8th Edition)* report, trip generation rates for supermarkets, M-NCPPC *Local Area Transportation Review (LATR)/Policy Area Mobility Review (PAMR) Guidelines* trip generation rates for residential uses, and ITE *Trip Generation Handbook* recommendations associated with internal site trip-capture for mixed-use developments, the traffic study estimated that the proposed development will generate 370 peak-hour trips during the weekday morning peak period and 479 peak-hour trips during the weekday evening peak period. After accounting for the existing Safeway store, the traffic study estimated that the proposed development in-effect will result in 287 additional weekday morning peak-hour trips and 324 additional weekday evening peak-hour trips.

The capacity analysis demonstrates that under Total Traffic (i.e., Build) Conditions, CLV at the study intersections would be below the applicable congestion standard for Wheaton CBD Policy Area (1,800 CLV). This preliminary plan therefore satisfies the LATR requirements of the APF test.

Policy Area Mobility Review

To satisfy the PAMR requirements of the APF test, the Wheaton CBD Policy Area requires mitigation of ten percent (10%) of “new” peak-hour trips generated by a development.

The site trip generation for the proposed development shows that the development will result in 287 net “new” peak-hour trips during the weekday morning peak period and 450 net “new”

peak-hour trips during the weekday evening peak period. In order to mitigate 10% of the “new” trips, PAMR mitigation is required for 29 peak-hour trips during the morning peak period and 45 peak-hour trips during the evening peak period.

The PAMR mitigation requirement during the evening peak hour is satisfied by the internal trip-capture provided by the mixed-use development proposed on the site. Therefore, the Applicant is only required to satisfy the PAMR mitigation requirement during the morning peak-hour. The preliminary plan will satisfy the PAMR requirements of the APF test by providing one of the mitigation measures below:

1. Installation of two (2) real-time transit information signs at the Wheaton Metrobus Station to the southwest corner of Georgia Avenue/Reedie Drive intersection at locations to be determined by Washington Metropolitan Area Transit Authority (WMATA) in coordination with Montgomery County DOT, or
2. Implementation of improvements to Reedie Drive between Georgia Avenue and Fern Street within existing curbs to enhance operational efficiency and the safety of vehicular and pedestrian movements along Reedie Drive, with the reconfiguration/improvement design to be reviewed and approved by Planning and Montgomery County DOT staff.

Environment

Environmental Guidelines

A Natural Resource Inventory Forest Stand Delineation (NRI/FSD) #420100020 for the site was approved on July 13, 2009. There are no streams, wetlands or floodplains on-site, nor any forest or significant and specimen trees. As a result, the environmental guidelines are not applicable.

Forest Conservation

The Wheaton Safeway property is subject to the Forest Conservation Law, Section 22A of the County Code. A preliminary forest conservation plan has been submitted. The preliminary forest conservation plan worksheet shows the gross tract area of 2.32 acres to incorporate proposed off-site disturbance for improvements in the adjacent rights-of-way. Offsite trees will not be affected by this development.

The project site has a reforestation requirement of 0.35 acres. The Applicant proposes to satisfy the requirement with a combination of on-site tree planting credit (0.25 acres), and a fee-in-lieu payment for the remainder. The final forest conservation plan must include revisions to give credit only for overall landscape canopy, rather than full 20 year canopy credit for each individual tree where canopies overlap with other trees (there are four areas on the plan with this situation). Street trees planted within the State’s right-of-way on Georgia Avenue or in County rights-of-way cannot be credited towards forest conservation, as preservation is outside M-NCPPC control. The analysis of soil volume to determine if there will be adequate amounts to sustain new trees that are counted for credit must be addressed in the final forest conservation plan.

Noise

Georgia Avenue is a major highway and, given its proximity to the site, motor vehicle traffic-generated noise impacts are anticipated. A noise analysis is necessary to determine the projected exterior noise levels requiring mitigation for residential units facing Georgia Avenue. A noise analysis must include an acoustical analysis of noise impacts to open space areas along Georgia Avenue. Options for creating quieter areas within the exterior open space should be considered to enhance its value and usage, except for any type of structural noise mitigation that would visually screen the public use areas.

Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept on January 28, 2010. The concept includes on-site channel protection using structural sandfilters and on-site water quality control via a green roof, a volume-based filter and proprietary flow thru filters. On-site recharge is not required based on the type of soils present and since most of the lot contains a below grade parking garage.

Development Standards

The subject property is zoned CBD-3, which is governed by the development standards in Section 59-C-6.23 of the Montgomery County Zoning Ordinance. The minimum lot size of 18,000 square feet for optional method projects is met. There is no maximum building coverage for optional method projects, but there is a requirement for the provision of a minimum of 20% of the net lot area to be devoted to public use space, which this project plan also satisfies by providing plaza areas and an in-lieu payment to the amenity fund. Third, the maximum density for optional method projects in the CBD-3 Zone is 8.0; the proposed density is 5.78 FAR. The only other development standard for a CBD-3 optional method project is building height, which normally limits height to 143 feet but may be increased to 200 feet under Section 59-C-6.235(b) of the Montgomery County Zoning Ordinance “[if] approved by the Planning Board in the process of site plan ... as not adversely affecting surrounding properties.” In other words, during project plan review, a recommendation of approval for a proposed height is set as a maximum and a final determination is made during site plan review in accordance with this section. Also as discussed in the Master Plan analysis, the height limit of 200 feet is appropriate for this most densely-zoned area of the Wheaton CBD and does not adversely affect the surrounding properties in any detrimental way given the urban context.

As the data table shows, all of the requirements of the zone are met by the subject project plan. Because this project is within the Wheaton Parking Lot District, parking spaces are not required to be provided onsite, however, the project is subject to the Parking District Tax.

Project Data Table for the CBD-3 Zone, Optional Method of Development

Development Standard	Permitted/ Required	Proposed for Approval & Binding on the Applicant
Site Area (square feet)		
Gross Tract Area (including original prescriptive R/W for Georgia Ave)	18,000	108,557
Prior dedication	n/a	- 24,708

Existing lot area	n/a	83,849
New dedication	n/a	- 7,120
Net Tract Area	n/a	76,729
Max. Density		
Floor Area Ratio (FAR)		
- Total	8.0	5.78
- Non-residential FAR	5.0	0.55
Gross Floor Area (GFA)		
- Non-residential GFA	390,625 ^(a)	59,500
- Residential GFA	n/a	<u>567,500</u>
- Total GFA	868,456	627,000
Max. No. of Dwelling Units		
- Market rate	n/a	401
- MPDUs	12.5%	58 ^(b) (12.5%)
- Workforce Housing ^(b)	10.0%	+ 41 (10.0%)
- Total d.u.s	n/a	<u>500</u>
Min. Public Use Space (% of net lot)		
On-Site Public Use Space	20 (15,346 sq ft)	9.9 (7,615 sq ft)
On-Site Public Use Space provided via contribution to Amenity Fund		10.1 (7,750 sq ft)
Contribution to Amenity Fund		\$961,161
- 10.1% of assessed land value		
- 7,750 sf @ \$35/sf		
Off-Site Amenity Space	n/a	18.0 (13,800 sq ft)
Total Public Use & Amenity Space	20	38% (29,165 sq ft)
Max. Building Height (feet)		
	200	200 ^(c)
Setbacks (feet)		
Georgia Ave	n/a	20
Reedie Drive	n/a	2
Fern Street	n/a	0
Alley	n/a	0
North Property Line	n/a	0
Vehicular Parking		
Residential ^(d)		
- Efficiency units ^(e) (96)	96 (@ 1sp/du)	
- MPDU efficiency (12)	6 (@ 0.5 sp/du)	
- One-bedroom units ^(e) (173)	216 (@ 1.25 sp/du)	
- MPDU one-bedroom units (23)	14 (@ 0.625 sp/du)	
- Two-bedroom units ^(e) (173)	259.5 (@ 1.5 sp/du)	
- MPDU two-bedroom units (23)	+ <u>17.25</u> (@ 0.75 sp/du)	

Sub-total	609	
Less 15% metro/CBD credit	(-) 91.4	
Total residential spaces	517.9	411
Non-residential		
- Retail	287.5 (@ 5sp/1,000 GFA)	
Less 15% metro/CBD credit	(-) 43	
Total non-residential spaces	245	140
Total Parking	763 ^(f)	551 ^(f)
Parking (Miscellaneous)		
Residential		
- Accessible spaces	9	15
- Motorcycle spaces	9 (@ 2% of sp provided)	10
- Bicycle spaces	20 (@5% of sp provided)	20
- Loading	4	1
Non-Residential		
- Accessible spaces	5	5
- Motorcycle spaces	3 (@ 2% of sp provided)	10
- Bicycle spaces	7 (@5% of sp provided)	7
- Loading	2	3

- (a) Per Section 59-C-6.234(b)(iii), the maximum permitted non-residential FAR not to exceed 62.5 percent of the gross floor area.
- (b) If at the time of certified site plan, workforce housing is no longer a legal requirement for this project, the workforce housing may be eliminated as a type of dwelling unit in this project without the need for further Planning Board review and/or approval. If the total number of units remains the same, the number of MPDUs will increase to 63.
- (c) As measured from a datum point of 446.18 on Georgia Avenue.
- (d) The number of private parking spaces will be set at site plan, subject to final bedroom mix and unit count and will comply with the Montgomery County Parking requirements.
- (e) Includes market rate and workforce housing units.
- (f) The site is within the Wheaton Parking District, and therefore, no onsite parking is required; however, the project is subject to the Parking District Tax. The final number of required parking spaces will be determined at Site Plan based on the unit mix.

SECTION 3: PROJECT PLAN REVIEW

ISSUES

Public Use Space

At a pre-submission meeting, the Applicant presented a schematic proposal with the building setback from Georgia Avenue to accommodate the project's public use space requirement onsite. Although the amount of public use space was not evaluated in detail, the Applicant claimed that they could meet the full 20 percent requirement on site. Staff recommended reducing the building setback from Georgia Avenue to provide better street activation and create a more consistent street wall along Georgia Avenue in keeping with current urban design principles. The remaining public use space requirement could be met via a contribution to the Public Use Space and Amenity Fund for the Wheaton CBD.

The submitted plans addressed Staff's comments by moving the building closer to Georgia Avenue, and eliminating portion of the onsite public use space. Because the proposal was modified to address Staff's comments, the Applicant believes that they should not be required to pay the full amount as calculated below towards the Amenity Fund. Staff does not agree with the Applicant's position since the 20 percent public use space provision is a requirement in the Zoning Ordinance and the calculations below have been used on several projects approved by the Planning Board.

Under Section 59-D-2.31, the "Planning Board may approve a payment instead of any required public use space, public facilities, or amenities off-site..." For this Project Plan, the Applicant proposes to use this allowance for 10.1% of the required minimum 20% public use space.

As directed under 59-D-2.31(a), the Planning Board must develop and approve guidelines for the implementation of this "Amenity Fund," including the methods of calculation, collection, and distribution of payment amounts. At the time of this report, this task is underway but not complete. For the purposes of this Project Plan, staff proposes to use an interim calculation method outlined in an April 18, 2008, memo from Jeff Zyontz to the County Council and discussed below. The Planning Board approved an Amenity Fund payment using this same formulation for the Veneto, Project Plan 920060070, in the Woodmont Triangle section of the Bethesda CBD; 8621 Georgia Avenue, Project Plan 920100010, and Silver Spring Park, Project Plan 920100030, in the Silver Spring CBD.

Staff recognizes and will condition that the amount of the Amenity Fund contribution being approved for this Project Plan is preliminary, and that if the implementation guidelines described above have been approved and adopted by time of Site Plan, the Planning Board may replace the provisional payment amount with a final number, at its discretion.

The method staff used to calculate the Amenity Fund payment is based on the proportion of the 20% public use space requirement to be satisfied off-site, in this instance 10.1%, and has two components:

- The first component is based on the assessed land value for the subject site. The Maryland Department of Assessments and Taxation records show an assessed land value for the site, as of January 1, 2010, of \$6,830,800, 10.1% of which is \$689,911.
- The second component is calculated at a rate of \$35/sf. for each square foot of public use space to be provided off-site. The rate of \$35 is based on the estimated cost of providing one square foot of streetscape. For this plan, the Applicant proposes to provide 7,750 sf. off-site (10.1% of the net site area), yielding a subtotal of \$271,250.

The total amount of the Amenity Fund payment for this Project Plan is thus calculated, as demonstrated below, to be \$ 961,161.

Area	Rate	Fee
Assessed land value (\$6,830,800)	10.1%	\$689,911
7,750 sf. of public use space (10.1% of Net Lot Area) provided off-site	\$35/sf	\$271,250
On-site public use contribution		\$961,161

The Applicant has agreed to meet part of their 20% public use space requirement through a contribution to the Amenity Fund; however, the Applicant has requested that the amount required be calculated based solely on the square foot cost of the improvements (2nd component above), but not the land value (1st component above). It was argued that the shortfall in space is a direct result of shifting the building closer to Georgia Avenue per Staff’s request.

Staff believes that the request is unfounded for several reasons.

- 1) The 20 percent public use space provision is a requirement in the Zoning Ordinance and these calculations have been used on several projects (listed above) approved by the Planning Board.
- 2) Although Staff recommended the building to move closer to Georgia Avenue and the remaining public use space requirement to be met via a contribution to the Amenity Fund, Staff never alluded to calculating the total contribution amount differently.
- 3) Staff did not preclude the option of redesigning the building to accommodate the full public use space requirement onsite.
- 4) The building footprint enlarged when the building moved closer to Georgia Avenue, rather than shifting the entire building and potentially having a public use space along Fern Street across from Veteran’s Park.

Under the terms of the Fund, the amenity targeted to receive the payment must be selected either from the relevant master or sector plan recommendations or from a list of improvements approved by the Planning Board. Furthermore, projects making payments into the Amenity Fund must identify the associated off-site improvement to be implemented. In consultation with staff from the Vision, Design, and Park Development Divisions, and in accordance with the recommendation of the Wheaton CBD Master Plan, staff is recommending the Amenity Fund contribution be used to enhance amenity space provided for in connection with any redevelopment of the Montgomery County Parking Lot 13 in the Wheaton CBD. By Site Plan,

staff will coordinate the details of this Amenity Fund contribution for presentation to the Planning Board.

FINDINGS

According to Section 59-D-2.43 of the Montgomery County Zoning Ordinance, in reaching its determination on a project plan the Planning Board must consider the following:

- (a) The nature of the proposed site and development, including its size and shape, and the proposed size, shape, height, arrangement and design of structures, and its consistency with an urban renewal plan approved under chapter 56.
- (b) Whether the open spaces, including developed open space, would serve as convenient areas for recreation, relaxation and social activities for the residents and patrons of the development and are planned, designed and situated to function as necessary physical and aesthetic open areas among and between individuals structures and groups of structures, and whether the setbacks, yards and related walkways are located and of sufficient dimensions to provide for adequate light, air, pedestrian circulation and necessary vehicular access.
- (c) Whether the vehicular circulation system, including access and off-street parking and loading, is designed to provide an efficient, safe and convenient transportation system.
- (d) Whether the pedestrian circulation system is located, designed and of sufficient size to conveniently handle pedestrian traffic efficiently and without congestion; the extent to which the pedestrian circulation system is separated from vehicular roadways so as to be safe, pleasing and efficient for movement of pedestrians; and whether the pedestrian circulation system provides efficient, convenient and adequate linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities.
- (e) The adequacy of landscaping, screening, parking and loading areas, service areas, lighting and signs, in relation to the type of use and neighborhood.
- (f) The adequacy of provisions for construction of moderately priced dwelling units in accordance with chapter 25a if that chapter applies.
- (g) The staging program and schedule of development.
- (h) The adequacy of forest conservation measures proposed to meet any requirements under chapter 22a.
- (i) The adequacy of water resource protection measures proposed to meet any requirements under chapter 19.

As the following Findings demonstrate, the subject project plan amendment adequately addresses each of these considerations, as conditioned by the Staff Recommendation.

Section 59-D-2.42 of the Zoning Ordinance establishes the findings that must be made by the Planning Board and in concert with the considerations enumerated above form the basis for the Board's consideration of approval. In accordance herewith, the Staff makes the following findings:

(a) As conditioned, the proposal complies with all of the intents and requirements of the zone.

Intents and Purposes of the CBD Zones

The Montgomery County Zoning Ordinance states the purposes that the CBD zones are designed to accomplish. The following statements analyze how the proposed Project Plan conforms to these purposes:

(1) "To encourage development in accordance with an adopted and approved master, or an urban renewal plan approved under Chapter 56 by permitting an increase in density, height, and intensity where the increase conforms to the master or sector plan or urban renewal plan and the site plan or combined urban renewal project plan is approved on review by the Planning Board."

The subject property lies within the boundaries of the Approved and Adopted 1990 Master Plan for the Wheaton Central Business District and Vicinity. The Plan supports mixed use development, including housing near Metro. The Project Plan proposes a mixed-use development with 59,500 square feet of commercial uses including a grocery store and a separate retail space, and an 18-story high-rise residential building with 500 dwelling units. While the maximum density allowed under the CBD-3 Zone is 8 FAR, the proposed density is 5.78 FAR. The proposal maximizes the building height of up to 200 feet, which is allowed by the zone. The zone typically permits up to 143 feet; however, the Planning Board may approve an increased height up to 200 feet if the proposal does not adversely affect surrounding properties. The height and massing does not adversely affect the surrounding properties and is supported by the building location in close proximity to metro and transit, along with providing additional residential units in the CBD core and retaining the Safeway store.

(2) "To permit a flexible response of development to the market as well as to provide incentives for the development of a variety of land uses and activities in central business districts to meet the needs and requirements of workers, shoppers and residents."

The existing uses in the vicinity of the site include small scale retail to the north of the site and residential to the south and east of the site. The proposed residential uses will augment the existing high-density residential uses in the CBD and will increase the housing stock, including affordable housing, in the CBD. The proposed commercial uses consisting of a grocery store and a small retail space will complement the existing retail

in the vicinity of the site. The stand-alone retail space fronting Georgia Avenue needs to be an activating use to further the objectives of enhancing and enlivening the streetscape and adjacent public use space. Further, the Applicant's contribution to the development of public space in the larger Wheaton CBD, through the "Amenity Fund", will help provide a most desirable amenity for workers, visitors, and residents. The ground-floor uses and off-site public space will serve not only the weekday office workers, but also the evening and weekend residents of the CBD, bringing pedestrian activity and vitality to what is currently an underutilized space.

(3) *"To encourage designs which produce a desirable relationship between the individual buildings in the central business district, between the buildings and the circulation system and between the central business district and adjacent areas."*

The proposed building will maintain a building line similar to that of the existing adjacent buildings along Georgia Avenue and will minimize the impacts on available sunlight and existing views by breaking-up its massing into 3 towers above the residential parking level. The architecture continues the contemporary character of other recent renovations in this area of the CBD. The location and layout of the building entrances, the open space, and public art will direct pedestrians in and around the site to access this and adjacent buildings and streets. The location and layout of the garage entrances and loading areas will direct vehicular traffic in and around the site efficiently. The building will help to create along this section of Georgia Avenue an attractive destination for workers and residents.

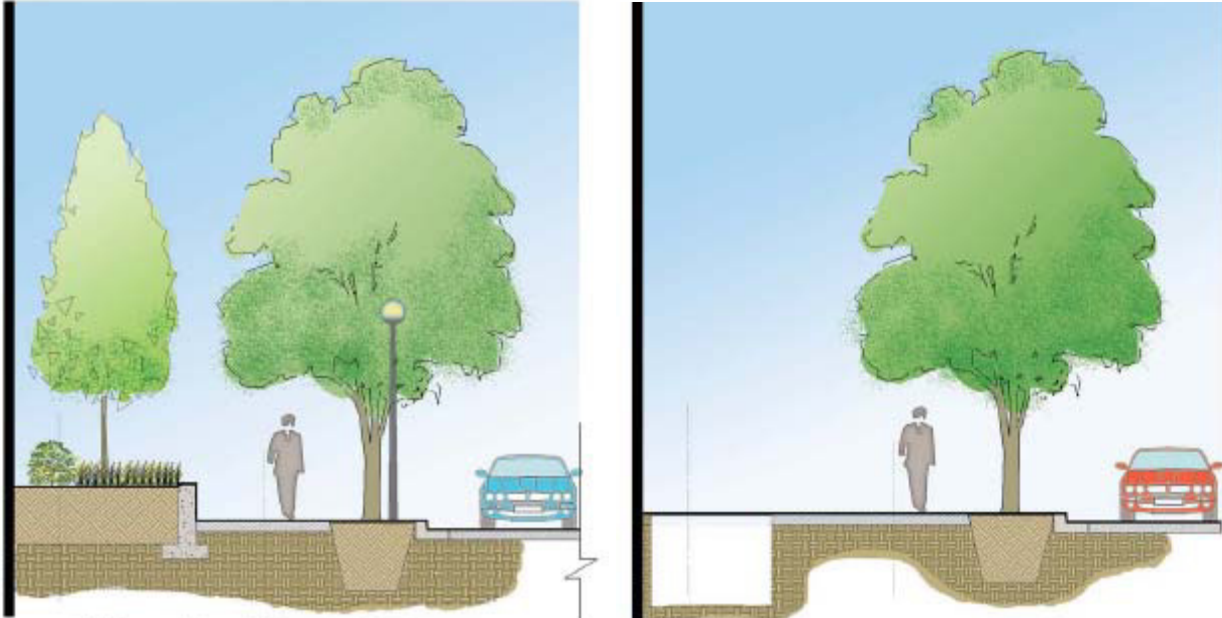
(4) *"To promote the effective use of transit facilities in the central business district and pedestrian access thereto."*

The proximity to transit facilities combined with a reduction in the parking provided will encourage residents and customers alike to take advantage of the pedestrian network and ample transit options. The proposed development is immediately north of a Metro entrance, and a block away from the Wheaton Metro transit facility including Metrobus and Ride-On buses. There is one bus stop within the site's right-of-way. The development expects to provide 28% fewer parking spaces than would be required by code; however, a more significant reduction of parking spaces would be appropriate given the projects' proximity to Metro.

(5) *"To improve pedestrian and vehicular circulation."*

The proposed development will improve pedestrian circulation primarily through street-activating ground-floor uses that include a grocery store and a separate retail space. The proposed public art, landscaping, hardscaping, and installation of the Wheaton Streetscape standard (or as amended) will further enhance the pedestrian experience. Pedestrian activation of Reddie Drive will be accomplished through a secondary entrance to the grocery store and architectural treatment along the building façade. Details of this building façade will be evaluated during the site plan process.

The proposal improves vehicular circulation on Georgia Avenue by reducing the number of curb cuts. The development proposes one right-in/right-out vehicular entrance to the underground retail parking from Georgia Avenue. No vehicular access is proposed off Reddie Drive. The remaining access and loading will take place off Fern Street. This includes separate full-movement access points for the residential and retail parking garages, and separate residential and retail loading areas.



Reddie Drive streetscape – Section at planter and Section at vault

(6) *“To assist in the development of adequate residential areas for people with a range of different incomes.”*

The proposed development will provide 12.5% of the base density as MPDUs onsite, consistent with the requirements of Chapter 25A, and 10% of the final number of market rate dwelling units as Workforce Housing onsite, consistent with the requirements of Chapter 25B. If at the time of certified site plan, workforce housing is no longer a legal requirement for this project, the workforce housing may be eliminated as a type of dwelling unit in this project without the need for further Planning Board review and/or approval.

(7) *“To encourage land assembly and most desirable use of land in accordance with a sector plan.”*

As part of preliminary Plan No. 120100120, the Applicant proposes to consolidate Part of Parcel A, Part of Parcel B, lots 1-13 and a previously abandoned alley into 1 recorded lot with a net lot area of 76,729 square feet after right-of-way dedication for Georgia Avenue and Reddie Drive. Although under common ownership, the consolidation of all these lots and parcels will allow for the unified redevelopment of the underutilized site with a mix

of residential (including affordable housing) and non-residential uses, public art, and investment in public use space within the larger CBD, which are all consistent with the most desirable land use for the affected site and consistent with the goals of the Master Plan.

Further Intents of the CBD-3 Zone

Section 59-C-6.213(b) of the Zoning Ordinance states:

To foster and promote the orderly development of the CBD of the county so that these areas will enhance the economic status of the county as well as providing an expanding source of employment and living opportunities for its citizens in a desirable urban environment.

The 18-story high rise building with 500 dwelling units will provide a range of housing choices conveniently located across from Metro and within walking distance of numerous restaurant and commercial establishments in the Wheaton CBD. The proposed street-level retail including a large grocery store and a separate retail space will expand the employment base in Wheaton and contribute to the economic development of the County.

Requirements of the CBD-3 Zone

The table on page 16 of the staff report demonstrates the conformance of the project plan with the development standards under the optional method of development. Among other standards, the proposed development meets the area, public use space, building height, and density requirements of the zone.

According to the Zoning Ordinance (59-C-6.215(b)) a further requirement of optional method projects is the provision of additional public amenities:

“Under the optional method greater densities may be permitted and there are fewer specific standards, but certain public facilities and amenities must be provided by the developer. The presence of these facilities and amenities is intended to make possible the creation of an environment capable of supporting the greater densities and intensities of development permitted.”

To this end, the proposed development is proffering the following package of amenities and public facilities:

- Significant financial contribution towards the development of public space in the larger Wheaton CBD;
- Streetscape improvements;
- Onsite plaza with seating
- Architectural treatment on the Reddie Drive building façade; and
- Onsite public art.

(b) *The proposal conforms to the approved and adopted Master Plan or an Urban Renewal Plan approved under Chapter 56.*

The subject property lies within the boundaries of the Approved and Adopted 1990 Master Plan for the Wheaton Central Business District and Vicinity. The site is located at 11215 Georgia Avenue in an area of the CBD designated as “Metro Center” which is envisioned to develop “with the highest intensity of new activities [...] an area of mixed uses, including high density residential and office activities, a range of services, and retail development scaled to serve the surrounding population.” The proposed mixed-use development features an 18-story high-rise residential building with 500 dwelling units, and 59,500 square feet of street-level commercial uses, including a grocery store and a separate retail space.

Land Use and Zoning

The proposal conforms to the land use and zoning recommended by the Master Plan. The Master Plan specifically recommends that this site include “a substantial residential component and street-level retail” and retain “a supermarket to serve nearby residents on this parcel or elsewhere in the CBD” (p.46). The proposal will replace the existing 22,979 square feet Safeway store with a larger, state-of-the-art grocery store, which will serve the proposed 500 residential dwelling units above as well as the surrounding neighbors. In addition, the proposal includes a separate retail space with direct pedestrian access to Georgia Avenue to better activate this streetscape. The subject property is zoned CBD-3, which is recommended by the Master Plan.

Sector Plan Conformance

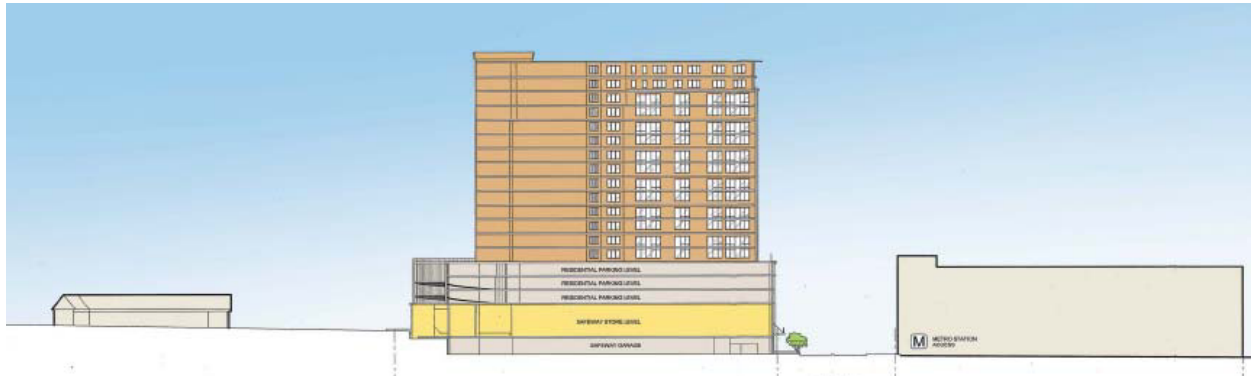
The Approved and Adopted 1990 Master Plan for the Wheaton Central Business District and Vicinity is organized around several goals and objectives that the Project satisfies:

- Creation of new residential and mixed-use development around the metro station and in areas of high transit accessibility;
- Creation of a range of housing opportunities to serve a broad spectrum of the metropolitan population;
- Development of attractive open spaces in convenient locations;
- Creation of boulevards that tie existing open space together using street trees, plazas, and pedestrian and bicycle pathways.

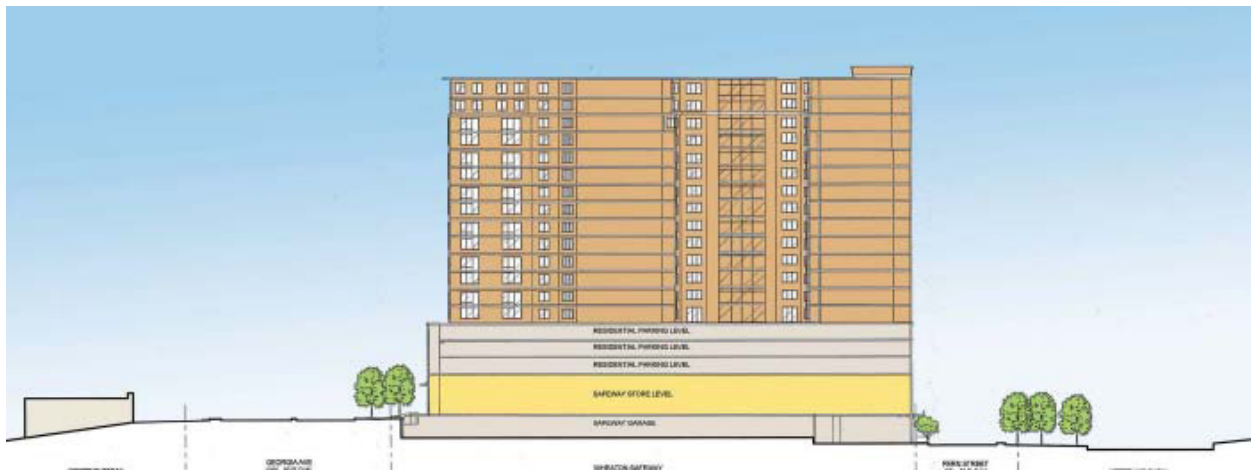
(c) Because of its location, size, intensity, design, operational characteristics and staging, it would be compatible with and not detrimental to existing or potential development in the general neighborhood.

The proposal is compatible with both existing and potential development in the general neighborhood and does not adversely affect the surrounding properties. The site is located in an area of highest intensity in the CBD (CBD-3) with allowable densities of up to 8.0 FAR, and maximum building heights of 200 feet, for optional method of development projects. The proposed 18-story high rise of 200 feet is higher than the 4-5 story residential development to the south, and considerably higher than the primarily 1-story development to the north and west. However, because this development will be the first optional method project in Wheaton, it will in part set the stage for the future redevelopment of Wheaton where potential densities and building heights as envisioned by the Master Plan are much higher than the existing fabric. In terms of urban design, the proposal maintains a similar building

line as the existing residential buildings to the south, but adds pedestrian activation of the sidewalk along the property. The architecture will minimize the impacts of a fairly large building upon the surrounding community by breaking-up the massing into 3 towers above the residential parking level.



North South site section with the existing Chevy Chase Bank building to the left and the existing residential building with Metro entrance to the right



West-East site section with existing retail buildings and Georgia Ave to the left and the existing Veterans Park and Fern Street to the right

- (d) *As conditioned, the proposal would not overburden existing public services nor those programmed for availability concurrently with each stage of construction and, if located within a transportation management district designated under Chapter 42A, article II, is subject to a traffic mitigation agreement that meets the requirements of that article.*

The concurrent Preliminary Plan No. 120100120 has reviewed this proposal for Adequate Public Facilities (APF), which includes LATR and PAMR requirements. The development satisfies the LATR requirements. To satisfy the PAMR requirements, the development will have to mitigate 29 morning peak-hour trips and 45 evening peak-hour trips. The proposed mitigation measures include either the installation of two (2) real-time transit information signs at the Wheaton Metrobus Station, or implementation of improvements to Reddie Drive

between Georgia Avenue and Fern Street within existing curbs to enhance operational efficiency and safety of vehicular and pedestrian movements along Reddie Drive.

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 Montgomery County Department of Fire and Rescue has determined that the property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations, firehouses, schools, 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, and a school facilities payment is not required. Electrical, telecommunications, and natural gas services are also available to serve the subject property.

- (e) *The proposal will be more efficient and desirable than could be accomplished by the use of the standard method of development.*

A standard method project would only allow a density of 4.0 FAR with a building height of 72 feet. Further, the requirement for public amenities would be removed and the public use space requirement would be reduced by one-half. Because infill development and density at transit hubs is a core value of smart growth and given the number and quality of public amenities being proffered, the optional method of development is much more desirable and more efficient for this particular site.

- (f) *The proposal will include moderately priced dwelling units in accordance with Chapter 25A of this Code, if the requirements of that chapter apply.*

The proposed development will provide 12.5% of the base density as MPDUs onsite, consistent with the requirements of Chapter 25A, and 10% of the final number of market rate dwelling units as Workforce Housing onsite, consistent with the requirements of Chapter 25B. If at the time of certified site plan, workforce housing is no longer a legal requirement for this project, the workforce housing may be eliminated as a type of dwelling unit in this project without the need for further Planning Board review and/or approval. A final agreement between the Applicant and the Department of Housing and Community Affairs will be required at the time of site plan review. If the total number of units remains the same, the number of MPDUs will increase to 63.

- (g) *When a Project Plan includes more than one lot under common ownership, or is a single lot containing two or more CBD zones, and is shown to transfer public open space or development density from on lot to another or transfer densities, within a lot with two or more CBD zones, pursuant to the special standards of either section 59-C 6.2351 or 59-C 6.2352 (whichever is applicable), the Project Plan may be approved by the Planning Board based on the following findings:*

The concurrent preliminary Plan No. 120050890 proposes to consolidate Part of Parcel A, Part of Parcel B, lots 1-13 and a previously abandoned alley into 1 recorded lot. The proposed development does not propose any public open space or density transfers.

(h) As conditioned, the proposal satisfies any applicable requirements for forest conservation under Chapter 22A.

A Natural Resource Inventory Forest Stand Delineation (NRI/FSD) #420100020 for this site was approved on July 13, 2009. There are no significant and specimen trees on-site, nor any forest, nor any offsite trees which are affected by this development. This site has a reforestation requirement of 0.35 acres to be met with a combination of on-site tree planting credit (0.25 acres), and an in-lieu fee payment for the remainder.

(i) As conditioned, the proposal satisfies any applicable requirements for water quality resources protection under Chapter 19.

The proposed development is subject to the water quality resources protection requirements. The MCDPS Stormwater Management Section approved the stormwater management concept on January 28, 2010. The concept includes on-site channel protection using structural sandfilters and on-site water quality control via a green roof, a volume-based filter and proprietary flow thru filters. On-site recharge is not required based on the type of soils present and since most of the lot contains a “below level” parking garage.

(j) Any public use space or public facility or amenity to be provided off-site is consistent with the goals of the applicable Master or Sector Plan and serves the public interest better than providing the public use space or public facilities and amenities on-site.

The proposed financial contribution will enhance amenity space provided for in connection with any redevelopment of the Montgomery County Parking Lot 13, in the Wheaton CBD, and is consistent with the Wheaton CBD Master Plan.

Given the constraints of the subject site, providing the full complement of public use space required by the zone would necessitate pushing the building away from the street and would create an undesirable condition at the street level, with unclear delineation between public and private space. Typically, such places have the residual character of the un-owned space and are uninviting and under-utilized.

In contrast, Parking Lot 13 was recommended as the key civic open space for Wheaton in the preliminary Wheaton Sector Plan Update, presented to the Planning Board on December 3, 2009. When realized, this park will provide a valuable community amenity that is scarce in the CBD that will serve the public interest far better than providing the space on the subject site.

RECOMMENDATION AND CONDITIONS

Staff recommends approval of Project Plan 920100020, Wheaton Safeway, for a 200-foot high building with 500 residential dwelling units and 59,500 square foot of commercial uses, on 1.92 gross acres, subject to the following conditions:

1. Development Ceiling

- a. The proposed development is limited to 627,000 square feet of gross floor area divided into 59,500 square feet commercial and 567,500 square feet residential uses.
- b. The final breakdown of the square footage for the commercial uses (the grocery store and the separate retail space) will be determined at site plan.

2. Building Height and Mass

The proposed development is limited to the building footprint as delineated in the project plan drawings submitted to MNCPPC dated February 23, 2010, unless modified at site plan review and to 200 feet in height as measured from a datum point of 446.18 on Georgia Avenue.

3. Architecture

The exterior architectural character, proportion, material, and articulation must be substantially similar to the schematic elevations shown on Sheets A2.5-A2.9 of the architectural drawings submitted to MNCPPC dated February 23, 2010, and March 19, 2010, as determined by M-NCPPC Development Review and Urban Design staff, unless modified during Site Plan review.

4. Housing

- a. The proposed development must provide a minimum of 12.5% of the base density as MPDUs onsite, consistent with the requirements of Chapter 25A.
- b. The proposed development must provide a minimum of 10% of the final number of market rate dwelling units as Workforce Housing onsite in addition to the number of market rate units and MPDUs provided, consistent with the requirements of Chapter 25B. If at the time of certified site plan, workforce housing is no longer a legal requirement for this project, the workforce housing may be eliminated as a type of dwelling unit in this project without the need for further Planning Board review and/or approval.

5. LEED Certification

The Applicant must achieve a LEED (Leadership in Energy and Environmental Design) Certified Rating Certification at a minimum. The Applicant must make good faith efforts to achieve a LEED Silver rating. Before the issuance of any use and occupancy certificate, the Applicant must inform M-NCPPC staff of the LEED Certification Level for which they are applying. If this level is less than a Silver rating, before the issuance of the final use and occupancy certificate the Applicant must provide to staff a written report for public record purposes only from the Applicant's LEED consultant analyzing the feasibility of achieving a LEED-Silver rating, to include an affidavit from a LEED-Accredited Professional identifying the minimum additional improvements required to

achieve the LEED Silver rating, including their associated extra cost. Submission of this report constitutes compliance with this condition.

6. Transportation

The Applicant must comply with the conditions of the M-NCPPC Transportation Division in the memorandum dated March 24, 2010.

7. Public Use Space & Amenities

- a. The Applicant must provide a minimum of 7,615 square feet for on-site public use space (9.9% of net lot area).
- b. In lieu of providing as on-site public use space the remaining 7,750 square feet (10.1%) of the required 20% of the net lot area, the Applicant must contribute to M-NCPPC Public Use Space Amenity Fund no less than \$961,161 to be used to enhance amenity space provided for in connection with any redevelopment of the Montgomery County Parking Lot 13, in the Wheaton CBD.
- c. At the time of Site Plan, the Planning Board may approve an alternative amenity site, as recommended by M-NCPPC staff, to satisfy the Applicant's public use space requirement. The alternative site must be in the public interest and consistent with the Amenity Fund guidelines and Sector Plan recommendations. Planning Board approval of this alternative would not require an amendment to the Project Plan.
- d. If, by the time of Site Plan review, there are approved Amenity Fund implementation guidelines that yield a different public use space and amenity payment amount, the Planning Board may elect to replace the payment amount in Condition 6(b) above, with the new amount.
- e. Final details regarding the Amenity Fund contribution shall be determined at Site Plan.
- f. As a public amenity, the Applicant must provide streetscape improvements per the Wheaton Streetscape Standards, or as amended, including the undergrounding of public utilities, along the property's frontage on Georgia Avenue, Reedie Drive, and Fern Street as illustrated in the Certified Site Plan, a total of approximately 13,800 square feet, or 18% of the net lot area.

8. Public Art

- a. The Applicant must provide public art on-site, especially along the Georgia Avenue and Reedie Drive frontages, which is integrated into the overall site design.
- b. The Applicant must present preliminary and final public art concepts to the Art Review Panel for review and comment that will be available to the Planning Board prior to scheduling the Planning Board hearing for the site plan application.
- c. Final design of the public art must be determined by Certified Site Plan.

9. Street Activation

- a. The separate retail space on Georgia Avenue must have direct pedestrian ingress/egress on Georgia Avenue separate from the access for the grocery store and the residential building.
- b. The grocery store must have a secondary pedestrian ingress/egress point on Reedie Drive.

intersections, the building will be pulled closer to the street and such placement of the building will contribute to meeting Master Plan objectives of street activation via street level retail and accessible pedestrian pathways. Therefore, staff recommends that the Planning Board approve the road dedication as shown on the preliminary plan.

FINDINGS

The preliminary plan has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. The proposed lot was reviewed for compliance with the dimensional requirements for the CBD-3 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 Table 1, below. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

In order to approve a preliminary plan of subdivision, the Planning Board must make the following findings pertinent to Chapter 50:

- (a) The Preliminary Plan substantially conforms to the master plan.
- (b) Public facilities will be adequate to support and service the area of the proposed subdivision.
- (c) The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.
- (d) The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.
- (e) The Application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services (“MCDPS”) that the Stormwater Management Concept Plan meets MCDPS’ standards.

(a) The proposed lot and associated uses comply with the recommendations of the Approved and Adopted 1990 Master Plan for the Wheaton Central Business District and Vicinity.

The proposed mixed-use development features an 18-story high-rise residential building with 500 dwelling units and 59,500 square feet of street-level commercial uses, including a grocery store and a separate retail space. These uses contribute to the Master Plan vision to develop the site with a high intensity of new activities, mixed uses and a range of services. The preliminary plan also conforms to the land use and zoning recommended by the Master Plan. In accordance with the plan’s recommendations, a substantial residential component is offered by the project as well as a state-of-the-art supermarket that will provide street-level retail with access to the store from Georgia Avenue and Reddie Drive.

(b) Public facilities will be adequate to accommodate a commercial and residential building 627,000 square feet in size, including 59,500 square-feet of commercial uses and 500 residential apartment units (above the new Safeway store).

Vehicular and pedestrian access will be safe and adequate with the proposed improvements. Vehicular improvements include ramps that will provide access to the residential garage located above the grocery store from Fern Street, access to parking for commercial uses from Georgia Avenue and Fern Street, and retail/residential loading areas with access from Fern Street. Walk-in/walk-out access to the Safeway store and the residential apartment units is provided along Georgia Avenue. Additionally, a walk-in/walk-out access to the Safeway store and walk-out access to the residential units is provided along Reddie Drive. Sidewalks will be reconstructed along Georgia Avenue, Reddie Drive, and Fern Street to meet the Wheaton streetscape standards and facilitate pedestrian mobility. The application satisfies the LATR and PAMR requirements as discussed above.

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, schools, 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, and a school facilities payment is not required. Electrical, telecommunications, and natural gas services are also available to serve the subject property.

(c)The Applicant proposes to consolidate Part of Parcel A, Part of Parcel B, lots 1-13 and a previously abandoned alley into 1 recorded lot with a net lot area of 76,729 square feet after right-of-way dedication for Georgia Avenue and Reddie Drive. The lot size, width, shape and orientation are appropriate.

The proposed lot size is appropriate, for it accommodates a single building with a mix of uses. The width of the lot is suitable given the multiple points of access that are necessary to accommodate the commercial and residential parking garages. The shape is appropriate, for the consolidation creates a rectangular lot which is appropriate for the corner orientation of the property.

(d) A preliminary forest conservation plan has been submitted and approved that satisfies all the applicable requirements of the Chapter 22A.

The development will not affect offsite trees, and the Applicant proposes to meet the afforestation requirement of 0.35 acres with a combination of on-site tree planting credit (0.25 acres), and a fee-in-lieu payment for the remainder. A variance under the newly enacted provisions of Natural Resources, Title 5, Section 5-1607 of the Maryland Code was not required because there are no trees that are 30" DBH and greater or trees that are 75 percent the diameter of the county champion for that species on the site.

(e)Stormwater runoff volumes will be adequately controlled from the proposed development.

The concept consisting of on-site channel protection using structural sandfilters and on-site water quality control via a green roof, a volume-based filter and proprietary flow thru filters was

deemed acceptable by the MCDPS Stormwater Management Section because the concept meets MCDPS' standards.

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Wheaton Safeway				
Plan Number: 120100120				
Zoning: CBD-3				
# of Lots: 1				
# of Outlots: N/A				
Dev. Type: Commercial and Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	Not specified	76,729 sq. ft.	EG	3/20/10
Setbacks				
Front (Georgia Ave)	0 ft.	20 ft.	EG	3/20/10
Front (Fern Street)	0 ft.	0 ft.	EG	3/20/10
Side (Reedie Drive)	0 ft.	2 ft.	EG	3/20/10
Rear (N side, Public Alley)	0 ft.	0 ft.	EG	3/20/10
Height	Determined at Site Plan	May not exceed maximum ¹	EG	3/20/10
Floor Area Ratio	8.0	5.78	EG	3/20/10
MPDUs	12.5% of base density	12.5% of base density	EG	3/20/10
Workforce Housing ²	10% of Market rate units	10% of market rate units ²		
TDRs	N/A		EG	3/20/10
Site Plan Req'd?	Yes		EG	3/20/10
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street		Yes	EG	3/20/10
Road dedication and frontage improvements		Yes	MCDOT letter SHA letter	3/12/10 3/18/10
Environmental Guidelines		N/a	Staff memo	3/19/10
Forest Conservation		Yes	Staff memo	3/19/10
Master Plan Compliance		Yes	Staff memo	3/9/10
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management		Yes	Agency letter	1/28/10
Water and Sewer (WSSC)		Yes	Agency comments	12/7/09
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	12/7/09
Well and Septic		N/a	EG	3/20/10
Local Area Traffic Review		Yes	Staff memo	3/24/10
Policy Area Mobility Review		Yes	Staff memo	3/24/10
Transportation Management Agreement		No	Staff memo	3/24/10
School Cluster in Moratorium?		No	EG	3/20/10
School Facilities Payment		No	EG	3/20/10
Fire and Rescue		Yes	Agency letter	3/10/10

¹ Maximum height in the CBD-3 zone is 200 feet; however, the final height will be determined at site plan.

² If at the time of certified site plan, workforce housing is no longer a legal requirement for this project, the workforce housing may be eliminated as a type of dwelling unit in this project without the need for further Planning Board review and/or approval.

PRELIMINARY PLAN RECOMMENDATION AND CONDITIONS

The application meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and complies with the recommendations of the Wheaton Master Plan. Therefore, Staff recommends approval of Preliminary Plan 120100120, including a waiver of the dedication of corner truncations at the Georgia Avenue/Reedie Street and Fern Street/Reedie Street intersections pursuant to Section 50-26(c)(3) of the Subdivision Regulations, and subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 1 lot for a maximum of 59,500 square-feet of commercial uses and a maximum of 500 multi-family residential units. A minimum of 12.5% of the residential units, less workforce housing units, must be Moderately Priced Dwelling Units (MPDUs). A minimum of 10.0% of the residential apartment units, less MPDUs, must be workforce housing units. If at the time of certified site plan, workforce housing is no longer a legal requirement for this project, the workforce housing may be eliminated as a type of dwelling unit in this project without the need for further Planning Board review and/or approval.
- 2) The proposed development must comply with the conditions of the preliminary Forest Conservation Plan. The Applicant must satisfy all conditions prior to Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits.
- 3) At site plan submittal, the Applicant must provide a noise mitigation analysis prepared by a professional engineer to address requirements for mitigation of projected exterior traffic noise levels to an interior level no greater than 45 dBA Ldn.
- 4) The Applicant must dedicate, and the record plat must show, the following rights-of-way along the property frontage (consistent with the *1990 Approved and Adopted Wheaton CBD and Vicinity Sector Plan*):
 - a. Georgia Avenue – minimum of 60 feet from the road right-of-way centerline,
 - b. Reedie Drive – minimum of 42 feet from the road right-of-way centerline,
 - c. Fern Street – minimum of 30 feet from the road right-of-way centerline, and
 - d. Fern Street Alley – minimum required to satisfy Montgomery County Department of Transportation’s (DOT) requirements.
- 5) The Applicant must finalize the Policy Area Mobility Review (PAMR) trip mitigation proposal to mitigate twenty-nine (29) “new” peak-hour trips 60 days prior to the the site plan approval for the subject development. The site plan must include a phasing schedule for when the Applicant must provide the required PAMR mitigation. The PAMR mitigation measures must be one of the following, to be determined in coordination with Transportation Planning and Montgomery County DOT staff:

- a. Installation of two (2) real-time transit information signs at the Wheaton Metrobus Station to the southwest corner of Georgia Avenue/Reedie Drive intersection at locations to be determined by Washington Metropolitan Area Transit Authority (WMATA) in coordination with Montgomery County DOT; or
 - b. Implementation of improvements to Reedie Drive between Georgia Avenue and Fern Street within existing curbs to enhance operational efficiency and safety of vehicular and pedestrian movements along Reedie Drive, with the reconfiguration/improvement design to be reviewed and approved by Planning Department and Montgomery County DOT staff.
- 6) The Applicant must satisfy the PAMR requirement, as approved at the time of site plan Planning Board hearing, prior to the issuance of any building permit for the development.
 - 7) The Applicant must comply with the conditions of the MCDPS stormwater management approval dated January 28, 2010. 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 March 12, 2010. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval. The required roadway improvements must be open to traffic prior to the issuance of any building occupancy permit for the development.
 - 9) The applicant must comply with the conditions of the Maryland State Highway Administration (MDSHA) letter dated March 18, 2010. These conditions may be amended by MDSHA, provided the amendments do not conflict with other conditions of the preliminary plan approval.
 - 10) The Applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat, and MDSHA prior to issuance of access permits.
 - 11) No clearing, grading or recording of plat prior to certified site plan approval.
 - 12) Final approval of the number and location of dwelling units, including MPDUs and workforce housing units, on-site parking, site circulation, sidewalks, and bikeways will be determined at site plan.
 - 13) The record plat must show all necessary easements.
 - 14) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board Resolution.
 - 15) The certified preliminary plan must contain the following note: “Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the preliminary plan are illustrative. The final locations of buildings, structures and hardscape will be determined during the site plan process. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board’s approval.”

APPENDICES

Appendix A: Agency Correspondence

Appendix B: Staff Memoranda

Appendix C: Citizen Correspondence

Appendix D: Truncation Request

Appendix E: Property Valuation

Appendix F: Montgomery County Parking Lot 13 Location Map

Appendix A



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

March 12, 2010

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

RE: Preliminary Plan #1-20100120
Wheaton Safeway

Dear Ms. Conlon:

We have completed our review of the above referenced preliminary plan dated with latest revision dated February 23, 2010. This plan was reviewed by the Development Review Committee at its meeting on December 7, 2009. 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. Necessary dedication for Georgia Avenue (MD 97) in accordance with the Master Plan. Dedication for Fern Street and Reddie Drive per MNCPPC-Transportation Planning.
2. Access and Improvements along Georgia Avenue (MD 97) as required by the Maryland State Highway Administration.
3. We have not yet received the Traffic Impact Study for our review; our comments on that document are expected to be provided shortly after we receive that document.

We have participated in meetings with the applicant and M-NCPPC staff regarding pedestrian improvements to Reddie Drive. A previously proposed mid-block crossing on Reddie Drive is not acceptable to this department for safety reasons.

Other possible pedestrian and operational improvements between the existing curb lines of Reddie Drive (to satisfy PAMR) will be evaluated by Planning Board and MCDOT staff at the site plan stage. By agreement between the agencies, the determination of the PAMR mitigation requirements is being deferred to site plan.

4. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
5. We have accepted the applicant's storm drain capacity and impact analysis. No capacity improvements to the County maintained storm drain system will be required of this applicant.

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878
Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080
trafficops@montgomerycountymd.gov

6. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
7. We support the partial waiver of truncation request on the northwest corner of the intersection of Fern Street and Reddie Drive; and at the northeast quadrant of the intersection of Georgia Avenue and Reddie Drive. This recommendation is subject to final approval of the Site Plan by the Planning Board and subsequent approval of the record plat and construction drawings by the Maryland State Highway Administration along Georgia Avenue (MD 97) and the Department of Permitting Services (DPS).
8. Our policy on the spacing of commercial driveway aprons is to have a minimum of one hundred (100) feet of tangent distance between the curb returns of adjacent driveways and intersections – taking into consideration other issues such as sight distances, operational characteristics of the frontage road, opposite and/or adjacent driveways and/or intersections, property frontage limitations, etc. We accept the location of the proposed entrances off of Fern Street due to site limitations and approve the reduction in driveway spacing request.
9. Curb radii for intersection type driveways should be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site.
10. Truck loading space requirements to be determined in accordance with the County's "Off-Street Loading Space" policy. On the site plan, delineate the location and dimensions of the proposed truck loading and/or dumpster spaces.

The commercial loading space requirement has been met. We have accepted the applicants design exception request for the residential portion of the project. They are providing two loading bays off of Fern Street, only one of which meets the County size criteria. Two additional loading spaces are provided within the garage but do not meet the County size criteria.
11. For any parking facility containing more than fifty (50) parking spaces, the applicant needs to furnish bicycle parking facilities as required by Section 59 E-2.3 of the Montgomery County Code. Accordingly, the applicant should provide either bike lockers or inverted "U" type bike racks.
12. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
13. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
14. If the proposed development will alter any existing streetlights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
15. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.

16. Trees in the County rights of way - species and spacing to be in accordance with the applicable Wheaton streetscape guidelines. Tree planting within the public right of way must be coordinated with Mr. Brett Linkletter with Division of Highway Services, Tree Maintenance Unit. Mr. Linkletter may be reached at (240) 777-7651.
17. Prior to approval of the record plat by DPS, the applicant will need to execute and record a Declaration of Covenants (for Maintenance and Liability) or enter into an agreement with the Wheaton Urban District for the maintenance of special streetscaping amenities within the public rights-of-way.
18. The applicant will need to coordinate impacts to existing bus stops with our Division of Transit Services. Please contact Ms. Stacey Coletta of that Division at 240-777-5836.
19. The applicant will need to coordinate impacts to existing meters with our Division of Parking Management. Please contact Mr. Jeremy Souders of that Division at 240-777-8706.
20. 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. Street grading, paving, curbs and gutters, sidewalks and handicap ramps, storm drainage and appurtenances, and street trees along Fern Street and Reddie Drive.

Provide level pedestrian crossings across all driveways on Fern Street.

Improvements to Reddie Drive between the face of curb and the property line will be worked out with MNCPPC and the Wheaton Urban District at the site plan stage; as a minimum this will include urban street trees, street lights, amended soil panels, and pavers per Standard No. MC 111.02.

Note: Additional improvements to Reddie Drive (as discussed in item # 3) will be determined at the site plan stage.

Note: There must be a minimum of five feet of sidewalk free and clear of obstructions along all public roadways.
 - B. Additional road improvements may be required as a result of the review of the traffic study.
 - C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - D. 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 and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
 - E. Developer shall provide streetlights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

Ms. Catherine Conlon
Preliminary Plan No. 1-20100120
March 12, 2010
Page 4

Thank you for the opportunity to review this amended preliminary plan. If you have any questions or comments regarding this letter, please contact Ms. Dewa Salihi at (240) 777-2173.

Sincerely,



Gregory M. Leck, P.E., Manager
Development Review Team

M:\subdivision\SA144001\Preliminary Plans\1-20100120 Wheaton Safeway\1-20100120 Wheaton Safeway.doc

Enclosures (2)

cc: Jerry Ricciardi, Patriot Realty
Renee Montgomery, Safeway
Chuck Irish, VIKA
Bill Landfair, VIKA
Steve Robins, Learch Early & Brewer
Gary Stith, DOT DGS
Erin Grayson; M-NCPPC DRD
Sandra Pereira; M-NCPPC DRD
Shahriar Etemadi; M-NCPPC TPD
Cherian Eapen; M-NCPPC TPD
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Rick Siebert, DOT DPM
Jeff Riese, DOT DPM
Emil Wolanin, DOT DTEO
Fred Lees, DOT DTEO
Bruce Mangum, DOT DTEO
Dewa Salihi; DOT DTEO
Preliminary Plan Folder
Preliminary Plans Notebook



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Wheaton Safeway Preliminary Plan Number: 1-20100120

Street Name: Fern Street Master Plan Road Classification: Business

Posted Speed Limit: Not Posted mph

Street/Driveway #1 (Entrance #1 (ex. alley))

Street/Driveway #2 (RESIDENTIAL LOADING Entrance #2)

Sight Distance (feet) OK?
 Right 227 yes
 Left 230 yes

Sight Distance (feet) OK?
 Right 188 yes
 Left 250 yes

Comments:
Right looks into signalized intersection. On-street parking meters #12 & #14 along west side of Fern to be removed.

Comments:
Right looks into signalized intersection.

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or **edge of traveled way** of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

[Signature]
 Signature

20510
 PLS/P.E. MD Reg. No.



Montgomery County Review:

Approved
 Disapproved:

By: [Signature]
 Date: 3/12/10



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Wheaton Safeway Preliminary Plan Number: 1-20100120

Street Name: Fern Street Master Plan Road Classification: Business

Posted Speed Limit: Not Posted mph

Street/Driveway #1 (RETAIL GARAGE Entrance #3) Street/Driveway #2 (RETAIL LOADING Entrance #4)

Sight Distance (feet) OK?
 Right 168 yes
 Left 260 yes

Sight Distance (feet) OK?
 Right 92 yes
 Left 360 yes

Comments: _____
Right looks into signalized intersection.

Comments: _____
Right looks into signalized intersection.

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

[Signature]
 Signature

20510
 PLS/P.E. MD Reg. No.



Montgomery County Review:

Approved
 Disapproved:

By: [Signature]
 Date: 3/12/10



Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

Beverley K. Swaim-Staley, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

March 18, 2010

Re: Wheaton Safeway
MD 97 (Georgia Avenue)
Montgomery County

Ms. Catherine Conlon
Development Review Supervisor
MNCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Ms. Conlon:

Thank you for the opportunity to review the plans for the Wheaton Safeway Project. Based on this office's review, there are the following comments. There are two sections; one with conditions to be included with the preliminary plan and another with comments that need to be addressed at site plan.

Preliminary plan conditions

This office recognizes that there is a desire to minimize the width of the access on MD 97 and provide smaller radii at the access to create a shorter crossing for pedestrians however, we also have to consider the safety and functionality along the roadway. With the amount of traffic along MD 97 the 15' radii for egress and ingress is not acceptable. We've reviewed the exhibits submitted by VIKA and recognize the impact of having a 30' radius on both sides of the access. Motorists exiting the site can more easily maneuver the 15' radius and since this substandard condition does not impact the state route we will allow the 15' radius only on the egress side. With the egress radius remaining at 15' this should not require a realignment of the driveway nor impact the building. In order to create better traffic flow into the site and avoid impacts on Georgia Ave, the ingress radius needs to be designed at 30'. This design will require a waiver which will be coordinated internally. Only with written approval from this office during the site plan phase can the 30' ingress radius be reduced. If there is still strong desire to reduce the radius, then this office should be contacted for further review.

Additional comments to be addressed at site plan

- The existing sidewalk and ramps along the property frontage are not ADA compliant. Therefore they must be replaced to meet current ADA standards.
- At the MD 97/Reedie Drive intersection, if the ramps directly across from the ramp along the property frontage are not complaint they too must be replaced. These are located on the NW and SE corners of the intersection.
- If the site grading flows towards the roadway and has runoff that goes onto the state route, stormwater management may be required. This will be confirmed during the active access permit phase.
- Once MNCPPC completes its review, SHA requests 5 copies of the TIS for review and comment. Based on this review additional roadway improvements may be needed.
-

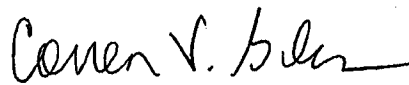
My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free


Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

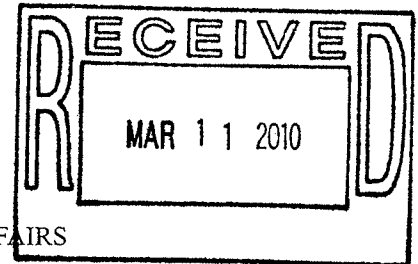
- The landscaping plan will have to be reviewed by our landscape division during the access permit process. Tree selections could change during this phase. Also a maintenance agreement may be required.
- The vehicular light poles shown, are these existing, relocated, or proposed?

If you have additional questions, please feel free to contact Corren Giles, Montgomery County Area Engineer, Engineering Access Permits Division at 410-545-5595 or cgiles@sha.state.md.us.

Sincerely,



 Mr. Steven D. Foster, Chief
Engineering Access Permits Division



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett
County Executive

March 9, 2010

Richard Y. Nelson, Jr.
Director

Steven A. Robins
April H. Birnbaum
Lerch, Early & Brewer
3 Bethesda Metro Center, Suite 460
Bethesda, MD 20814-5367

**RE: Project Plan and Preliminary Plan Applications (920100020 & 120100120)
for 11215 Georgia Avenue, Wheaton, MD (Safeway Site)**

Dear Mr. Robins and Ms. Birnbaum:

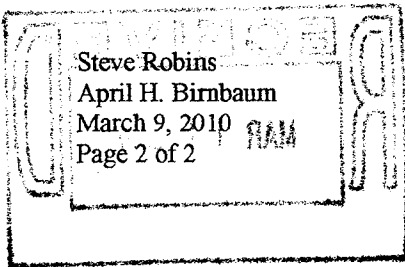
Thank you for providing us with copies of the revised preliminary and project plans for the Wheaton Safeway project. The following are additional comments from the Department of Housing and Community Affairs (DHCA):

- The revised plans present an alternative that does not include workforce housing. This alternative relies on adoption of Zoning Text Amendment (ZTA) 10-01 and Bill 4-10, which would make the workforce housing program voluntary. This ZTA and bill have been introduced and a public hearing has been held before the Council, but they have not been adopted yet. DHCA does not object to the alternative that excludes workforce housing, provided that workforce housing is no longer a legal requirement at the time of certified site plan.
- In the Development Tabulations, under Dwelling Units, the number of MPDUs proposed in the second column (Project Plan Proposed for Approval [Includes WFHU]) should be 58, not 63.
- Consistent with the first bulleted item above, the first note under Building Height in Development Tabulations should not refer to Workforce Housing as a justification for the 200 foot height, but should instead cite other justification in the Zoning Ordinance for the 200 foot height in the CBD-3 zone.
- The calculations of the number of Workforce Housing units and MPDUs and the bedroom distribution for the MPDUs appear to be correct. At site plan the bedroom mix for the Workforce Housing units will need to be provided (if Workforce Housing is included) in order to evaluate if the MPDU and Workforce Housing bedroom proportions are correct.

Please also continue to note DHCA's earlier comments (Workforce Housing comments apply only if Workforce Housing is included in the site plan application):

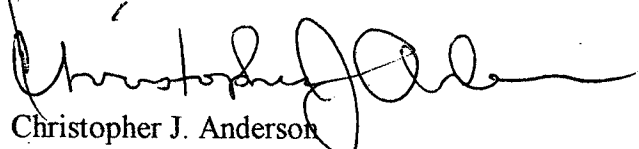
Division of Housing and Code Enforcement

	Moderately Priced	Housing Development	
Code Enforcement	Dwelling Unit	and Loan Programs	Landlord-Tenant Affairs
FAX 240-777-3701	FAX 240-777-3709	FAX 240-777-3691	FAX 240-777-3691



- **MPDU and WFH Distribution:** The MPDUs should be distributed among the residential floors, and no more than approximately one-third of the units on any given floor should be MPDUs. At the site plan stage, DHCA will need to review schematic floor plans of the proposed residential building showing locations of MPDUs, Workforce Housing Units, and market rate units on each floor, with a summary chart of location and bedroom composition of MPDUs, Workforce Housing Units, and market rate units, as well as schematic floor plans (including dimensions and square footage) for each MPDU and Workforce Housing unit type. Individual Workforce Housing units must be at least 90% of the number of square feet of the average size of individual market rate units containing the same number of bedrooms.
- **Agreement to Build:** Prior to obtaining building permits, the applicant will need to execute an Agreement to Build with DHCA. DHCA recommends that the applicant meet with DHCA early in the development process in order to ensure that all of the requirements of the Agreement to Build are met.
- **Additional Requirements:** For information concerning additional requirements of the MPDU and Workforce Housing programs, please refer to the DHCA website, <http://www.montgomerycountymd.gov/dhca>; Montgomery County Code Chapter 25A, Housing, Moderately Priced; Code of Montgomery County Regulations (COMCOR) 25A.00.02 - Moderately Priced Dwelling Unit Program; Montgomery County Code Chapter 25B, Article V. Workforce Housing; and COMCOR 25B.24.01, Workforce Housing Program Regulations. The County Code and COMCOR can be found on the following website: <http://www.amlegal.com>.

Sincerely,



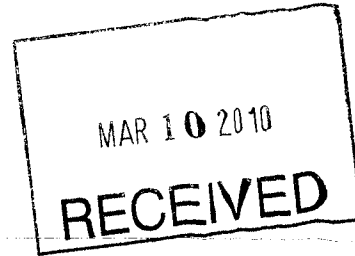
Christopher J. Anderson
Manager, Single Family Housing Programs

cc: Rose Krasnow, M-NCPPC
Robert Kronenberg, M-NCPPC
Sandra Pereira, M-NCPPC ✓
Erin Grayson, M-NCPPC
Richard Y. Nelson, Jr., DHCA
Joseph T. Giloley, DHCA
Lawrence C. Cager, Jr., DHCA
Lisa S. Schwartz, DHCA



FIRE MARSHAL COMMENTS

DATE: 10-Mar-10
TO: Bill Landfair
VIKA, Inc
FROM: Marie LaBaw
RE: Wheaton Safeway #4964
920100020 120100120



PLAN APPROVED

1. Review based only upon information contained on the plan submitted **10-Mar-10**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid
Director

January 28, 2010

Mr. Jason Evans
Vika, Inc.
20251 Century Boulevard, Suite 400
Germantown, MD 20874

Re: Stormwater Management **PRELIMINARY
CONCEPT** Request for Wheaton Safeway
Preliminary Plan #: 120100120
SM File #: 236718
Tract Size/Zone: 1.92 Ac./CBD-3
Total Concept Area: 1.92
Lots/Block: 1-13/C
Parcel(s): A & B
Watershed: Sligo Creek

Dear Mr. Evans:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable with conditions**. The stormwater management concept consists of on-site channel protection using structural sandfilters and on-site water quality control via a green roof, a volume based proprietary filter, and proprietary flow thru filters. Onsite recharge is not required since the site consists of HSG D type soils and since most of the lot contains a "below level" parking garage.

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

1. **This preliminary concept must be revised at the site plan stage to address the comments below.**
2. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling
3. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
4. An engineered sediment control plan must be submitted for this development.
5. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
6. This site is considered as redevelopment.
7. Provide profiles of the proposed Cpv and ten year control structures.
8. Use Chapter 3 of the new stormwater manual to design structures for Channel Protection. These structures have a maximum drainage area of one acre.

9. Additional ten year control may be provided via a vault and control structure. There is no maximum acreage requirement.
10. Provide quality control for the portion of roof that does not have green roof.
11. You may only use proprietary devices that are approved by MCDPS.
12. Filterras are not considered as an ESD practice.

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/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 CN236718 Wheaton Safeway.DWK

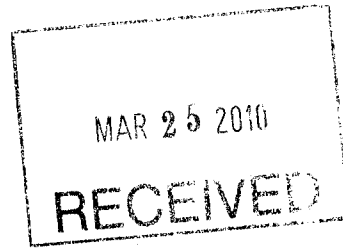
cc: C. Conlon
M. Pfefferle
SM File # 236718

QN -Onsite; Acres: 1.92
QL - Onsite; Acres: 1.92
Recharge is not provided

Appendix B



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



March 24, 2010

MEMORANDUM

TO: Erin Grayson, Planner/Coordinator
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Move/Transportation Planning Division

FROM: Cherian Eapen, Planner/Coordinator
Move/Transportation Planning Division
301-495-4525

SUBJECT: Project Plan No. 920100020
Preliminary Plan No. 1120100120
Proposed Wheaton Safeway Development
11215 Georgia Avenue, Wheaton
Northeast corner of Georgia Avenue and Reddie Drive
Wheaton Forest Subdivision:
Part of Parcel A and Lots 1-13, Block C
Part of previously abandoned Alley
Part of Parcel B
11215 Georgia Avenue LLC ("Applicant") and Safeway, Inc.
Wheaton CBD and Vicinity Sector Plan
Wheaton CBD Policy Area

This memorandum summarizes Transportation Planning staff's review of the project and preliminary plans for proposed Wheaton Safeway development in Wheaton.

The Wheaton Safeway site is located within the northeast corner of Georgia Avenue (MD 97) and Reddie Drive. 11215 Georgia Avenue LLC ("Applicant") and Safeway, Inc. are proposing to build 59,500 square feet of retail uses (which includes a new 56,800 square-foot Safeway store, in place of a now closed 23,000 square-foot Safeway store) and 500 residential apartment units (above the proposed new Safeway store) on the site. The property is zoned CBD-3 and is located within the Wheaton CBD Policy Area.

RECOMMENDATIONS

Transportation Planning staff recommends that the Planning Board require the following conditions to be part of the transportation-related APF requirements to approve this preliminary plan:

1. The Applicant must limit development on the property to 59,500 square feet of retail uses (which may include a new 56,800 square-foot Safeway store, in place of a now closed 23,000 square-foot Safeway store) and 500 residential apartment units (above the new Safeway store).
2. The Applicant must dedicate and show on the final record plat the following rights-of-way along property frontage (consistent with the 1990 Approved and Adopted *Wheaton CBD and Vicinity Sector Plan*), with waiver for required truncation at the northeast corner of Georgia Avenue/Reedie Drive intersection and at the northwest corner of Reedie Drive/Fern Street intersection:
 - a. Georgia Avenue – minimum of 60 feet from the roadway right-of-way centerline,
 - b. Reedie Drive – minimum of 42 feet from the roadway right-of-way centerline,
 - c. Fern Street – minimum of 30 feet from the roadway right-of-way centerline, and
 - d. Fern Street Alley – minimum required to satisfy Montgomery County Department of Transportation (DOT) requirements.
3. The Applicant must satisfy all roadway improvement requirements conditioned in Montgomery County DOT letter dated March 12, 2010 (see Attachment No. 1). The required roadway improvements must be open to traffic prior to the issuance of any building occupancy permit for the development.
4. The Applicant must finalize the Policy Area Mobility Review (PAMR) trip mitigation proposal to mitigate twenty-nine (29) “new” site-generated peak-hour trips 60 days prior to any Planning Board site plan hearing for the subject development. The PAMR mitigation measures must be one of the following, to be determined in coordination with Transportation Planning and Montgomery County DOT staff:
 - a. Installation of two (2) real-time transit information signs at the Wheaton Metrobus Station to the southwest corner of Georgia Avenue/Reedie Drive intersection or at nearby locations to be determined by the Washington Metropolitan Area Transit Authority (WMATA) in coordination with Montgomery County DOT, or
 - b. Implementation of improvements to Reedie Drive between Georgia Avenue and Fern Street within existing curbs to enhance operational efficiency and safety of vehicular and pedestrian movements along Reedie Drive, with the reconfiguration/improvement design to be reviewed and approved by Planning Department and Montgomery County DOT staff.

The Applicant must satisfy the PAMR requirement, as approved at the time of site plan Planning Board hearing, prior to the issuance of any building permit for the development.

DISCUSSION

Site Location and Access

The Wheaton Safeway site is bounded by Georgia Avenue to the west, Reddie Drive to the south, and Fern Street to the east. The site is immediately north of Wheaton Metro Station and is diagonally across from Wheaton Metrobus Station/Park and Ride.

The development, as proposed, will include a new 56,800 square-foot Safeway store (in place of a now closed 23,000 square-foot Safeway store), a 700 square-foot retail use fronting Georgia Avenue, a 2,000 square-foot entryway along Reddie Drive, and 500 residential apartment units above the new Safeway store.

Parking for the store and the residential apartment units are proposed within the building. Vehicular access to the retail garage will be provided from Georgia Avenue and Fern Street. Vehicular access to the residential garage, and retail/residential loading and unloading areas will be provided from Fern Street. Walk-in/walk-out access to the Safeway store/retail use and the residential apartment units are provided along Georgia Avenue. Additionally, a walk-in/walk-out access to the Safeway store and walk-out access for the residential units are provided along Reddie Drive.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 1990 Approved and Adopted *Wheaton CBD and Vicinity Sector Plan* describes the following roadways and bikeways:

1. Georgia Avenue (MD 97), along the western property boundary, as a major highway (M-8) with a minimum right-of-way width of 120 feet. A signed shared roadway bikeway (SR-20) is recommended for Georgia Avenue along site frontage in the Approved and Adopted 2005 *Countywide Bikeways Functional Master Plan*.
2. Reddie Drive, along the southern property boundary, as a business district street with a minimum right-of-way width of 84 feet and bike lanes.
3. Fern Street, along the eastern property boundary, as a business district street with a minimum right-of-way width of 60 feet.

Adequate Public Facilities Review

A traffic study dated March 10, 2010, and an Addendum to the traffic study dated March 23, 2010, was submitted for the preliminary plan for Adequate Public Facilities (APF) review purposes since the density proposed on the property, 59,500 square feet of retail uses and 500 residential apartment units, generated **30** or more total peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods.

Using Institute of Transportation Engineers (ITE) *Trip Generation (8th Edition)* report trip generation rates for supermarkets, M-NCPPC *Local Area Transportation Review (LATR)/Policy Area Mobility Review (PAMR) Guidelines* trip generation rates for residential uses, and ITE Trip Generation Handbook recommendations associated with internal site trip-capture for mixed-use developments, the traffic study estimated that the proposed development will generate 370 peak-hour trips during the weekday morning peak period and 479 peak-hour trips during the weekday evening peak period. After accounting for the now closed Safeway store, the traffic study estimated that the proposed development in-effect will result in 287 additional peak-hour trips during the weekday morning peak period and 324 additional peak-hour trips during the weekday evening peak period to the site. The trip generation summary for the proposed development is presented in Table 1.

**TABLE 1
SUMMARY OF SITE TRIP GENERATION
PROPOSED WHEATON SAFEWAY DEVELOPMENT**

Trip Generation	Morning Peak-Hour			Evening Peak-Hour		
	In	Out	Total	In	Out	Total
<i>Proposed Safeway Store/Residential Development</i>						
59,500 SF Supermarket	131	83	214	319	306	625
Internal Trip-capture	--	--	--	-29	-34	-63
Pass-by Trips (PM – 36%)	--	--	--	-104	-98	-202
“New” Supermarket Trips	131	83	214	186	174	360
500 High-Rise Apartment Units	39	117	156	111	71	182
Internal Trip-capture	--	--	--	-34	-29	-63
“New” Residential Trips	39	117	156	77	42	119
Total Trips – Proposed Development (w/o Internal Trip-capture)	170	200	370	326	279	605
Total Internal Trip-capture	--	--	--	-63	-63	-126
Total Trips – Proposed Development (w/Internal Trip-capture)	170	200	370	263	216	479
<i>Credit for Existing Safeway Store</i>						
23,000 SF Supermarket	51	32	83	123	119	242
Pass-by Trips (PM – 36%)	--	--	--	-44	-43	-87
Total Trips – Existing Development	51	32	83	79	76	155
Net Increased Pass-by Trips	--	--	--	-60	-55	-115
Net Increased “New” Site Trips (w/o Internal Trip Capture)	119	168	287	247	203	450
Net Increased “New” Site Trips (w/Internal Trip-capture)	119	168	287	184	140	324

Source: Wheaton Safeway LATR & PAMR Study. The Traffic Group, Inc. March 10, 2010.
Wheaton Safeway LATR & PAMR Study Addendum. The Traffic Group, Inc. March 23, 2010.

- Local Area Transportation Review

A summary of the capacity/Critical Lane Volume (CLV) analysis results for the study intersections for the weekday morning and afternoon peak-hours as presented in the traffic study is provided in Table 2.

**TABLE 2
SUMMARY OF INTERSECTION CAPACITY CALCULATION
PROPOSED WHEATON SAFEWAY DEVELOPMENT**

Intersection	Traffic Conditions					
	Existing		Background		Total (Build)	
	AM	PM	AM	PM	AM	PM
Georgia Ave/Veirs Mill Rd	1,083	896	1,111	922	1,143	952
Veirs Mill Rd/Metrobus access/Westfield	664	752	664	752	664	752
Veirs Mill Rd/Reedie Dr	811	905	811	905	811	905
Reedie Dr/Grandview Ave	302	430	309	438	357	507
Georgia Ave/Reedie Dr	980	1,006	1,012	1,053	1,112	1,184
Reedie Dr/Fern St	298	317	305	327	420	428
Reedie Dr/Amherst Ave	611	657	618	685	654	747
University Blvd/Amherst Ave	781	1,121	811	1,163	843	1,210
Georgia Ave/University Blvd	1,202	1,222	1,256	1,281	1,270	1,289
University Blvd/Grandview Ave	713	968	736	1,023	739	1,030
Georgia Ave/Blueridge Ave	1,039	1,181	1,114	1,482	1,121	1,489
Georgia Ave/Site Access (Retail)	260	696	275	737	299	792
Fern St/Site Access (Residential)	110	192	110	192	239	244
Fern St/Site Access (Retail)	--	--	--	--	284	507

Source: Wheaton Safeway LATR & PAMR Study. The Traffic Group, Inc. March 10, 2010.
Wheaton Safeway LATR & PAMR Study Addendum. The Traffic Group, Inc. March 23, 2010.
Congestion Standard for Wheaton CBD Policy Area: 1,800 CLV

As shown in Table 2, the capacity analysis demonstrates that under Total Traffic (i.e., Build) Conditions, CLV at the study intersections would be below the applicable congestion standard for Wheaton CBD Policy Area (1,800 CLV). This preliminary plan therefore satisfies the LATR requirements of the APF test.

- Policy Area Mobility Review

To satisfy the PAMR requirements of the APF test, the Wheaton CBD Policy Area requires mitigation of ten percent (10%) of “new” peak-hour trips generated by a development.

The site trip generation summary presented in Table 1 for the proposed development shows that the development, without internal trip-capture credits, will generate 287 net “new” peak-hour trips during the weekday morning peak period and 450 net “new” peak-hour trips during the weekday evening peak period. With the PAMR requirement to mitigate 10% of the

“new” trips, the mitigation requirement for the development is therefore 29 peak-hour trips during the morning peak period and 45 peak-hour trips during the evening peak period.

As documented in Table 1, the Applicant will satisfy the PAMR mitigation requirement during the evening peak-hour by the internal trip-capture facilitated by the mixed-use development proposed on the site (126 peak-hour trips). The Applicant is therefore required to only satisfy the PAMR mitigation requirement during the morning peak-hour.

With the PAMR mitigation measures and requirements as recommended below, the preliminary plan satisfies the PAMR requirements of the APF test. The proposed measures include:

1. Installation of two (2) real-time transit information signs at the Wheaton Metrobus Station to the southwest corner of Georgia Avenue/Reedie Drive intersection or at nearby locations to be determined by the Washington Metropolitan Area Transit Authority (WMATA) in coordination with Montgomery County DOT, or
2. Implementation of improvements to Reedie Drive between Georgia Avenue and Fern Street within existing curbs to enhance operational efficiency and safety of vehicular and pedestrian movements along Reedie Drive, with the reconfiguration/improvement design to be reviewed and approved by Planning Department and Montgomery County DOT staff.

The Applicant is required to finalize the PAMR trip mitigation proposal 60 days prior to any Planning Board site plan hearing for the subject development and implement the PAMR requirement as approved at the time of site plan hearing prior to the issuance of any building permit for the development.

SE:CE:tc
Attachment

cc: Khalid Afzal
John Carter
Robert Kronenberg
Tom Autrey
Justin Clarke
Greg Leck
Gary Erenrich
Corren Giles
Wes Guckert

mno to eg on Wheaton Safeway.docx



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

March 12, 2010

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

RE: Preliminary Plan #1-20100120
Wheaton Safeway

Dear Ms. Conlon:

We have completed our review of the above referenced preliminary plan dated with latest revision dated February 23, 2010. This plan was reviewed by the Development Review Committee at its meeting on December 7, 2009. 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. Necessary dedication for Georgia Avenue (MD 97) in accordance with the Master Plan. Dedication for Fern Street and Reddie Drive per MNCPPC-Transportation Planning.
2. Access and Improvements along Georgia Avenue (MD 97) as required by the Maryland State Highway Administration.
3. We have not yet received the Traffic Impact Study for our review; our comments on that document are expected to be provided shortly after we receive that document.

We have participated in meetings with the applicant and M-NCPPC staff regarding pedestrian improvements to Reddie Drive. A previously proposed mid-block crossing on Reddie Drive is not acceptable to this department for safety reasons.

Other possible pedestrian and operational improvements between the existing curb lines of Reddie Drive (to satisfy PAMR) will be evaluated by Planning Board and MCDOT staff at the site plan stage. By agreement between the agencies, the determination of the PAMR mitigation requirements is being deferred to site plan.

4. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
5. We have accepted the applicant's storm drain capacity and impact analysis. No capacity improvements to the County maintained storm drain system will be required of this applicant.

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878
Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080
trafficops@montgomerycountymd.gov

6. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
7. We support the partial waiver of truncation request on the northwest corner of the intersection of Fern Street and Reddie Drive; and at the northeast quadrant of the intersection of Georgia Avenue and Reddie Drive. This recommendation is subject to final approval of the Site Plan by the Planning Board and subsequent approval of the record plat and construction drawings by the Maryland State Highway Administration along Georgia Avenue (MD 97) and the Department of Permitting Services (DPS).
8. Our policy on the spacing of commercial driveway aprons is to have a minimum of one hundred (100) feet of tangent distance between the curb returns of adjacent driveways and intersections – taking into consideration other issues such as sight distances, operational characteristics of the frontage road, opposite and/or adjacent driveways and/or intersections, property frontage limitations, etc. We accept the location of the proposed entrances off of Fern Street due to site limitations and approve the reduction in driveway spacing request.
9. Curb radii for intersection type driveways should be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site.
10. Truck loading space requirements to be determined in accordance with the County's "Off-Street Loading Space" policy. On the site plan, delineate the location and dimensions of the proposed truck loading and/or dumpster spaces.

The commercial loading space requirement has been met. We have accepted the applicants design exception request for the residential portion of the project. They are providing two loading bays off of Fern Street, only one of which meets the County size criteria. Two additional loading spaces are provided within the garage but do not meet the County size criteria.

11. For any parking facility containing more than fifty (50) parking spaces, the applicant needs to furnish bicycle parking facilities as required by Section 59 E-2.3 of the Montgomery County Code. Accordingly, the applicant should provide either bike lockers or inverted "U" type bike racks.
12. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
13. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
14. If the proposed development will alter any existing streetlights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
15. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.

16. Trees in the County rights of way - species and spacing to be in accordance with the applicable Wheaton streetscape guidelines. Tree planting within the public right of way must be coordinated with Mr. Brett Linkletter with Division of Highway Services, Tree Maintenance Unit. Mr. Linkletter may be reached at (240) 777-7651.
17. Prior to approval of the record plat by DPS, the applicant will need to execute and record a Declaration of Covenants (for Maintenance and Liability) or enter into an agreement with the Wheaton Urban District for the maintenance of special streetscaping amenities within the public rights-of-way.
18. The applicant will need to coordinate impacts to existing bus stops with our Division of Transit Services. Please contact Ms. Stacey Coletta of that Division at 240-777-5836.
19. The applicant will need to coordinate impacts to existing meters with our Division of Parking Management. Please contact Mr. Jeremy Souders of that Division at 240-777-8706.
20. 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. Street grading, paving, curbs and gutters, sidewalks and handicap ramps, storm drainage and appurtenances, and street trees along Fern Street and Reedie Drive.

Provide level pedestrian crossings across all driveways on Fern Street.

Improvements to Reedie Drive between the face of curb and the property line will be worked out with MNCPPC and the Wheaton Urban District at the site plan stage; as a minimum this will include urban street trees, street lights, amended soil panels, and pavers per Standard No. MC 111.02.


Note: Additional improvements to Reedie Drive (as discussed in item # 3) will be determined at the site plan stage.

Note: There must be a minimum of five feet of sidewalk free and clear of obstructions along all public roadways.
 - B. Additional road improvements may be required as a result of the review of the traffic study.
 - C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - D. 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 and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
 - E. Developer shall provide streetlights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

Ms. Catherine Conlon
Preliminary Plan No. 1-20100120
March 12, 2010
Page 4

Thank you for the opportunity to review this amended preliminary plan. If you have any questions or comments regarding this letter, please contact Ms. Dewa Salihi at (240) 777-2173.

Sincerely,



Gregory M. Leck, P.E., Manager
Development Review Team

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Enclosures (2)

cc: Jerry Ricciardi, Patriot Realty
Renee Montgomery, Safeway
Chuck Irish, VIKA
Bill Landfair, VIKA
Steve Robins, Learch Early & Brewer
Gary Stith, DOT DGS
Erin Grayson; M-NCPPC DRD
Sandra Pereira; M-NCPPC DRD
Shahriar Etemadi; M-NCPPC TPD
Cherian Eapen; M-NCPPC TPD
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Rick Siebert, DOT DPM
Jeff Riese, DOT DPM
Emil Wolanin, DOT DTEO
Fred Lees, DOT DTEO
Bruce Mangum, DOT DTEO
Dewa Salihi; DOT DTEO
Preliminary Plan Folder
Preliminary Plans Notebook



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Wheaton Safeway Preliminary Plan Number: 1-20100120

Street Name: Fern Street Master Plan Road Classification: Business

Posted Speed Limit: Not Posted mph

Street/Driveway #1 (Entrance #1 (ex. alley)) Street/Driveway #2 (RESIDENTIAL LOADING Entrance #2)

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>227</u>	<u>yes</u>	Right <u>188</u>	<u>yes</u>
Left <u>230</u>	<u>yes</u>	Left <u>250</u>	<u>yes</u>

Comments: Right looks into signalized intersection. On-street parking meters #12 & #14 along west side of Fern to be removed.

Comments: Right looks into signalized intersection.

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

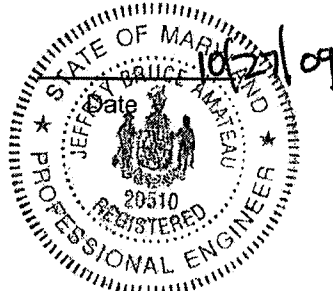
ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

[Signature]
 Signature

20510

PLS/P.E. MD Reg. No.



Montgomery County Review:

Approved

Disapproved:

By: [Signature]

Date: 3/12/10



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Wheaton Safeway Preliminary Plan Number: 1-20100120

Street Name: Fern Street Master Plan Road Classification: Business

Posted Speed Limit: Not Posted mph

Street/Driveway #1 (RETAIL GARAGE Entrance #3) Street/Driveway #2 (RETAIL LOADING Entrance #4)

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>168</u>	<u>yes</u>	Right <u>92</u>	<u>yes</u>
Left <u>260</u>	<u>yes</u>	Left <u>360</u>	<u>yes</u>

Comments: Right looks into signalized intersection.

Comments: Right looks into signalized intersection.

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
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(45)	400'
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(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

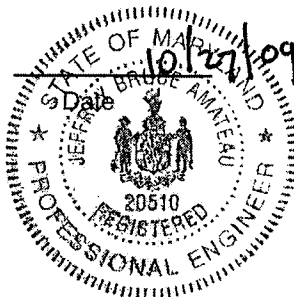
*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

[Signature]
 Signature

20510
 PLS/P.E. MD Reg. No.




Montgomery County Review:	
<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved:
By:	<u>[Signature]</u>
Date:	<u>3/12/10</u>

MEMORANDUM

November 23, 2009
Updated March 22, 2010

TO: Sandra Pereira, Senior Planner, Development Review Division
Cathy Conlon, Supervisor, Development Review Division

FROM: John Carter, Chief 
Urban Design and Preservation Division

Sandy Tallant
Community-Based Planning Division

Margaret Rifkin 
Urban Design and Preservation Division

SUBJECT: Project Plan No. 9201002 and Preliminary Plan No. 120100120:
Safeway Project - 11215 Georgia Avenue, CBD-3 Zone,
Wheaton CBD Sector Plan

CONFORMANCE WITH THE SECTOR PLAN FOR THE WHEATON CBD

Land Use and Zoning

The application is in conformance with the recommendations in the Sector Plan for the Wheaton CBD. The Sector Plan includes the following recommendations for land use and zoning.

Vision (Page 22) - The Plan describes Wheaton as a good place to live and states that Wheaton's future should include, "*A wide choice of housing types and prices is available for a diversity of lifestyles and incomes.*"

Land Use and Zoning Chapter (page 2) - *The Plan recommends the development of new housing adjacent to the Metro station and at other locations in the Sector Plan area.*

Mixed-Land Use Chapter (page 27) - *Encourage new mixed use development to concentrate around the Metro station and in other areas of greater transit accessibility...Encourage the development of new housing in a range of types, prices, and rents, especially within walking distance of the Metrorail and Metrobus stations...; and Encourage new housing to help reinforce Wheaton as a lively area, especially during evenings."*

Mixed-Land Use Chapter (page 32) - *The Plan recommends a mixed-use development – residential/office/retail – on and around the Metro station, between Reddie Drive and Prichard Drive.*

URBAN DESIGN

The Wheaton Sector Plan does not include specific urban design recommendations for this site. The application should be improved to increase the commitment to providing public use space, and amenities and facilities to make possible the creation of an environment capable of supporting the proposed greater density. The following comments are included for your consideration.

Georgia Avenue - Consider reducing the setback of the building along Georgia Avenue. Eliminate the steps in the setback area and public right-of-way. Provide additional activating retail with entrances on the sidewalk area. Locate the street trees along the curb area instead of setback as shown. Consider expanding the public use space adjacent to the residential entrance area.

Fern Avenue – Increase the setback of the building from the curb and provide a sidewalk along the frontage of Fern Street. Include street trees, street lights and special paving. Reduce the impact of the loading facilities on the sidewalk area.

Reddie Drive Improvements - The streetscape along Reddie Drive should be improved to provide additional sidewalk area. The proposed streetscape improvements should match the improvements completed by the housing development located across the Reddie Drive.

Off-Site Public Use Space - The application does not have adequate public use space, and facilities and amenities. Consider designating funds to the off-site purchase of improvements to the Civic Square (Parking Lot 13, Core District) or Price Parking area (Parking Lot 17) to provide adequate public use space.

The table on the following page indicates total amount of on-site and off-site public use space, and facilities and amenities (22,300 square feet) proposed for this site. This quantitative amount is not adequate to create an environment to support the additional density in the Optional Method (29,463 square feet). The table of calculations is not the precise definition of adequate facilities and amenities, but the table is a quantitative method that indicates the appropriate amount of public use space, and amenities and facilities. The table does not indicate the quality of amenities necessary needed to support the additional density proposed for this project.


The quantity and the quality of the proposed public use space and amenities are not adequate to support the density proposed in this project.

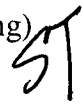
Item	Required	Proposed
Lot Size (square feet) - Net - Gross	NA 18,000 Minimum	76,729 108,557
Building (square feet) - Retail - Residential - Total	NA NA 868,456 Maximum	57,500 567,500 625,000
FAR	8.00	5.76
Building	200 feet	200 feet
Parking	NA	551 spaces
Public Use Space (On-site, square feet)	15,345.8 (20 percent minimum)	8,500 square feet (11.0 percent)
Amenities (off-site, square feet)	14,118.2 (recommended)	13,800 (18.0 percent)
Total on and off-site public use space and amenities (square feet)	29,463.0 square feet (38 percent minimum, total on-site and off-site should be proportional to the additional density, recommended based on density that is 1.92 times the maximum standard method or FAR 3.0 x 1.92 = FAR 5.76, or 38 percent recommended)	22,300 square feet (29 percent)

G:carter/Wheaton Safeway

MEMORANDUM

TO: Kathy Conlon, Supervisor, Build (Development Review) Division

Via: Khalid Afzal, Eastern Transit Corridor Team Leader, Vision (Community-Based Planning) Division 

FROM: Sandy Tallant, Planner Coordinator, Vision (Community-Based Planning) Division 

CC: Robert Kronenberg, Supervisor, Build (Development Review) Division
Sandra Pereira, Senior Planner, Build (Development Review) Division

DATE: March 9, 2010

RE: Project Plan No. 9201002 and Preliminary Plan No. 120100120 Safeway Project located at 11215 Georgia Avenue, Wheaton, Maryland

Recommendation

The proposed Safeway Project (Project Plan No. 9201002 and Preliminary Plan No. 120100120) is consistent with the Approved and Adopted 1990 Master Plan for the Wheaton Central Business District and Vicinity.

The Plan supports mixed use development, including housing near Metro as follows:

- Additional housing takes advantage of improved public transportation accessibility
- The project contributes to providing *a wide choice of housing types and prices in Wheaton*
- Contributes to satisfying the demand for housing in the County
- Increases population living in Wheaton which supports existing retail establishments

Additionally, staff recommends that the contribution that the applicant is making to the Amenity Fund to partially meet their public use space requirement for this project is directed to the acquisition and/or design improvements to Parking Lot # 13. Parking Lot #13 is located in Wheaton's Core District across Georgia Avenue from the Safeway site. This parking lot is being considered for redevelopment as part of the County's Request for Qualifications (RFQ) to seek a development partner for redevelopment and revitalization of the Wheaton Central Business District. Parking Lot #13 was also named as the key civic open space for Wheaton in the preliminarily recommended for the Wheaton Sector Plan Update that was presented to the Planning Board on December 3, 2009.

Staff's second choices for the direction of the applicant's Amenity Fund contribution is to Parking District Lot #17, which is located adjacent to the proposed Safeway project and is currently being considered for redevelopment as part of the County's ongoing RFQ. Parking

District Lot #17 was also recommended as the primary open space for the Price District in the Wheaton Sector Plan Update's preliminary recommendations.

Master Plan Text

On page 2, one of the goals of the Sector Plan is, *"To provide additional housing to take advantage of improved public transportation accessibility brought about by Metro."*

On page 26, the Plan states: *"Provide additional new housing and a range of housing opportunities to serve a broad spectrum of the metropolitan population. A variety of housing types would help to satisfy a demand for housing that may not be available in other parts of the County. A combination of apartments, townhomes, and single-family homes can expand the age and family size mix in Wheaton. An increase in the local population base can generate greater support for retail establishments, entertainment and recreation facilities, restaurants, and the like. New residential development should be encouraged to ensure the viability of the business areas."*

The **Vision** for the Plan describes Wheaton as a good place to live and states on page 22 of the Plan that Wheaton's future should include, *"A wide choice of housing types and prices is available for a diversity of lifestyles and incomes."*

Under the **Land Use and Zoning** chapter, the Plan, *"Recommends the development of new housing adjacent to the Metro station and at other locations in the Sector Plan area"* (page 2).

On page 27 the Plan, *"Encourage new mixed use development to concentrate around the Metro station and in other areas of greater transit accessibility...Encourage the development of new housing in a range of types, prices, and rents, especially within walking distance of the Metrorail and Metrobus stations...; and Encourage new housing to help reinforce Wheaton as a lively area, especially during evenings."*

Page 32, **Mixed-Land Use** chapter:

"The Plan recommends a mixed-use development – residential/office/retail – on and around the Metro station, between Reddie Drive and Prichard Drive."

"Residential and office development would benefit from the excellent transportation network and the convenience of the adjacent shopping and services. The Market place and Wheaton Plaza would benefit from the purchasing power of the residences and office workers. In addition, the integrated planning and development of the Metro transit facility and multi-use development provide the opportunity to improve mobility, increase Metro ridership, diminish negative environmental impacts, reduce traffic congestion, and increase the diversity of employment opportunities and services in the Wheaton area."

"An area adjacent to the Metro station, west of Amherst Avenue, is recommended for new residential development. Metro will increase the ease of access from Wheaton to employment centers throughout the Washington region. The proposed transportation improvements and the

convenient shopping and services already in place make the Wheaton area particularly suitable for a variety of housing types. “

*Under the **Housing** section the Plan states: “This sector Plan attempts to build upon the existing retail advantages and the potential of the Metro transit station in Wheaton. In attempting to capitalize on these assets, the Plan recommends the development of a strong supporting population base. A variety of housing types in close proximity to the Central Business District and the Metro station would meet the needs of the residential housing market, would provide built-in purchasing power for the local retail Marketplace, would provide for an increase in the potential ridership on the Glenmont Transit Route, and should not contribute to the demand for commuter parking in the station area since it would be within walking or short bus-ride distance.”*

Appendix C



WHEATON URBAN DISTRICT ADVISORY COMMITTEE

March 16, 2010

Dr. Royce Hansen
Chair, Montgomery County
Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Dr. Hansen and Members of the Planning Board:

The Wheaton Urban District Advisory Committee (WUDAC) is writing to endorse the proposal by Patriot Realty for the redevelopment of the Safeway site on Georgia Avenue and Reddie Drive in Wheaton. At this stage in the redevelopment of downtown Wheaton, the proposal for this site will serve as a center piece in our revitalization efforts.

The Patriot Realty team has been proactive in seeking comments from both WUDAC and the community. We are very pleased Safeway has chosen to remain in Wheaton and we welcome the opportunity to increase our residential base in the downtown, especially located next to the Wheaton Metro station.

We feel this proposal is an important piece in the ongoing revitalization efforts in downtown Wheaton. We hope the approval process for the new facility is quick and that construction can begin as soon as possible.

Sincerely,

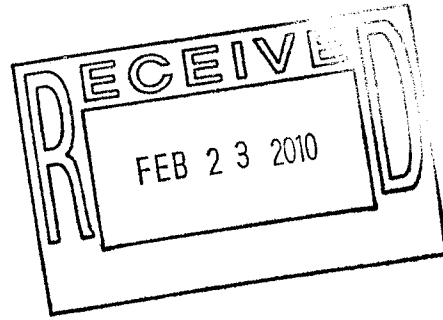
Brett Schneider, Chair

cc: Isiah Leggett
Nancy Floreen

Appendix D

September 30, 2009

Ms. Cathy Conlon
Environmental Planning
8787 Georgia Avenue
Silver Spring, Maryland 20910



**Re: Wheaton Safeway
Preliminary Plan #120100120
VIKA #M1572**

Dear Cathy,

In conjunction with our applications for Preliminary Plan #120100120 and Project Plan #920100020, we are seeking a partial waiver from the standard truncation requirement for the intersections of Georgia Avenue/Reedie Drive and Reedie Drive/Fern Street. As you know, under Section 50-26 of the County Code, corner lots at an intersection shall be truncated by straight lines joining points 25 feet from the theoretical property line intersection in each quadrant. We are seeking a partial waiver of this requirement, as permitted under Section 50-38 of the Code, to allow the design of the right-of-way lines to arc as shown on the attached Preliminary Plan instead of the standard truncation for the following reasons.

- The sight distance at both intersections will be more than adequate as shown on the attached exhibits. Both of these intersections are signalized reducing the potential for vehicular and pedestrian conflict.
- Significant streetscape and public use space improvements are proposed and the relatively small area of right-of-way subject to the waiver from standard truncation will not affect the safety, significance or compatibility of the area.
- Standard truncation at the corner of Georgia Avenue/Reedie Drive will have an impact on the design of the public use space along the frontage of the building. Standard truncation at the corner of Reedie Drive/Fern Street will require the corner of the proposed building to be pulled back resulting in a diminished architectural presence. The interior of the building will also have to be redesigned reducing the amount of available square footage.
- The building was designed and setback to be consistent with recommended urban design guidelines related to Georgia Avenue, Reedie Drive, and Fern Street. The result will be a safer, convenient, and more attractive pedestrian environment. The placement of the building with its retail closer to the street was done at the request of M-NCPPC technical staff to activate the street as a true retail promenade. This modification resulted in not being able to accommodate the standard truncation at the corner of Georgia Avenue and Reedie Drive.
- Standard truncation also would create additional challenges with respect to providing public use space.

Please let me know if you need any additional information to review and approve this request.

Sincerely,
VIKA, Inc.

A handwritten signature in black ink, appearing to read "William R. Landfair".

William R. Landfair, AICP

Cc: Sam Farhadi, Greg Leck, Rich Weaver, Dewa Salihi

K:\1501-2000\1572_documents\M1572A\planning\preliminary plans\Preliminary Plan\Wheaton Safeway Truncation Request (5).doc

VIKA Incorporated

20251 Century Boulevard, Suite 400 ♻️ Germantown, MD 20874 ♻️ (301) 916-4100 ♻️ Fax (301) 916-2262
McLean, VA ♻️ Germantown, MD

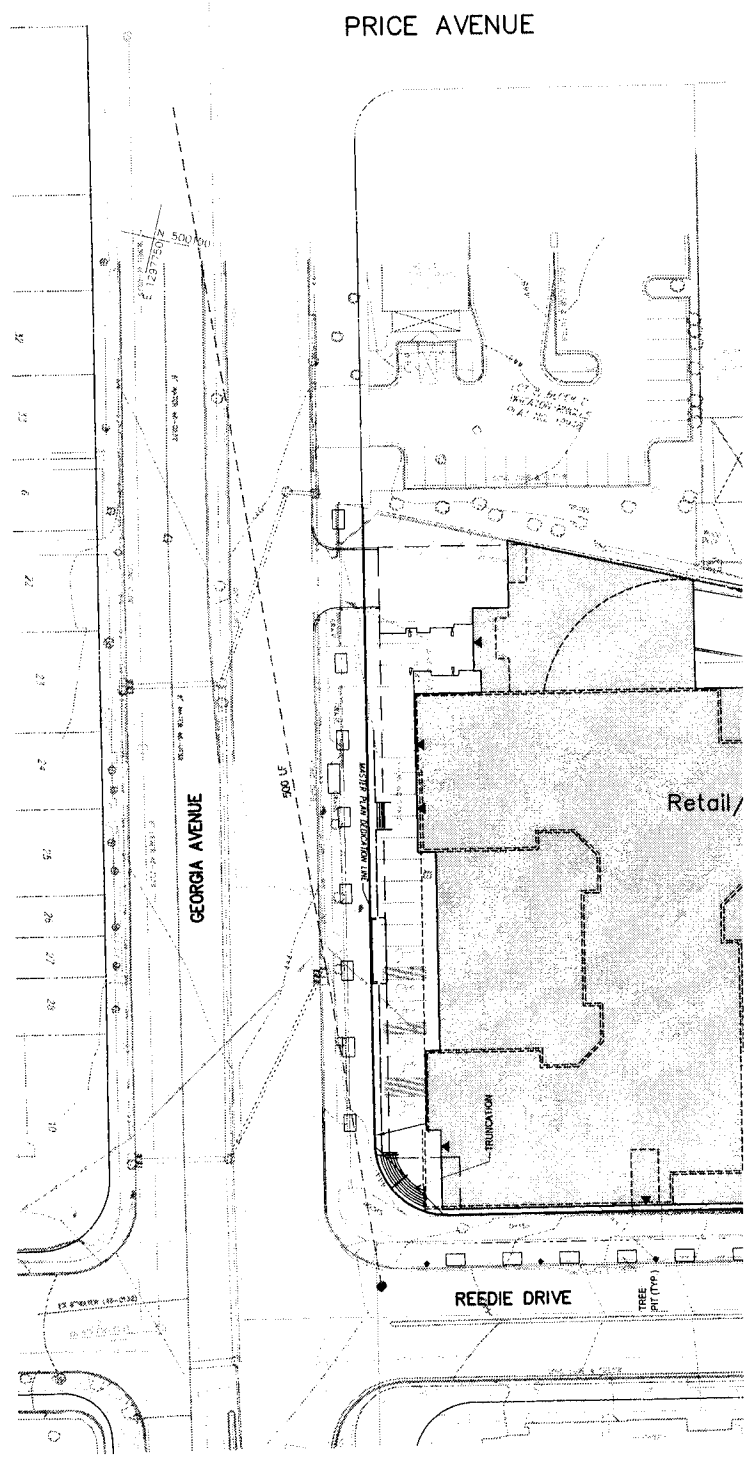
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ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ GPS SERVICES
VIA INCORPORATED
2025 - CENTURY BOLLEAUX DRIVE 202 ■ OCEANVIEW, MARYLAND 20874
(301) 918-4100 ■ FAX (301) 918-2822
OCEANVIEW, MD ■ MEEFN, VA ■ LEESSBURG, VA

WHEATON, MONTGOMERY COUNTY, MARYLAND
13TH ELECTION DISTRICT
WHEATON SAFEWAY

GEORGIA AVE.
TRUNCATION
EXHIBIT
SIGHT
DISTANCE



SCALE: 1"=50'

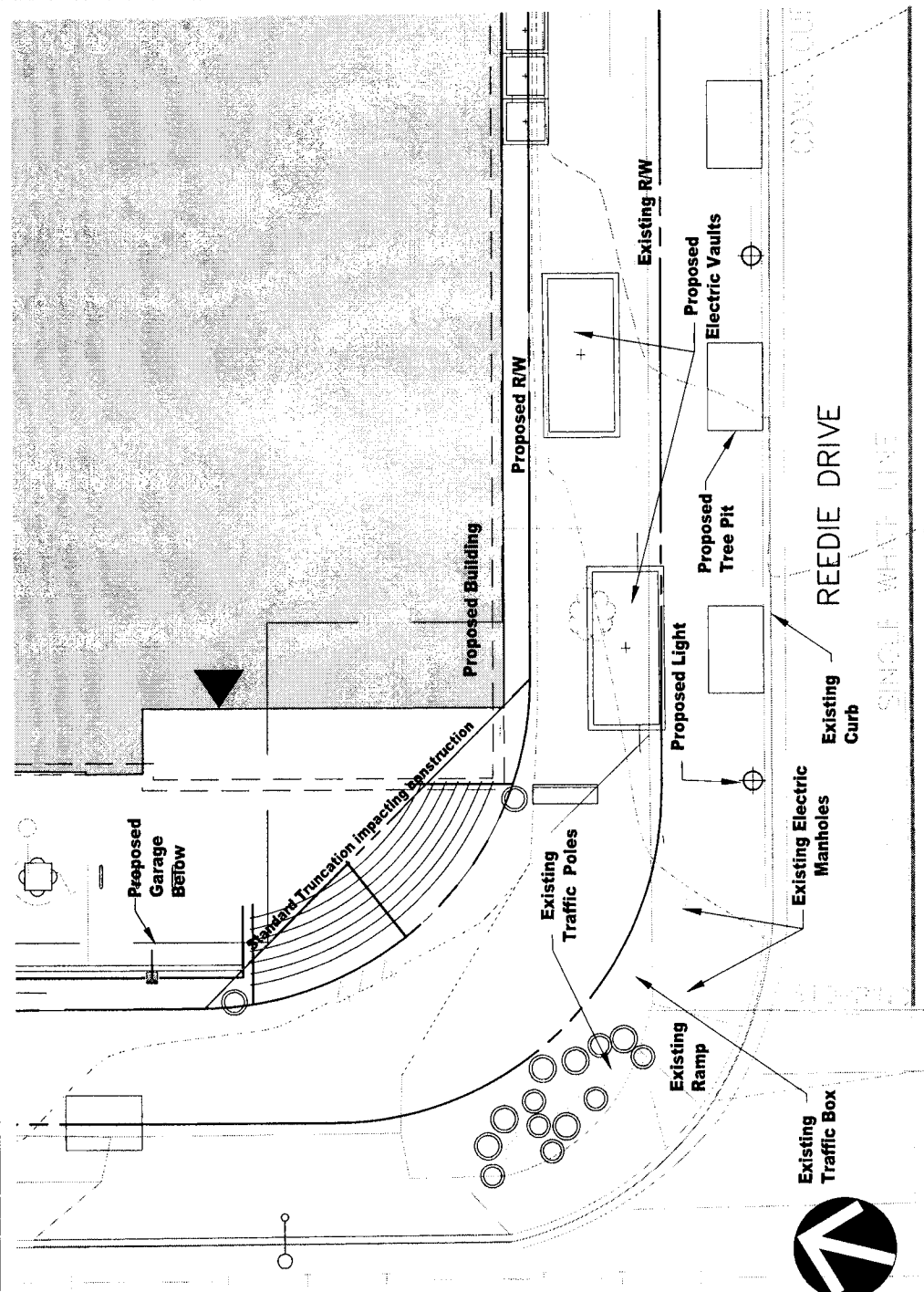
**Georgia Avenue
Truncation Exhibit
September, 2009**



ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ GPS SERVICES
20251 CENTURY BOULEVARD, SUITE 200 ■ GAITHERSBURG, MARYLAND 20878
(301) 916-1100 ■ FAX (301) 916-2962
CERRANTOWN, MD ■ MIDDLEBURG, VA ■ LEESBURG, VA

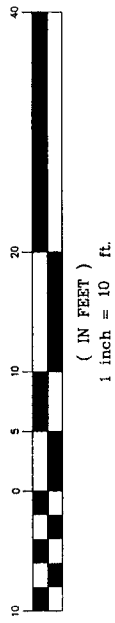
WHEATON SAFEFWAY
13TH ELECTION DISTRICT
WHEATON, MONTGOMERY COUNTY, MARYLAND

GEORGIA AVE.
TRUNCATION
EXHIBIT



GEORGIA AVENUE
STATE ROUTE 97

GRAPHIC SCALE



Georgia Avenue Truncation Exhibit September, 2009

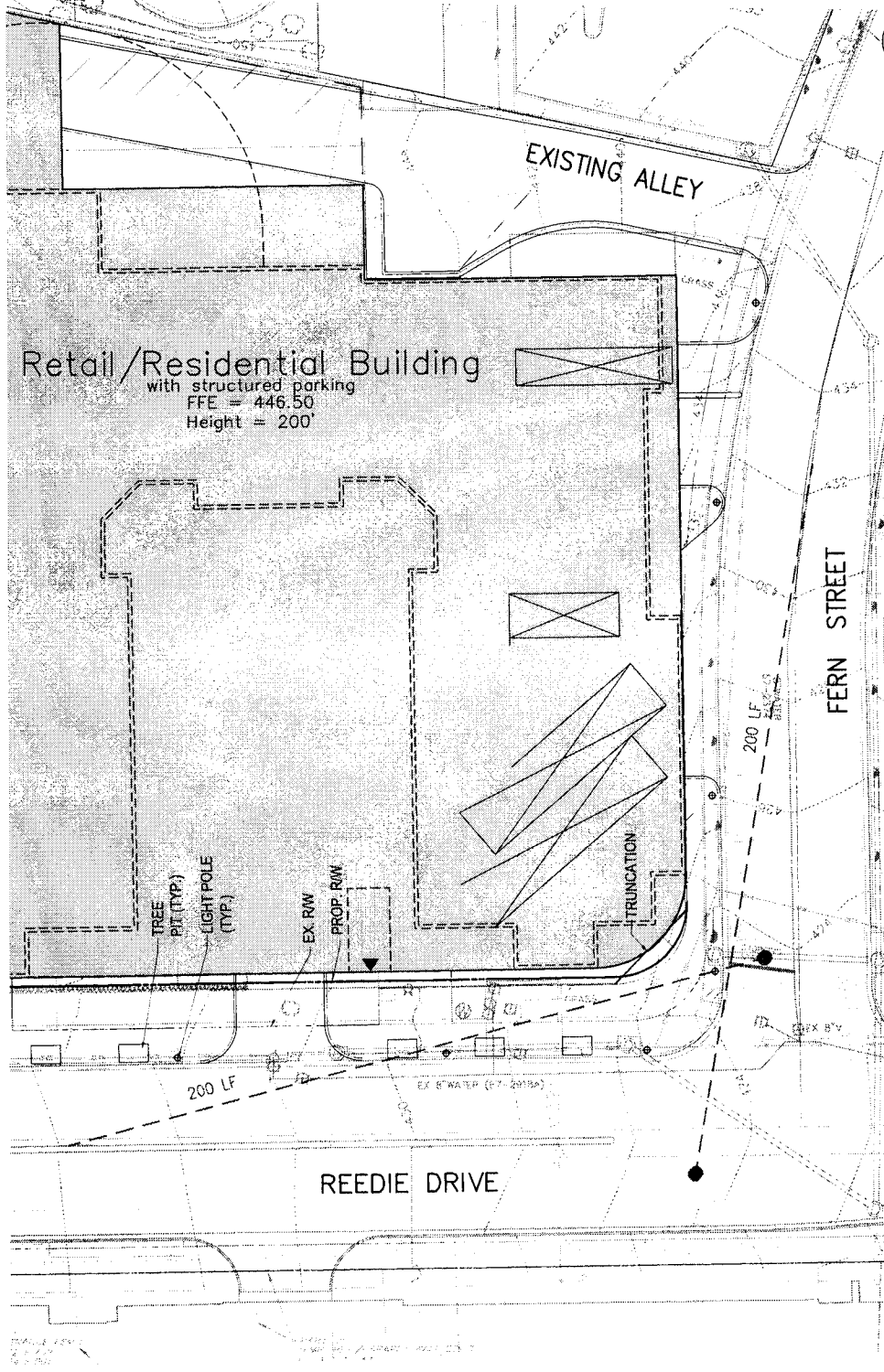
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ENGINEERS PLANNERS LANDSCAPE ARCHITECTS SURVEYORS GPS SERVICES
WKA INCORPORATED
20201 CENTURY BOUTIQUE DRIVE 200 # 200 WHEATON, MARYLAND 20874
(301) 916-4100 FAX (301) 916-2862
DEPARTMENT, MD WHEATON, VA LEESBURG, VA

WHEATON SAFEWAY
13TH ELECTION DISTRICT
WHEATON, MONTGOMERY COUNTY, MARYLAND

FERN STREET
TRUNCATION
EXHIBIT
SIGHT
DISTANCE



SCALE: 1" = 30'

**Fern Street
Truncation Exhibit
September, 2009**

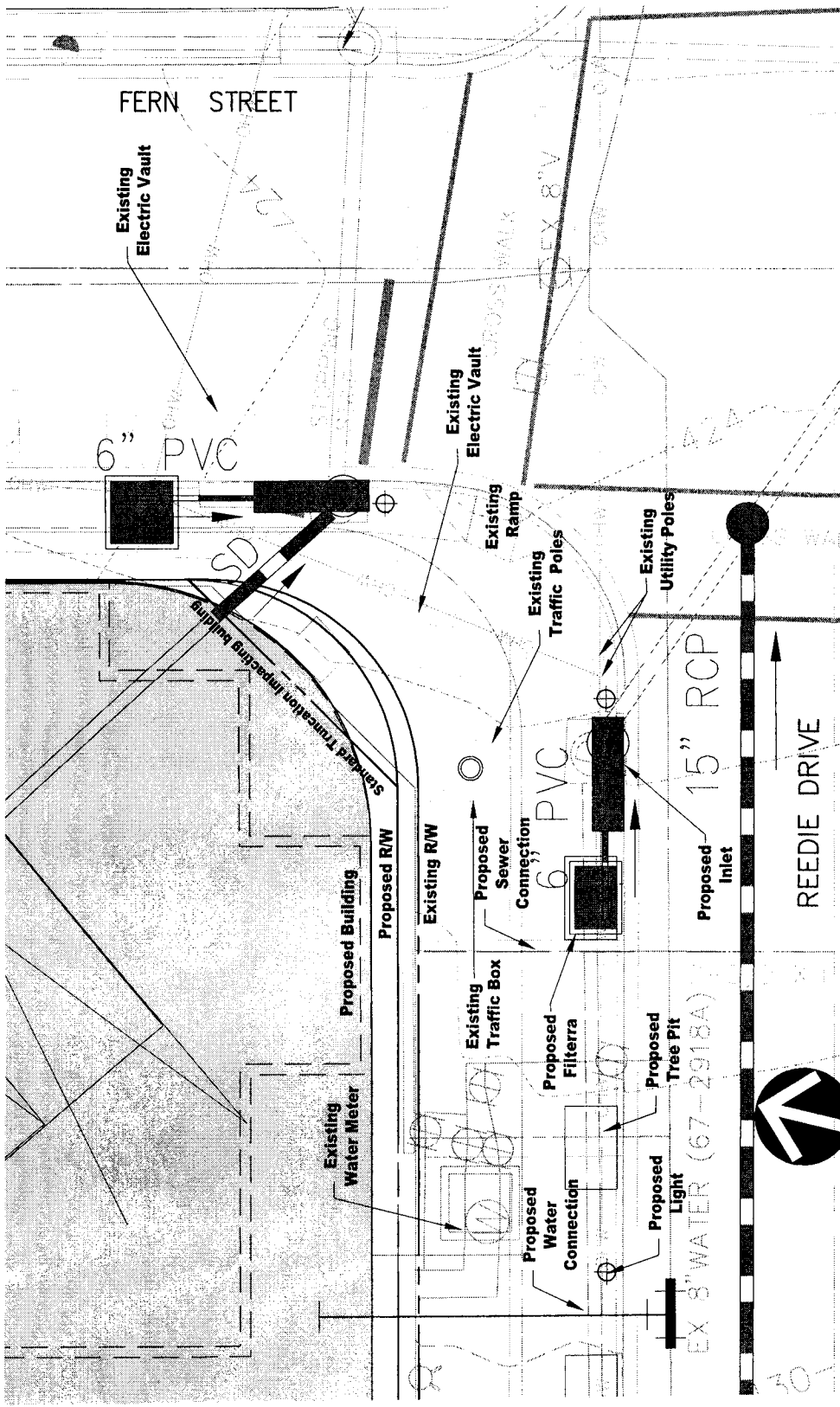
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ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ GPS SERVICES
VFA INCORPORATED
20251 CENTURY BOULEVARD SUITE 200 WASHINGTON, MARYLAND 20724
(301) 916-4100 FAX (301) 916-2262
GERMANTOWN, MD MILENS VA LEEBSBURG, VA

WHEATON SAFEWAY
13TH ELECTION DISTRICT
WHEATON, MONTGOMERY COUNTY, MARYLAND

FERN STREET
TRUNCATION
EXHIBIT



Fern Street Truncation Exhibit September, 2009



LAYOUT: Fern St. Plotted By: Evans

Appendix E



Maryland Department of Assessments and Taxation
 MONTGOMERY COUNTY
 Real Property Data Search (2007 vw3.1d)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 13 Account Number - 01268751

Owner Information

Owner Name: SAFEWAY INC Use: COMMERCIAL
 Mailing Address: C/O CPTS #4964 Principal Residence: NO
 1371 OAKLAND BLVD STE 200 Deed Reference: 1) /17927/ 434
 WALNUT CREEK CA 94596-4357 2)

Location & Structure Information

Premises Address Legal Description
 11215 GEORGIA AVE PT PAR A & LT 1 THRU
 SILVER SPRING 20902 13 WHEATON FOREST

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
JQ11				80		C		1	Plat Ref:

Special Tax Areas Town
 Ad Valorem
 Tax Class 82

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1968	22,979 SF	65,056.00 SF	541

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value Phase-in Assessments		
		As Of 01/01/2010	As Of 07/01/2009	As Of 07/01/2010
Land	5,855,000	6,830,800		
Improvements:	1,252,400	1,002,700		
Total:	7,107,400	7,833,500	7,107,400	7,349,433
Preferential Land:	0	0	0	0

Transfer Information

Seller: METROPOLITAN LIFE INS CO	Date: 03/08/2000	Price: \$5,000,000
Type: MULT ACCTS ARMS-LENGTH	Deed1: /17927/ 434	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO Special Tax Recapture:
 Exempt Class: * NONE *

Appendix F
Montgomery County Parking Lot 13, Location Map

