




Wheaton Public Improvements, Mandatory Referral, MR2015028

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Completed: 07/22/15

Description

- Construction of a new Public Office Building for public agencies and ground floor retail, an underground parking garage, and a town square;
- Reedie Drive between Grandview Avenue and Triangle Lane, Wheaton, MD; Approximately 101,494 square feet (2.33 acres);
- CR 6.0, C5.5, R5.5, H200, and CR 6.0, C6.0, R3.0, H250, 2012 *Wheaton CBD and Vicinity Sector Plan*;
- Filing Date: 6/03/2015;
- Applicant: Montgomery County Department of Transportation.



Summary

The Montgomery County Department of Transportation (MCDOT) plans to construct a new Public Office Building, underground parking garage, and a town square spanning both sides of Reedie Drive. The project may be part of a preliminary plan in the future, to be filed concurrently with the Site Plan review for sketch plan application #320150070. Staff recommends **APPROVAL** of the Mandatory Referral with the following comments:

- A Public Arts Professional should be included as part of the development team, to further the development of a public art component for the project. The applicant should work with M-NCPPC and local arts organizations (such as the Arts and Humanities Council of Montgomery County) to create an integrated public art package. Location considerations should include the Public Office Building's public areas, and various locations around the Town Square. Consideration must also be given to project elements with the potential to incorporate art treatments, such as plaza pavements, seating elements, interior and exterior wall surfaces, and outdoor illumination and wayfinding components.

2. Applicant should work with MCFRS to ensure the width of the proposed driveway will adequately meet that agency's access requirements.
3. Address the following at Preliminary Plan:
 - a. Update the submitted traffic study.
 - b. Develop and implement a transportation management plan to offer feasible alternatives to visitors and employees commuting in single-occupancy vehicles and those using the MARC train and, enter into a Traffic Mitigation Agreement when a Transportation Management District (TMD) is established in the Wheaton CBD. Assist to increase transit ridership through promotional activities in the current Wheaton Transportation Planning Policy Area.
 - c. A proposed mid-block pedestrian crossing of Reddie Drive between Grandview Drive and Triangle Lane.
 - d. Explore changing Reddie Drive from a two-way road to a one-way eastbound only between Grandview Drive and Triangle Lane.
 - e. Analyze the impact of the proposed Bus Rapid Transit (BRT) corridor 1, "Georgia Avenue North" (with BRT vehicles operating along Reddie Drive) on the potential narrowing of Reddie Drive.
 - f. Provide the Sector-Planned, SR-20, and SR-27, on-street/signed shared bikeway along the Grandview Avenue and Reddie Drive frontages, respectively.
 - g. Provide enhanced streetscaping along Reddie Drive, Grandview Avenue, and Triangle Lane in accordance with the *Wheaton CBD and Vicinity Sector Plan* and its Design Guidelines and compliant with the American with Disabilities Act (i.e., by providing the required handicapped ramps and/or at-grade crosswalks).
4. Provide the following facilities for bicycle riders:
 - a. Eight public bike racks (inverted-U or equivalent approved by Staff that conforms to American Pedestrian and Bicycle Professionals Guidelines) located near the main building entrance.
 - b. Forty-eight spaces in a secured bike room located in the parking garage near an elevator or parking garage's access point and in a well-lit area.
 - c. Per zoning section 6.2.A.4, provide 3 showers and 15 clothing lockers per gender in a common area that is accessible to all tenants. The design and location of the clothing lockers must conform with the requirements of the Zoning Ordinance.

Background

Montgomery County selected for the proposed project S/C Wheaton Office LLC (Developer) through a Request for Proposals dated June 3, 2013. On August 22, 2014, the Developer and the Montgomery County Department of Transportation Parking Division (County), and the Maryland-National Capital Park and Planning Commission (M-NCPPC), entered into a public/private partnership (PPP) for the proposed project. The PPP also includes SC/BA Wheaton Apartments LLC (Bozzuto), who acquired a portion of Public Parking Lot No. 13 (not included on this application) to develop a privately owned mixed-use high rise residential project (Sketch Plan Application #320150070). This mandatory referral review is only for the part of the PPP that includes the Wheaton Public Improvements, namely, the Public Office Building, the underground public parking garage, the vehicular connection, and the Town Square. The Planning Board must also act on the related Preliminary Forest Conservation Plan (FCP), addressed by a separate staff report. The Board's comments on the mandatory referral are advisory whereas their action on the FCP is binding.

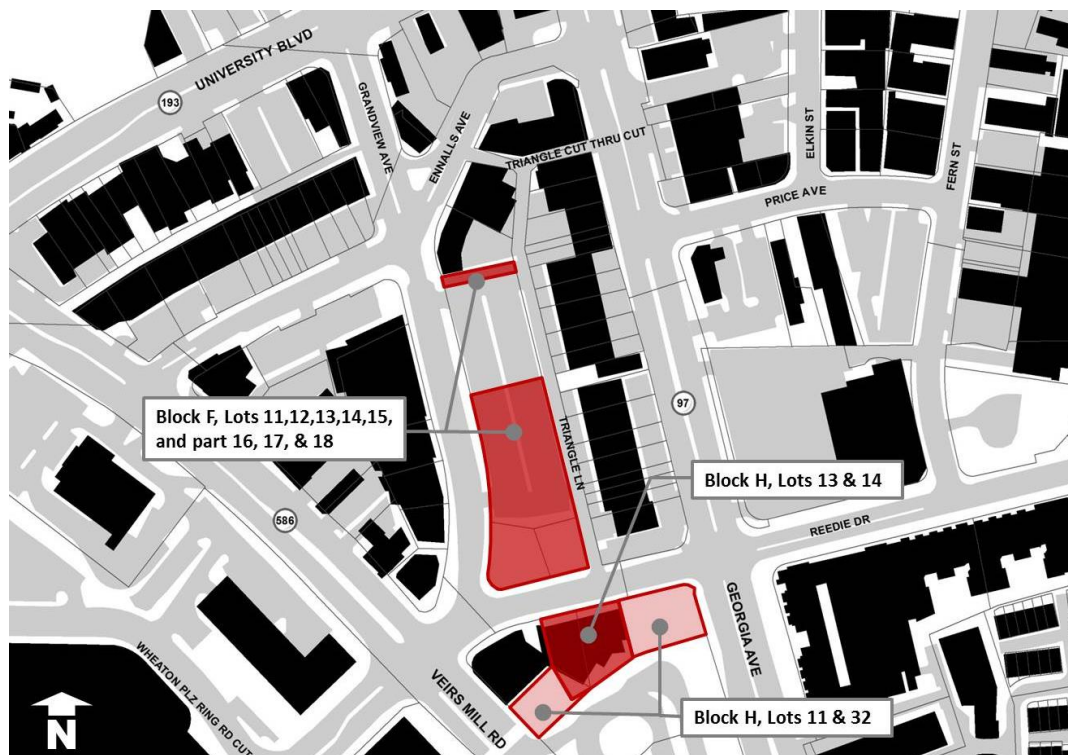


Figure 1: Vicinity Map

Location

The site is located in the Wheaton CBD, on a portion of Public Parking Lot No. 13, as well as on County-owned property along the south side of Reddie Drive. These properties are located between Triangle Lane and Grandview Avenue, and along the north and south sides of Reddie Drive. Immediately south of the site is WMATA's Wheaton Metro Station. To the east and

across Triangle Lane is a strip of one and two story retail establishments. Immediately to the north, the property abuts the side of a single story retail establishment, and associated surface parking.

The site includes, (1) Triangle Park subdivision Block F, lots 11, 12, 13, 14, 15, and parts of lots 16, 17, and 18 (Parking Lot No. 13); and (2) Triangle Park Subdivision Block H, lots 13 and 14 (property currently occupied by the Mid-County Regional Services Center, or RSC). The project also includes two additional lots adjacent to the RSC, owned by the Washington Metro Area Transit Authority (WMATA, Block H, lots 11 and 32), which will be improved as part of the proposed project but will continue to be owned by WMATA.

Project Description

The proposed project will contain approximately 265,500 square feet that will include headquarters for the Maryland-National Capital Park and Planning Commission and other County agencies, together with an underground public parking facility of approximately 397 parking spaces, and a public Town Square and associated site work. The application also includes streetscape work along Grandview Avenue and Triangle Lane, a new vehicular circulation driveway along the north boundary of Public Parking Lot No. 13, and the site utility infrastructure associated with the overall development and implementation of the project.

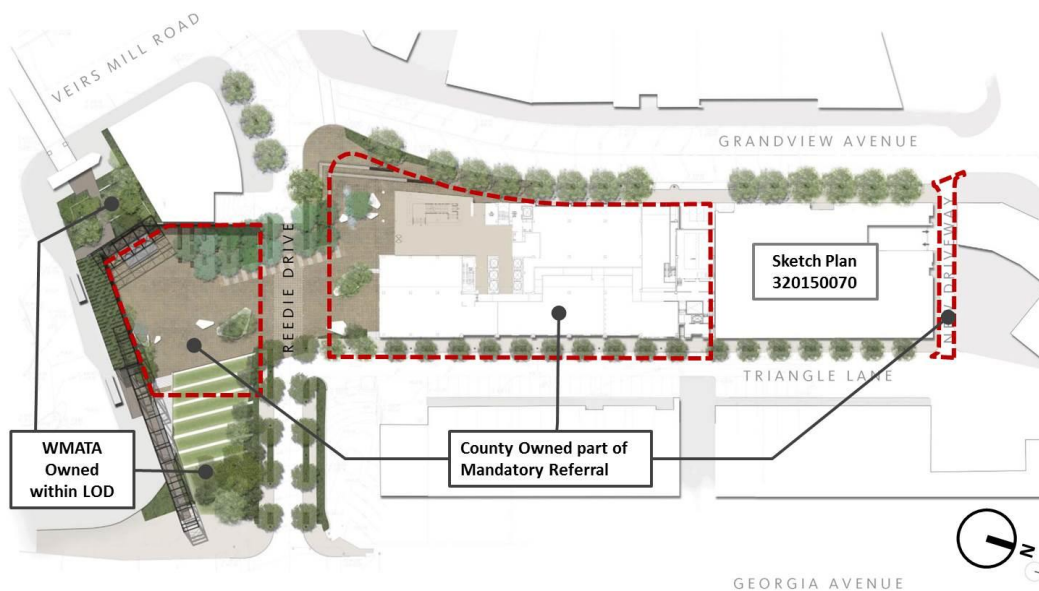


Figure 2: Overall Concept Plan

Public Office Building

The Public Office Building will be located on the southern portion of the existing Public Parking Lot No. 13, and will be twelve stories above grade containing approximately 265,500 gross square feet of Class A office building and tenant space. M-NCPPC will be the owner of the building, and will occupy the majority of the space. The County’s Department of Permitting

Services (DPS), Department of the Environment (DEP), DEP's Solid Waste Division, Washington Suburban Sanitary Commission (WSSC), Mid-County Regional Services Center (RSC), and RSC's Urban District, will also be tenants in the building. The building also includes approximately 12,000 gross square feet of retail space, to be leased and managed by the County.



Figure 3: Proposed view from Reddie Drive (front), looking north.

The publicly accessible components of the building will occupy the lower two floors. These include a main lobby, public information space, and M-NCPPC's Hearing Room. The lobby will be accessible from both Reddie Drive and Grandview Avenue and will be part of the waiting area for the M-NCPPC Hearing Room, which will be located on the second floor overlooking the Town Square, with direct access from the lobby via an open staircase.

The building's exterior skin will consist of glazing units, metallic panels, and a rain screen assembly. The southwest corner of the building will be continuous glazed units with prefinished aluminum mullions, and the remainder of the glazing will be individual window units set within the rain screen system. The rain screen assembly will be constructed of fiber-reinforced cement panels with exposed fasteners and open joints secured to an aluminum rail support system.

Public Parking Garage

The public parking garage will be a four level underground garage located directly under the Public Office Building. The garage will provide approximately 397 spaces, with ingress/egress from Grandview Avenue. Pedestrian access to the garage via elevators and stairs will be

available from both Grandview Avenue and Triangle Lane. Pedestrian access will also be provided from the Public Office Building. A combination of public parking and parking for the Public Office Building is anticipated, but the final distribution of parking spaces will be at the discretion of the Parking Lot District (PLD). Because the project is located within the Wheaton PLD area, parking options for office building users will include other parking facilities currently available in the Wheaton CBD.



Figure 4: Proposed Public Office Building Section

Town Square

The Town Square extends from the WMATA Metro entrance and Georgia Avenue to the south façade of the Public Office Building. It is approximately 35,000 square feet, and consists of the following:

- The former RSC site, which will provide a central gathering space for performances, public markets, and other programmed activities (area 1, in diagram below);
- A segment of Reddie Drive between Grandview Avenue and Triangle Lane that will be re-surfaced and raised to meet the elevation of the Town Square (subject to MCDOT approval) so it can be closed to vehicular traffic to create one large space for special events (area 2 in diagram below);
- The space directly in front the Public Office Building on Reddie Drive, which will include surfacing similar to the rest of the Town Square, as well as a fountain, seating areas, and landscaping (area 3, in diagram below); and

- In addition, offsite improvements are proposed on WMATA properties directly east and west of the former RSC site (area 4, in diagram below), which will be graded and landscaped to provide informal gathering spaces (pending final agreement with WMATA).



Figure 5: Diagram of the Proposed Town Square, with areas delineated.



Figure 6: Aerial view of Proposed Town Square, and Examples of proposed lighting elements

The Town Square will also include benches, planters, and a unique frame structure – the armature – that will visually and physically connect the Town Square to Georgia Avenue and to the Metro Station. The armature will also extend to connect with the stairs leading to the footbridge that crosses over Veirs Mill Road, into the WMATA parking garage. The design of the armature will also include a stage, focused on the central part of the Town Square, to be used for performances and films.



Figure 7: Views of Proposed Armature, along the south side of the Town Square

Public Art

The Applicant has indicated it is the intent of the project team to include a substantial public art component, but the scope of that part of the work has yet to be determined. Staff coordinated a meeting between the Applicant and the Art Review Panel to discuss the project. As result, the Panel provided a series of recommendations which are included in a memo attached to this report (see Attachment 7).

Streetscape Enhancements

Reedie Drive between Georgia Avenue and Grandview Avenue will be reconstructed to implement enhancements to include traffic calming measures, such as strategic narrowing and widening of the street, modifying grades, and wider sidewalks. It is planned to be three lanes

wide nearest Georgia Avenue (to provide a left-turn lane), narrowing down to approximately 24 feet after Triangle Lane, and then widening again as it approaches Grandview Avenue. Streetscape improvements along both sides of Reddie Drive between Grandview Avenue and Georgia Avenue will be possible given these width adjustments. The project also includes improved sidewalks and streetscape along Grandview Avenue and Triangle Lane, as well as a raised speed controlling area on Reddie Drive at the main Town Square pedestrian crossing.

Vehicular Circulation Driveway

A portion of Public Parking Lot No. 13 is planned to contain a private mixed-use project (Sketch Plan Application #320150070), but the County will retain ownership of a strip of land along the northern edge of that project, to provide a vehicular through connection from Triangle Lane to Grandview Avenue. At present, public parking users rely on the northernmost parking drive aisle as an alternative exit from Parking Lot No. 13 and Triangle Lane to Grandview Avenue. The proposed driveway maintains this mid-block access by providing a twelve-foot wide, one-way (westbound) vehicular connection. This maintains and improves critical vehicular movement for the public and continues and improves a circulation system critical to the success of the retailers along Triangle Lane, both of which were primary concerns during community outreach processes. The proposed driveway will also be used by the private mixed-use project to access their parking garage.

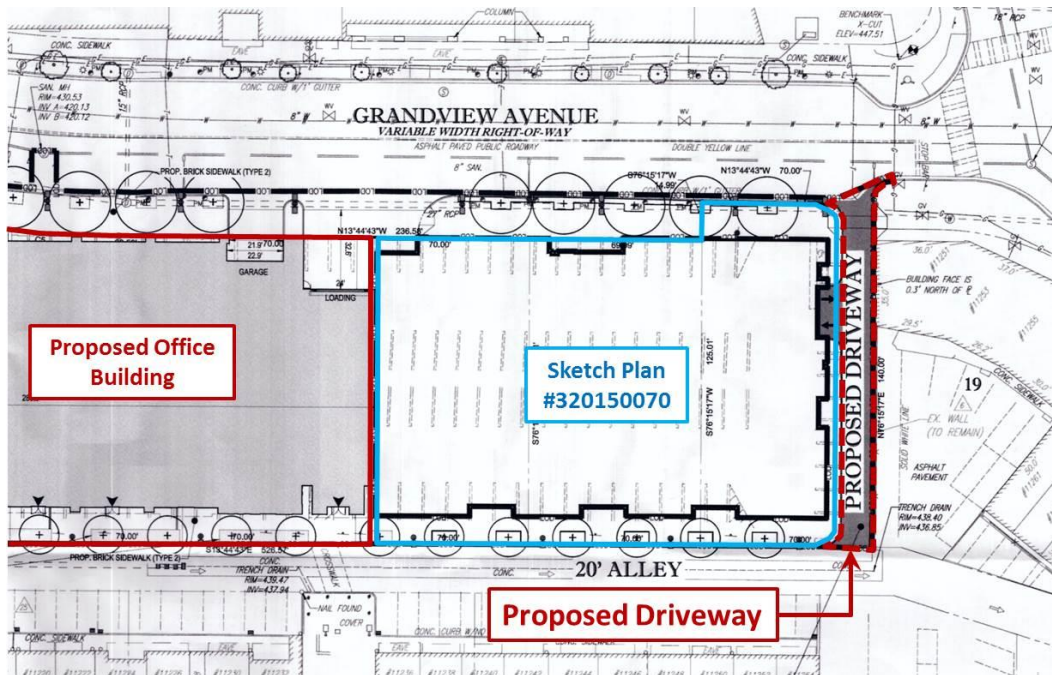


Figure 8: Proposed Vehicular Circulation Driveway

Project Schedule

The Public Office Building and the Town Square are planned to be completed in approximately 24 months, starting on the first quarter of 2017. It is anticipated that the RSC will need to relocate approximately 4 ½ months after start of construction. The County is currently working

on a relocation plan for the RSC and other occupants of the RSC building slated for demolition. Information on the relocation and specific timing will be communicated to the public in the future. Interior improvements for tenants of the Public Office Building will be completed approximately four months after the work is complete.

ANALYSIS

Master Plan

The proposed Project is within the area covered by the 2012 *Wheaton CBD and Vicinity Sector Plan*. It is located within the area designated by the Sector Plan as the Core District, and is described as having “some of the largest and most important redevelopment parcels in Wheaton.” (p.45) The Sector Plan refers to Public Parking Lot No. 13 as the “western part of block F”, and together with other adjacent blocks is described as having “the most potential to provide the mixed uses envisioned in this Plan.” (p.45)

The Project implements the recommendations in the Sector Plan and the design guidelines by several means: It replaces an outmoded surface parking lot in the heart of the Wheaton CBD; improves the built environment; captures the subject property’s revitalization potential; and promotes additional street level activity. This will encourage investment in the Wheaton CBD, attract businesses and jobs, and provide new customers for existing and future retail and restaurants. The Project promotes high-density and smart growth, advancing many of the goals of the Sector Plan as described in the following paragraphs.

Zoning Recommendations

The Sector Plan describes several goals that were the basis for its zoning recommendations (p.33). Out of the goals listed, the project achieves the following:

- Encourages Class A office development at the Metro Station.
- Allows for retail in the center of the CBD.
- Places high density and building height in the center of the CBD.

Retail Priority Streets

The Sector Plan designates a number of streets as priority retail streets, and “*recommends that if new mixed-use development occurs along designated Priority Retail Streets, the street level uses should be a variety of retail types to create active streets*” (p.23). The Project supports this goal by creating a highly visible building lobby with entrances on both Grandview Avenue and Reedie Drive to distribute pedestrian traffic along the building frontage, activating the sidewalk and the Town Square directly on Reedie Drive. Facing Triangle Lane, the Project provides retail spaces that once occupied, can attract pedestrian activity that will be beneficial to existing retail operations along the east side of Triangle Lane. Also, pedestrian entrances for the underground public parking garage will be located on both Grandview Avenue and Triangle Lane, connecting pedestrians directly with the project and with existing retail.

Public-Private Partnerships

The Sector Plan includes specific objectives for developments resulting from public-private partnerships (p.25). Out of the objectives listed, the proposed project achieves the following:

- Providing a mix of office and retail.
- Significantly improving the CBD's public realm.
- Providing better pedestrian connectivity and supporting safe, secure, and appealing street level activity.
- Creating quality public use spaces for the benefit of the whole community.
- Creating opportunities to help retain and grow local small businesses.
- Employing smart growth principles and constructing LEED-certified buildings.

Connectivity

The Sector Plan recommends extending Ennalls Avenue between Grandview Avenue and Georgia Avenue to meet Price Avenue at its intersection with Georgia Avenue (p.63). The intent of this proposed connection (new street B-19 in Table 2, p.60) is to enhance the network of retail priority streets within the Core District, and to provide alternatives for east-west movement through the core of the CBD. The alignment of proposed street B-19 will be determined in the future independent from the proposed project. The vehicular driveway included in the proposed project will adjoin a potential path for the recommended road, but will not affect the master planned street alignment.

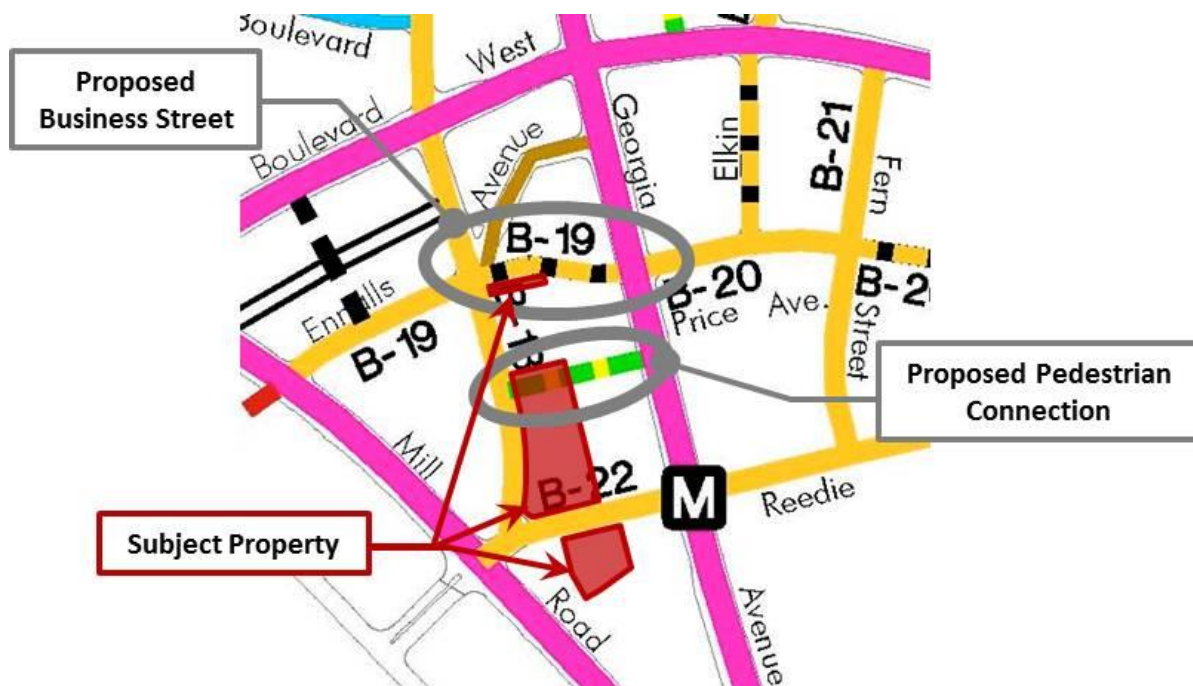


Figure 9: Wheaton Sector Plan, Map 17 (Partial)

The Sector Plan recommends providing *through-block pedestrian connections where feasible* (p.64), with alignments to be determined during the development review process. One potential mid-block connection is indicated on Map 17 (p.61), linking Grandview Avenue with

Triangle Lane and beyond via the existing public stairs leading up to Georgia Avenue. The proposed Project does not provide this mid-block connection. The constraints of providing a multi-tenant office building with significant interior public spaces (including ground floor retail) adjoining a residential tower with 30% affordable housing units (Sketch Plan #320150070); and providing for their separate entrances, separate loading docks, and other design requirements precluded the recommended through-block connection as shown in the plan. Instead, the project establishes in its place an entrance for the proposed underground parking garage at the point where the connection would have been, and highlights this pedestrian access point with an illuminated glass vestibule (referred to as a “jewel box” in the application narrative) to provide a highly visible entrance to the underground public garage directly across from the exterior stairs leading down to Triangle Lane from Georgia Avenue. This architectural element meets the connectivity intent of the Sector Plan by providing an entrance/exit at a mid-point along Triangle Lane, reducing garage users’ overall walking distance to retail establishments around the proposed project, and allowing a direct connection to the public stairs leading up to Georgia Avenue.



Figure 10: Proposed public parking entry vestibule on Triangle Lane

Open Space

The Project meets the Plan’s recommendation to create “a major civic space for community-wide events in the vicinity of Parking Lot 13” (p.27), by creating a central Town Square that will become a major public use space for the area (see Figures 5 and 6). The Town Square will provide a variety of gathering spaces, and a performance area that will be programmed for special events by the RSC. The Town Square also promotes connectivity and access to multiple modes of public transportation, including buses, bikeways, and Metrorail.

Neighborhood Compatibility

Walkability - The existing system of sidewalks along the west side of Grandview Avenue, and east side of Triangle Lane will remain unchanged. Public transit is easily accessible at the site, with the WMATA bus depot and entrance to Wheaton Metro Station at the property, accessible from Georgia Avenue, Veirs Mill Road, and Reedie Drive. The proposed project will provide bicycle racks for staff and visitors at various locations throughout the Town Square, and inside the underground proposed parking structure.

Building Design and Scale - The surrounding neighborhood is commercial in character, consisting mostly of one and two story commercial structures. The Public Office Building will bring substantial change to the area. However, the design takes this into consideration the scale of existing retail uses nearby by using articulation that creates a strong building base compatible in scale with adjacent retail structures to remain. The proposed structure will be substantially taller than neighboring existing buildings, but its proposed overall height is compatible with new development in the vicinity and within the height limits established by the Sector Plan.

Subdivision

It is anticipated that a preliminary plan of subdivision will be filed concurrently with the site plan for the privately owned mixed-use high rise residential project on the north side of the subject property (Sketch Plan Application #320150070) to create one lot for the entire tract with separate ownership lots for the proposed project and the residential building next door.

Zoning Analysis

The property is zoned CR6.0, C5.5, R5.5, H200 and CR6.0, C6.0, R3.0, H250. Typically, to reach this density a private project would be required to file under the optional method process. Although this project is not subject to its requirements, this mandatory referral review analyzed the project for its compliance with the Zoning Ordinance. In general, there are no required setbacks, the project meets density and height limits (see table below). The table below indicates the extent to which the application satisfies the optional method development standards for density and height for the zone where the Public Office Building will be located.

Development Standard	Required	Proposed
Maximum Total FAR (CR)	6.0 (533,310 sf)	3.1 (265,500 sf)
Maximum Non-Residential FAR (C)	5.5 (488,867.5 sf)	3.1 (265,500 sf)
Maximum Residential FAR (R)	5.5 (488,867.5 sf)	0.0 (0 sf)
Maximum Building Height (H)	200 ft	±165 ft
Open Space	10%	Approx. 46%

Public Benefits

The proposed project will provide the Wheaton community with a catalyst for redevelopment and a centralized public gathering space and Town Square. The uniqueness of the proposed development does not fit easily in the public benefit charts, but the significant attributes of the development include:

- Major Public Facility: A Town Square of approximately 35,000 square feet will be provided that will connect the Public Office Building with existing transit, retail, and the current and future system of open spaces, and includes components that will make the space an asset to the community such as a stage area for performances, shaded landscaped areas, a variety of seating areas, and space that could be programmed for public events.
- Transit Proximity: The project is immediately adjacent to Wheaton Metro Station.
- Streetscape Improvements: Streetscape around the project will be substantially enhanced with new sidewalks, street trees, and lighting. In addition, the project includes streetscape along neighboring WMATA parcels and the Metro connection, well beyond what is required along site frontage.
- Structured Parking: This project will replace the existing 160 surface parking spaces with approximately 397 spaces in a below ground parking garage.

The table below indicates public benefits for which the project could qualify:

CR Zone Incentive Density Calculations Summary Table		
Public Benefit	Maximum Points Possible	Points Requested
<u>Major Public Facilities</u> Include school, library, recreation center, park, County service center, bikeshare station, public transportation or utility upgrade, or other resource delineated in an applicable master plan	70	70
<u>Transit Proximity</u> Within ¼ mile of Transit Service Proximity Level 1	40	40
<u>Connectivity and Mobility</u> Streetscape Improvements (*)	20	20
<u>Quality Building and Site Design</u> Structured Parking (**)	20	20
Total	150	150

(*) Up to 20 points for construction of off-site improvements, excluding any streetscape improvements otherwise required.

(**) Up to 20 points for placing parking in an above or below grade parking structure.

In addition, the following items are being considered and may be included within the final design of the project:

- Child Care: M-NCPPC intends to create a child care center in the Public Office Building.
- Building Design: The design team will continue to develop the design of the interior and exterior public space areas to provide the community with an aesthetically appealing building through material selections and sustainability goals.
- Open Space and Public Art: The requirements for the Town Square have been coordinated with the participation of the RSC, the County, M-NCPPC, and the Wheaton Community. The proposed project will also incorporate public art within the public spaces of the project or other locations to be considered as the design progresses. The County intends to reach out to local arts organizations and to M-NCPPC to as part of the process of incorporate art into the project.
- Sustainability: The project will reach sustainability goals by different venues that may include working to reduce energy load consumption, the installation of efficient building systems, providing opportunities for water reclamation, and the protection of local watersheds by thoughtful stormwater management. The building's roofs are utilized for green roof installations, the exploration of cool roof techniques, and for implementing solar power initiatives.

Staff finds that the project is in conformance with the requirements of the Montgomery County Zoning Ordinance.

Environmental Analysis

The proposed project is in compliance with the *Environmental Guidelines*

Environmental Guidelines

Staff approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD #420151430) for the site on June 25, 2015. The site currently has two public uses; Public Parking Lot No. 13 and the Mid-County Regional Services Center. The site has no forest, streams, wetlands or associated environmental buffers. The site is in the Sligo Creek Watershed; a Use I watershed. The site slopes from north to south with a drop of over 20 feet. The proposed structure will occupy a leveled area at the middle point of the property, approximately at the Reddie Drive elevation.

Forest Conservation

This property is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code). Recommendations on the Preliminary Conservation Plan are covered in a separate staff report to the Planning Board.

Stormwater Management

The Department of Permitting Services (DPS) approved a Stormwater Management concept plan on July 16, 2015 (Attachment 8). The concept includes an 8" vegetated roof over 8,345 square feet of the proposed office building, a vegetated roof over the armature, and nine microbioretention areas, including one on the roof of the Public Office Building. The Stormwater Management concept proposes to meet full required stormwater management goals via environmental site design methods.

Sustainability

Montgomery County has a number of goals that work towards the higher goal of creating a sustainable community. These goals include reducing the carbon footprint of proposed development, promoting walkability, reducing urban heat island effect, and protecting air and water quality. In order to meet the Countywide goals, individual projects will have to contribute positively to sustainable development. Public projects should lead the way in promoting sustainability, as the public will reap the rewards in the long term, and set examples by being leaders in sustainability and environmental stewardship.

Carbon Footprint

The carbon footprint can be divided into three basic categories – embodied energy, transportation energy, and building energy emissions.

Embodied energy is the emissions created in the creation and transportation of the building materials and the construction of the project. Locally-sourced (20% manufactured and extracted) and recycled material (20% of content) will be used to construct the new building and a construction waste management plan will divert 75% of materials from disposal.

Transportation energy is the energy associated with vehicular traffic to and from the project. The project is located directly adjacent to the Wheaton Metro Station, on WMATA's Red Line, and a transit hub for Metro and Ride On bus routes, and is in close proximity to three planned bus rapid transit routes (along Georgia Avenue, University Boulevard, and Veirs Mill Road). Additionally, the proposed project will be located within ¼ mile of several multi-family housing developments. A majority of potential users of the project are expected to travel to the site via mass transit. The combination of proximity to housing and transit potentially reduces the transportation energy associated with the proposed project.

Building energy emissions are created in the normal operation of a building including lighting, heating cooling and ventilation, operation of computers and appliances, etc. The proposed Public Office Building includes a significant amount of windows on the south and west faces. These windows will allow daylighting in much of the meeting spaces. These windows will be coated with low emissivity glaze, to reduce the thermal load. The Applicant is also pursuing a number of LEED credits related to the goal of reduced energy emissions, including enhanced commissioning and energy performance optimization. Additionally, the Applicant is investigating the use of solar panels on non-vegetated areas of the roof even though no LEED credits related to energy generation are being pursued.

Urban Heat Island Effect

Heat island effect is an urban and suburban problem that results from the large quantity of impervious surfaces radiating appreciably more heat into the atmosphere than natural surfaces. It can significantly affect air quality, water quality and livability in developed areas. Tree cover, green walls, and vegetated and reflective roofs can diminish a project's contribution to the overall heat island effect. At present, approximately 5% of the site is covered by tree canopy. While the demolition and construction of the proposed development will remove most of the existing trees, the proposed landscape plan shows a significant increase of tree canopy. The partial vegetated roof proposed for the Public Office Building will contribute to the urban heat island reduction. Areas of the roof that cannot be vegetated will be covered with a light colored membrane or solar panels.

Green Building

This project will need to comply with County Council Bill 17-06, Montgomery County Green Buildings Law. MCDOT is seeking LEED (Leadership in Energy and Environmental Design) for Core and Shell, Gold Certification for this project.

Transportation Analysis

Area 2 staff reviewed the Mandatory Referral for compliance with the requirements of the LATR/TPAR Guidelines.

Transportation Demand Management

Since the project will not include dedicated parking for office users or visitors, the development and implementation of a transportation management plan is necessary to provide feasible transportation alternatives for those traveling in single-occupancy vehicles. The transportation management plan must include a car/vanpooling program; reserved, discounted, or free parking for car/vanpools; extra fare discounts for commuters using the MARC train; and other trip reduction measures.

This site is located within the *Wheaton CBD and Vicinity Sector Plan*. The Applicant (MCDOT) should enter into a Traffic Mitigation Agreement with the Planning Board when a

Transportation Management District (TMD) is established. In the interim, the Applicant should work with the MCDOT's Commuter Services Section to encourage commuting by alternative non-single-auto-occupancy modes such as transit. The Sector Plan recommends a non-auto driver mode share goal of 30% that could be achieved with the following measures:

1. Residential and non-residential tenant participation in TMD Annual Commuter Survey.
2. A permanent information display in a highly used location in the lobby of the building.
3. Space for real time transit information sign at a highly-used location.
4. Car sharing parking spaces.
5. Electric vehicle charging stations.
6. An annual summary report (to MCDOT and/or the future TMD) outlining the on-site traffic mitigation efforts.

Sector/Master Plan Roadways, Bikeways, and Transitway

In accordance with the 2012 *Wheaton CBD and Vicinity Sector Plan*, 2005 *Countywide Bikeways Functional Master Plan*, and 2013 *Countywide Transit Corridors Functional Master Plan*, the Sector/Master-Planned roadways, bikeways and transitway are listed below.

1. Reddie Drive is designated as a two-lane business street, B-22, with the recommended 70-foot wide right-of-way and a signed shared roadway, SR-27. The *Countywide Transit Corridors Functional Master Plan* recommends Bus Rapid Transit (BRT) on the Corridor 1, "Georgia Avenue North" with BRT vehicles operating along Reddie Drive within its Sector-Planned 70-foot wide right-of-way. The nearest BRT station is proposed at the Wheaton Metrorail Station.
2. Grandview Avenue is designated as a two-lane business street, B-18, with a recommended minimum 70-foot wide right-of-way and a signed shared roadway, SR-20. The existing right-of-way dedication is 80 feet from the opposite right-of-way line in front of all the lots (via the 1958 record plat except Lot 18 where it is 70 feet). For safety, adequate pedestrian accommodations, and consistency with overall the road cross-section, the Applicant of the Sketch Plan No. 320150070, Wheaton Grandview, is proposing to dedicate 10 more feet of right-of-way in front of Lot 18.
3. Nearby Ennalls Avenue is designated as a two-lane business street, B-19, with the recommended 60-foot wide right-of-way and no bikeway. The segment between Georgia Avenue and Grandview Avenue is unbuilt and has a Sector-Planned alignment adjacent to the northeast corner of the subject site.

Triangle Lane is a public alley (not listed in the Sector Plan) with a 20-foot-wide right-of-way.

Available Transit Service

Bus service is available along Grandview Avenue and Reddie Drive. The Wheaton Metrorail Station is located across Reddie Drive from the site. The Wheaton Metrorail Station is served by Ride On routes 7, 8, 9, 31, 34, 37, 38, and 48 and Metrobus routes C2, C4, Q1, Q2, Q4, Q5, Q6, Y5, Y7, Y8, and Y9.

Pedestrian and Bicycle Facilities

The project will provide the following pedestrian and bicycle improvements:

1. A mid-block pedestrian crossing of Reedie Drive between Grandview Avenue and Triangle Lane.
2. Narrowing of Reedie Drive's cross-section to improve the pedestrian environment between the office/retail building and the Wheaton Metrorail Station.
3. Improved sidewalks and streetscaping along Reedie Drive, Grandview Avenue, and Triangle Lane in accordance with the *Wheaton CBD and Vicinity Sector Plan* and its Design Guidelines, and compliant with the Americans with Disabilities Act.
4. The handicapped ramps and at-grade crosswalks including at-grade sidewalk across the vehicular garage and loading dock access points.
5. The Sector-Planned recommended signed shared roadway/on-road bikeway along Reedie Drive and Grandview Avenue.
6. The public and private bicycle parking spaces as required in the CR zone.

Local Area Transportation Review (LATR)

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

Table 1: Weekday Peak-Hour Trips generated by the proposed Land Uses

Residential Land Use	Square Feet	Weekday Peak-Hour Vehicular Trips	
		Morning	Evening
General Office Space	265,000	221	306
Ground-Floor Retail Space	12,000	21	85
Total of Both Land Uses		242	391

Weekday peak-hour trips were reduced because the site is located very close to a Metrorail station in accordance with the *Local Area Transportation Review and Transportation Policy Area Review Guidelines*.

A traffic study was submitted to satisfy LATR test because the proposed land uses generate 30 or more peak-hour trips within the weekday morning and evening peak periods. Tables 2 and 3 below show the calculated Critical Lane Volume (CLV) values at the 21 analyzed intersections for the following traffic conditions:

1. Existing: Existing traffic conditions as they exist now.
2. Background: The existing condition plus the trips generated from approved but un-built nearby developments.
3. Total with Reedie Drive narrowed: The background condition plus the site-generated trips. The existing cross-section of Reedie Drive is proposed to be narrowed to improve the pedestrian environment between the Wheaton Metrorail Station and the proposed building on the north side of Reedie Drive. The trips generated from the existing and

projected background developments were redistributed to reflect the reduced roadway capacity of Reddie Drive and, as a result, the total CLV value will be less than the background CLV values for some intersections.

- a. Total with Two-Way Reddie Drive: The background condition combined with a) the site-generated trips; b) Reddie Drive continuing to operate as a two-way road; and c) redistribution of existing and background traffic for a proposed narrower cross-section.

- b. Total with One-Way Reddie Drive: The background condition combined with a) the site-generated trips; b) redistribution of existing and background traffic for a proposed narrower cross-section; and c) redistribution of Reddie Drive traffic for proposed one-way operation between Triangle Lane and Grandview Avenue.

Table 2: Critical Lane Volumes at Analyzed Intersections

Analyzed Intersection	Congestion Standard	Weekday Peak Hour	Traffic Condition			
			Existing	Background	Total - Reddie Drive	
					2-Way	1-Way
Georgia Avenue (MD 97) & Blueridge Avenue	Wheaton CBD 1,800	Morning	1,048	1,084	1,105	1,105
		Evening	967	1,016	1,053	1,053
Georgia Avenue & University Blvd. (MD193)	Wheaton CBD 1,800	Morning	1,157	1,183	1,205	1,226
		Evening	1,158	1,176	1,213	1,213
Georgia Avenue & Ennalls Avenue	Wheaton CBD 1,800	Morning	749	771	772	772
		Evening	772	791	785	785
Georgia Avenue & Reddie Drive	Wheaton CBD 1,800	Morning	856	882	870	854
		Evening	942	964	915	984
Georgia Avenue & Veirs Mill Road (MD 586)	Wheaton CBD 1,800	Morning	1,242	1,268	1,277	1,301
		Evening	1,138	1,165	1,175	1,200
Veirs Mill Road & Metrobus Loop	Wheaton CBD 1,800	Morning	512	515	516	543
		Evening	730	732	742	804
Veirs Mill Road & Reddie Drive	Wheaton CBD 1,800	Morning	611	614	603	554
		Evening	792	797	808	797
Veirs Mill Road & Ennalls Avenue	Wheaton CBD 1,800	Morning	518	557	608	616
		Evening	604	739	736	739
Veirs Mill Road & University Boulevard	Wheaton CBD 1,800	Morning	1,060	1,112	1,152	1,148
		Evening	1,177	1,209	1,309	1,315
Veirs Mill Road & Newport Mill Road	Kensington/ Wheaton 1,600	Morning	1,022	1,031	1,061	1,061
		Evening	1,208	1,216	1,260	1,260

University Boulevard & East Avenue	Wheaton CBD 1,800	Morning	495	572	580	580
		Evening	801	815	831	831
University Boulevard & Grandview Avenue	Wheaton CBD 1,800	Morning	651	676	720	740
		Evening	901	932	1,039	1,048
University Boulevard & Amherst Avenue	Wheaton CBD 1,800	Morning	764	772	779	795
		Evening	1,186	1,197	1,152	1,143
Reedie Drive & Fern Lane	Wheaton CBD 1,800	Morning	311	313	311	231
		Evening	424	430	408	318
Reedie Drive & Triangle Lane	Wheaton CBD 1,800	Morning	309	327	292	154
		Evening	454	492	405	397
Grandview Avenue & Reedie Drive	Wheaton CBD 1,800	Morning	306	312	449	355
		Evening	570	608	674	669

Table 3: Critical Lane Volumes at Analyzed Intersections (Continued)

Analyzed Intersection	Congestion Standard	Weekday Peak Hour	Traffic Condition			
			Existing	Background	Total - Reedie Drive	
					2-Way	1-Way
Grandview Avenue & Ennalls Avenue	Wheaton CBD 1,800	Morning	204	250	332	369
		Evening	584	612	903	985
Grandview Avenue & Lot 13 Driveway North	Wheaton CBD 1,800	Morning	77	96	103	128
		Evening	184	196	213	225
Grandview Avenue & Lot 13 Driveway South	Wheaton CBD 1,800	Morning	127	133	502	449
		Evening	242	242	1,010	993
Triangle Lane & Lot 13 Driveway North	Wheaton CBD 1,800	Morning	59	77	46	68
		Evening	83	132	69	101
Triangle Lane & Lot 13 Driveway South	Wheaton CBD 1,800	Morning	96	114	Proposed to be Removed in the Future	
		Evening	142	191		
Residential Driveway & Site Alley	Wheaton CBD 1,800	Morning	Proposed to be Future Intersection		70	92
		Evening			81	113

As shown on the table above, the CLV values at all intersections are less than the applicable CLV standard and, thus, the LATR test is satisfied.

Transportation Policy Area Review

A payment of the transportation impact tax is not required to satisfy the Transportation Policy Area Review (TPAR) test, because the proposed non-residential development is located in the Wheaton CBD (Metro Station) Policy Area.

Department of Parks Comments

A memo with comments from the Department of Parks is attached. There are no ownership, access, management or maintenance issues of direct concern to the Department of Parks, since the public open space that will be provided by the proposed project will be owned, maintained, and monitored by the County. However, given their expertise in park design, staff from the Department of Parks has provided suggestions to enhance the user experience of the public spaces. A memo with their suggestions is attached to this report (see Attachment 6).

Community Notification

The County has held three community meetings on this project. The two first meetings occurred while the development team was being selected. The third meeting was the required pre-submission public meeting once the development team was on board; this meeting was held on March 24, 2015, at Wheaton High School. In addition, a web page was set up by the County to maintain notices of community meetings, make available the presentations materials used on each, and gather public comments. The applicant provided sign-in sheets from the March 24th community meeting.

After receiving the Mandatory Referral and Preliminary Forest Conservation Plan applications, the Planning Department staff notified local citizen associations, adjoining and nearby property owners and other interested parties of the submittal, and invited comments. Staff received two requests for information, and no questions or comments.

CONCLUSION

Based on information provided by the applicant and the analysis contained in this report, staff concludes that the proposed mandatory referral meets the applicable standards and guidelines for the environment, the Adequate Public Facilities Ordinance, and the development standards for the CR Zone. Staff recommends approval of the Mandatory Referral with the comments listed at the front of this report.

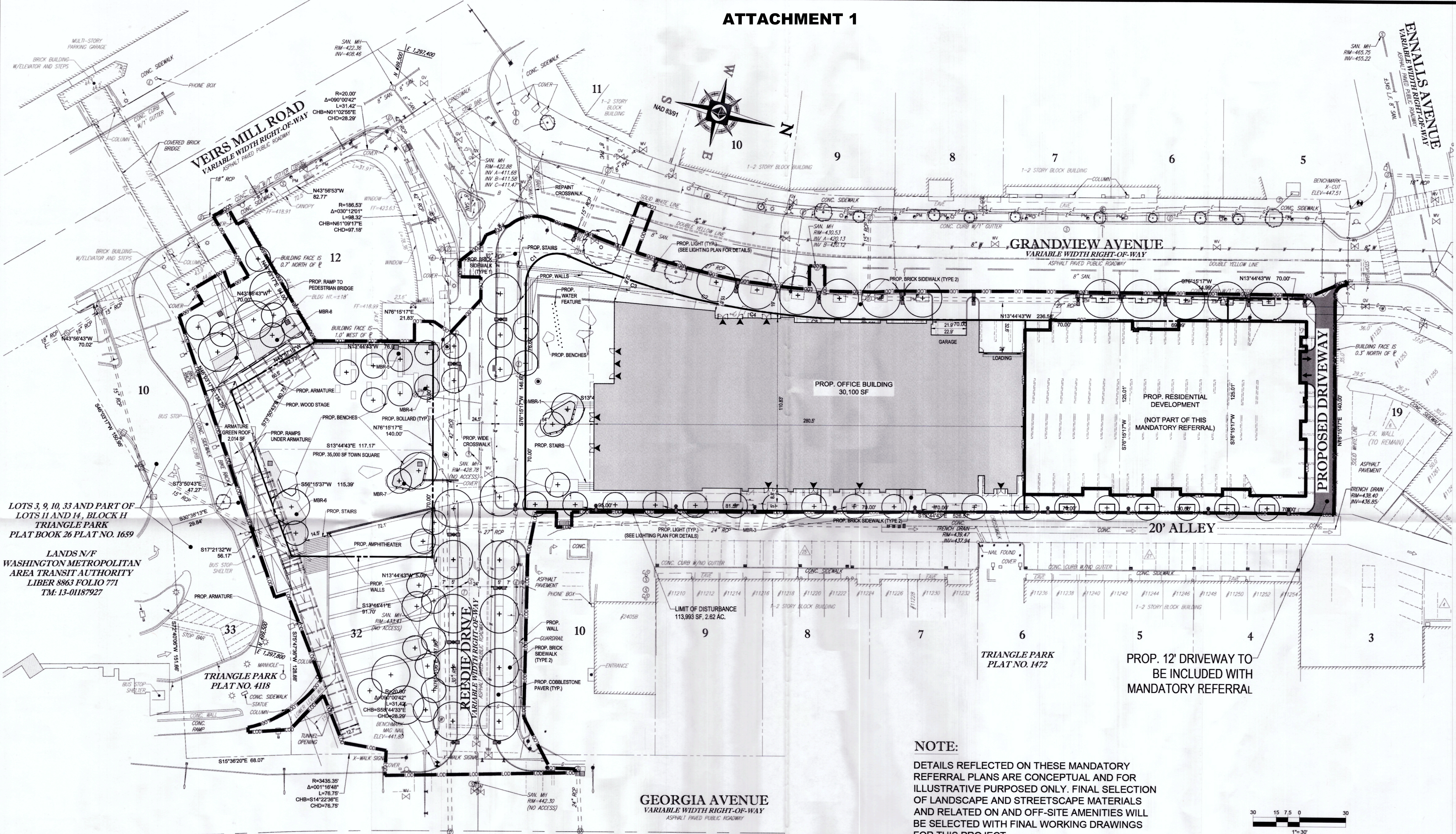
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Attachments:

1. Proposed Site Plan
2. Proposed Building Illustratives
3. Proposed Town Square Illustratives
4. Building Floor Plans and Sections
5. Agency Authorization Agreement
6. Letter from the Department of Parks
7. Comments from Art Review Panel
8. SWM Concept Approval from DPS

ATTACHMENT 1



LOTS 3, 9, 10, 33 AND PART OF LOTS 11 AND 14, BLOCK H TRIANGLE PARK PLAT BOOK 26 PLAT NO. 1659

LANDS N/F WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY LIBER 8863 FOLIO 771 TM: 13-01187927

TRIANGLE PARK PLAT NO. 418

TRIANGLE PARK PLAT NO. 1472

GEORGIA AVENUE VARIABLE WIDTH RIGHT-OF-WAY ASPHALT PAVED PUBLIC ROADWAY

DEVELOPMENT STANDARD	PERMITTED/REQUIRED FOR OPTIONAL METHOD	PROPOSED
GROSS TRACT AREA	N/A	2.04 AC (88,885 SF)
LOT AREA	N/A	1.4 AC (61,112 SF)
MAXIMUM DENSITY (CR)	6.0	3.1 (278,500 SF)
MAXIMUM NON-RESIDENTIAL DENSITY (C)	5.5	3.1 (278,500 SF)
MAXIMUM RESIDENTIAL DENSITY (R)	5.5	0 (0 SF)
MAXIMUM BUILDING HEIGHT (H)	200'	UP TO 200'
OPEN SPACE	10%	APPROXIMATELY 51.5%
PARKING	TBD	397 SPACES (IN UNDERGROUND GARAGE)

NOTE:
 DETAILS REFLECTED ON THESE MANDATORY REFERRAL PLANS ARE CONCEPTUAL AND FOR ILLUSTRATIVE PURPOSES ONLY. FINAL SELECTION OF LANDSCAPE AND STREETScape MATERIALS AND RELATED ON AND OFF-SITE AMENITIES WILL BE SELECTED WITH FINAL WORKING DRAWINGS FOR THIS PROJECT.

SITE CONSTRUCTION NOTE:
 SCOPE OF PROJECT CONSTRUCTION TO INCLUDE THE FOLLOWING:
 • OFFICE BUILDING
 • ALL WATER, SANITARY, AND ELECTRIC UTILITIES AND APPURTENANCES FOR BUILDING CONSTRUCTION
 • STORM DRAIN TO FACILITATE DRAINAGE
 • TOWN SQUARE
 • STREETScape WORK ALONG GRANDVIEW AVENUE, REEDIE DRIVE, AND TRIANGLE LANE, INCLUDING STREET LIGHTS, PLANTING BOXES AND PAVING
 • PROPOSED 12' DRIVEWAY

DEVELOPMENT SEQUENCE:
 DEVELOPMENT IS PLANNED TO TAKE PLACE IN ONE PHASE (BUILDING AND SITE WORK)

BOHLER ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING
 LAND SURVEYING PROGRAM MANAGEMENT SUSTAINABLE DESIGN URBAN DESIGN

TRANSPORTATION ARCHITECTURE ARCHITECTURE TRANSPORTATION SERVICES PERMITTING SERVICES LANDSCAPE ARCHITECTURE

NEW YORK PA BALTIMORE MD PHILADELPHIA PA
 WASHINGTON DC CHARLOTTE NC RICHMOND VA
 BALTIMORE MD PHILADELPHIA PA

REVISIONS

REV	DATE	COMMENT	BY

THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATORS, DRIVERS OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE OF VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL: 811 (VV: 1-800-245-4868) (PA: 1-800-242-1176) (DC: 1-800-252-7777) (VA: 1-800-552-7000) (MD: 1-800-552-7777) (DE: 1-800-293-8900)

NOT APPROVED FOR CONSTRUCTION

PROJECT NO: MB13264701
 DRAWN BY: REK
 CHECKED BY: BLF
 DATE: 05/22/15
 SCALE: 1" = 30'
 CAD: SSI

WHEATON PUBLIC IMPROVEMENTS FOR SC WHEATON OFFICE, LLC

LOCATION OF SITE
 WHEATON TOWN SQUARE
 NE CORNER GRANDVIEW AVE
 AND REEDIE DRIVE
 MONTGOMERY COUNTY
 WHEATON, MARYLAND

BOHLER ENGINEERING

16701 MELFORD BLVD., SUITE 310
 BOWIE, MARYLAND 20715
 Phone: (301) 808-4500
 Fax: (301) 808-4501
 MD@BohlerEng.com

M. K. JONES

PROFESSIONAL ENGINEER

6/1/15

SHEET TITLE: **SITE PLAN**

SHEET NUMBER:

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. WORK SHOULD BE STOPPED IMMEDIATELY IF THE CONTRACTOR FINDS A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN FULL COMPLIANCE WITH ALL APPLICABLE REGULATIONS AND CODES.

PROFESSIONAL CERTIFICATION
 I, MATTHEW K. JONES, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 36999, EXPIRATION DATE: 3/15/2017

ATTACHMENT 2





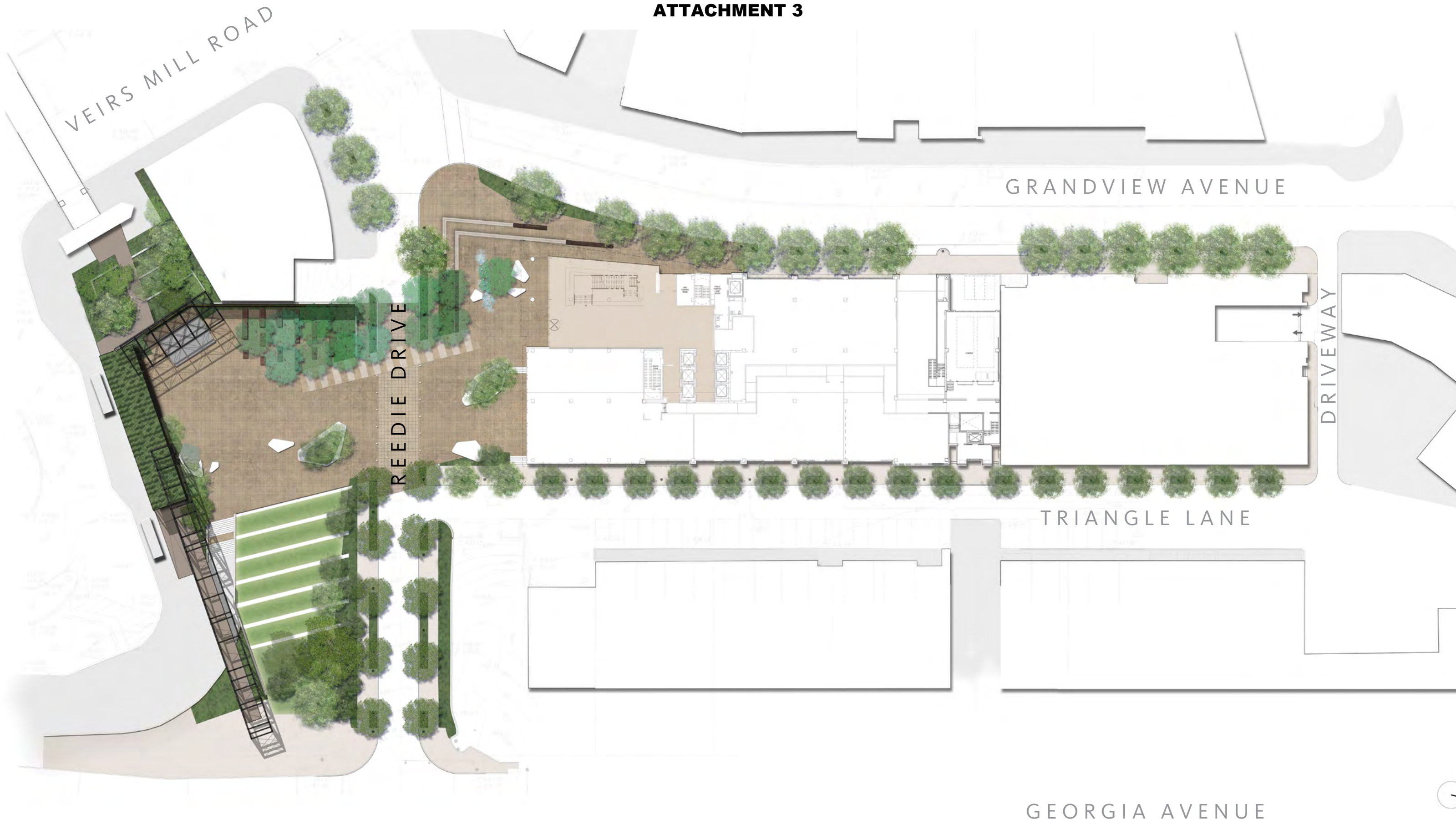








ATTACHMENT 3



VEIRS MILL ROAD

GRANDVIEW AVENUE

REEDIE DRIVE

DRIVEWAY

TRIANGLE LANE

GEORGIA AVENUE







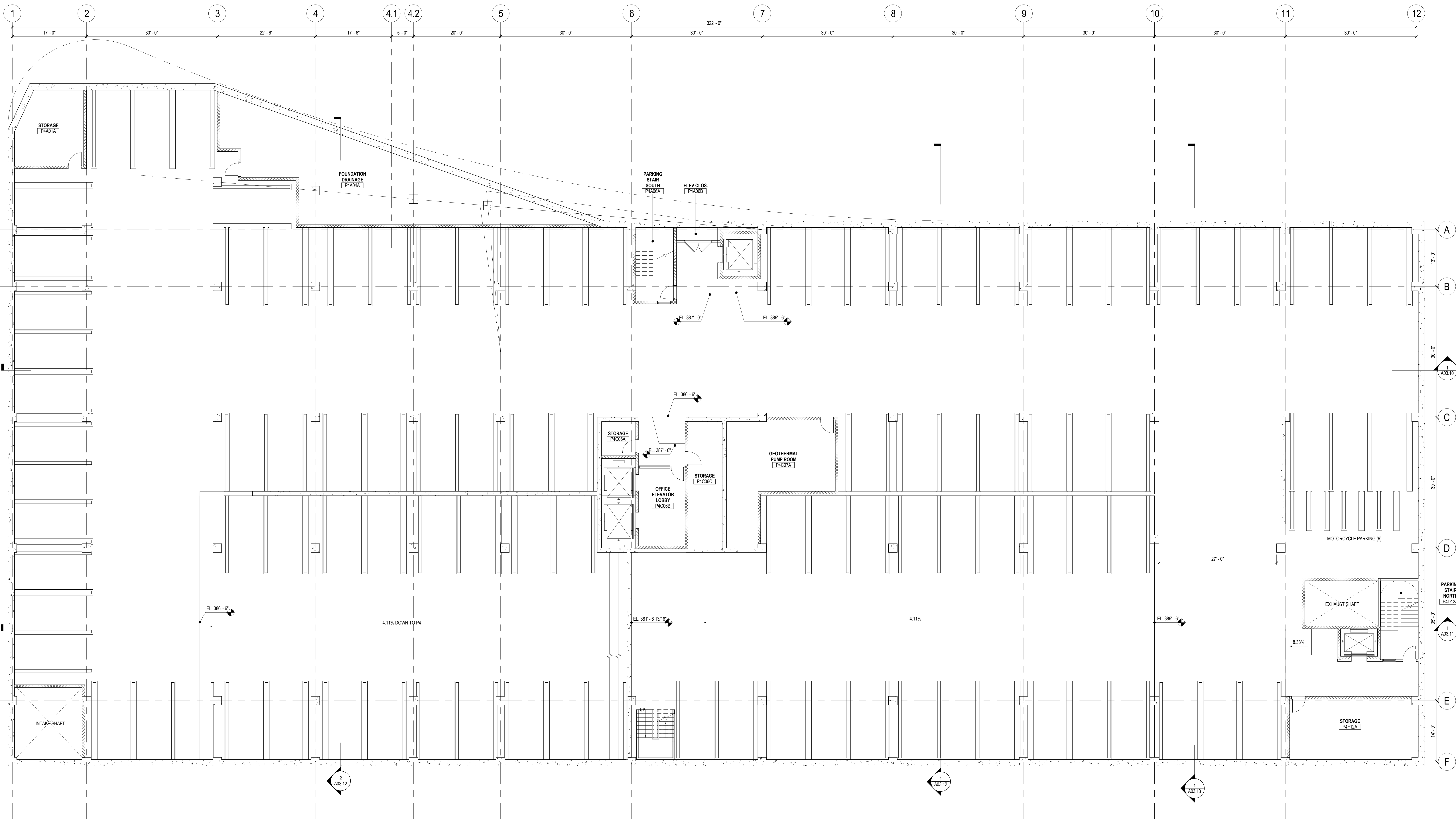


M-NCPPC





Pedestrian Bridge
To Wheaton Garage
& Wheaton Plaza



Date	Description
04-10-15	SD / MANDATORY REFERRAL

Seal / Signature

CONSTRUCTION PLAN - LOWER LEVEL 04
SCALE: 1/8" = 1'-0"

SHEET NOTES

GENERAL NOTES

PARKING SCHEDULE	
Level P0	
Standard - 9'-0" x 18'-0"	3
Level P1	
ADA	6
ADA Van	2
Standard - 9'-0" x 18'-0"	81
Level P2	
Standard - 9'-0" x 18'-0"	103
Level P3	
Motorcycle - 4'-0" x 9'-0"	6
Standard - 9'-0" x 18'-0"	102
Level P4	
Motorcycle - 4'-0" x 9'-0"	6
Standard - 9'-0" x 18'-0"	100
Grand total:	409

Project Name	WHEATON OFFICE BUILDING
Project Number	09.7577.000
Scale	1/8" = 1'-0"
Description	CONSTRUCTION PLAN LEVEL P4

A01.P4

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Date	Description
04.10.15	SD / MANDATORY REFERRAL

Seal / Signature

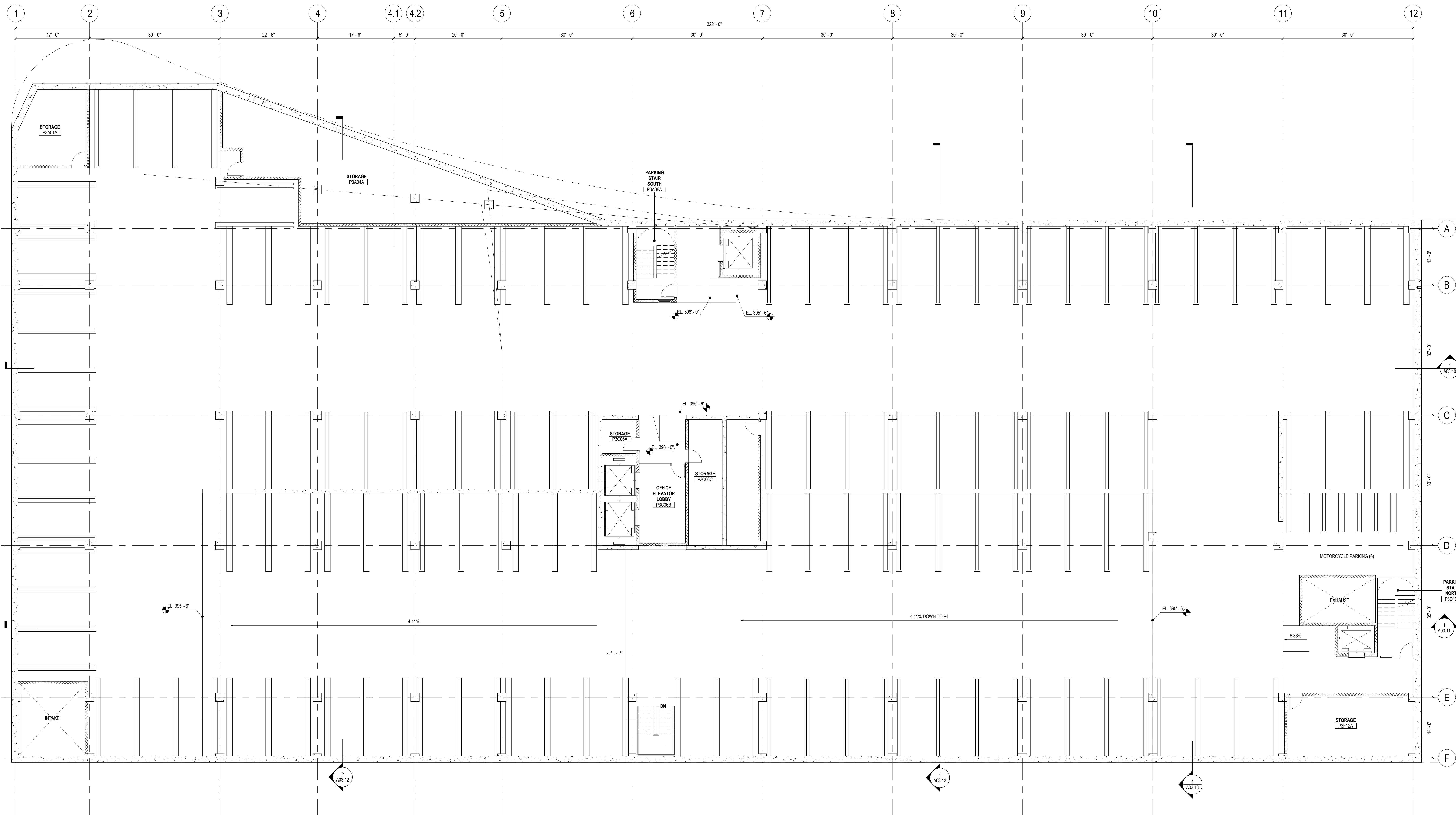
Project Name
WHEATON OFFICE BUILDING

Project Number
09.7577.000

Scale
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Description
CONSTRUCTION PLAN LEVEL P3

A01.P3



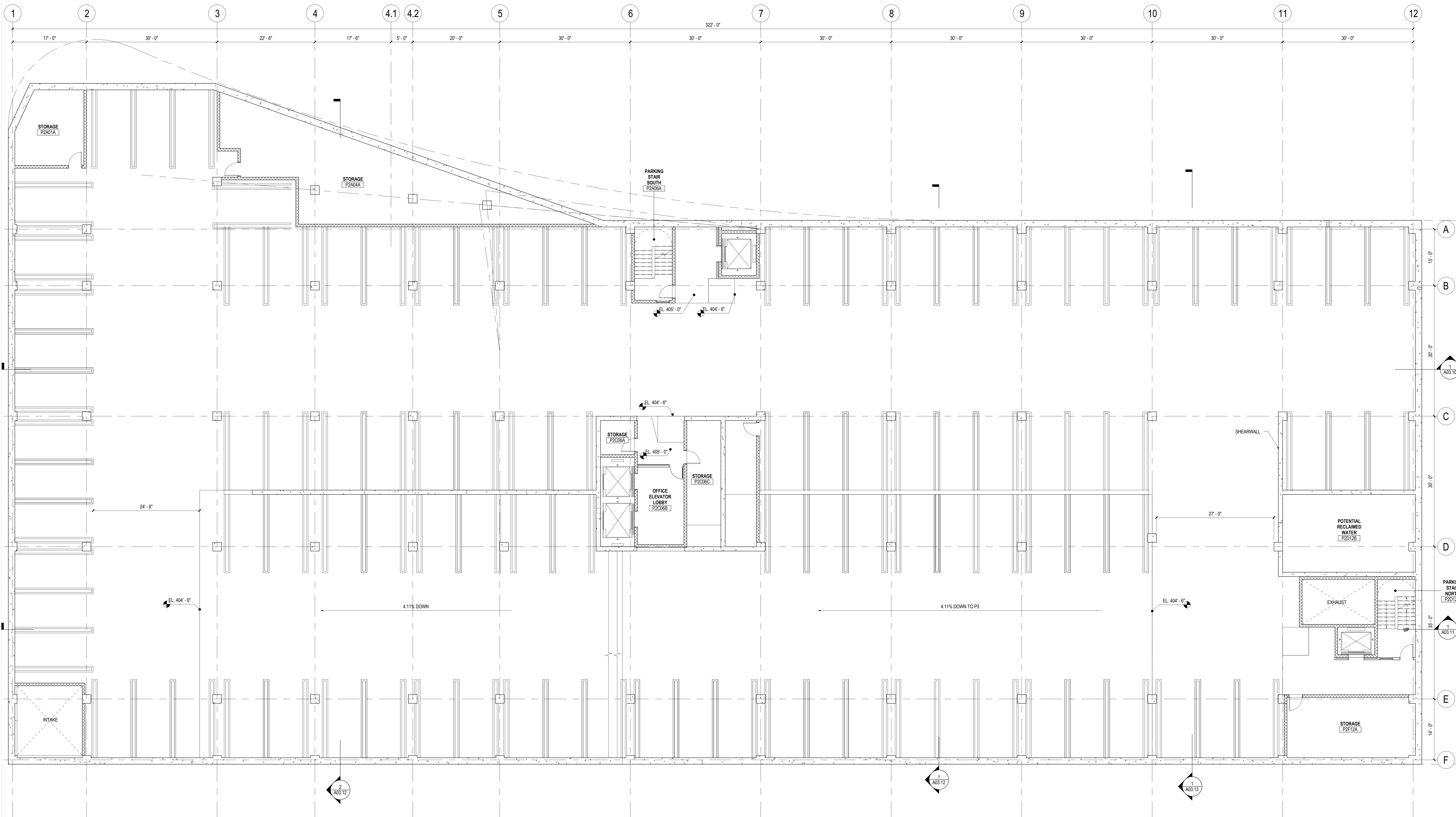
CONSTRUCTION PLAN - LOWER LEVEL 03

SCALE: 1/8" = 1'-0"

SHEET NOTES

GENERAL NOTES

PARKING SCHEDULE	
Level P0	
Standard - 9'-0" x 18'-0"	3
Level P1	
ADA	6
ADA Van	2
Standard - 9'-0" x 18'-0"	81
Level P2	
Standard - 9'-0" x 18'-0"	103
Level P3	
Motorcycle - 4'-0" x 9'-0"	6
Standard - 9'-0" x 18'-0"	102
Level P4	
Motorcycle - 4'-0" x 9'-0"	6
Standard - 9'-0" x 18'-0"	100
Grand total:	409



Date	Description
04-10-15	SD / MANDATORY REFERRAL

Seal / Signature

CONSTRUCTION PLAN - LOWER LEVEL 02
SCALE: 1/8" = 1'-0"

SHEET NOTES

GENERAL NOTES

PARKING SCHEDULE	
Level P0	
Standard - 9'-0" x 18'-0"	3
Level P1	
ADA	6
ADA Van	2
Standard - 9'-0" x 18'-0"	81
Level P2	
Standard - 9'-0" x 18'-0"	103
Level P3	
Motorcycle - 4'-0" x 9'-0"	6
Standard - 9'-0" x 18'-0"	102
Level P4	
Motorcycle - 4'-0" x 9'-0"	6
Standard - 9'-0" x 18'-0"	100
Grand total:	409

Project Name	WHEATON OFFICE BUILDING
Project Number	09.7577.000
Scale	1/8" = 1'-0"
Description	CONSTRUCTION PLAN LEVEL P2

A01.P2

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Date	Description
04.10.15	SD / MANDATORY REFERRAL

Seal / Signature

Project Name

WHEATON OFFICE BUILDING

Project Number

09.7577.000

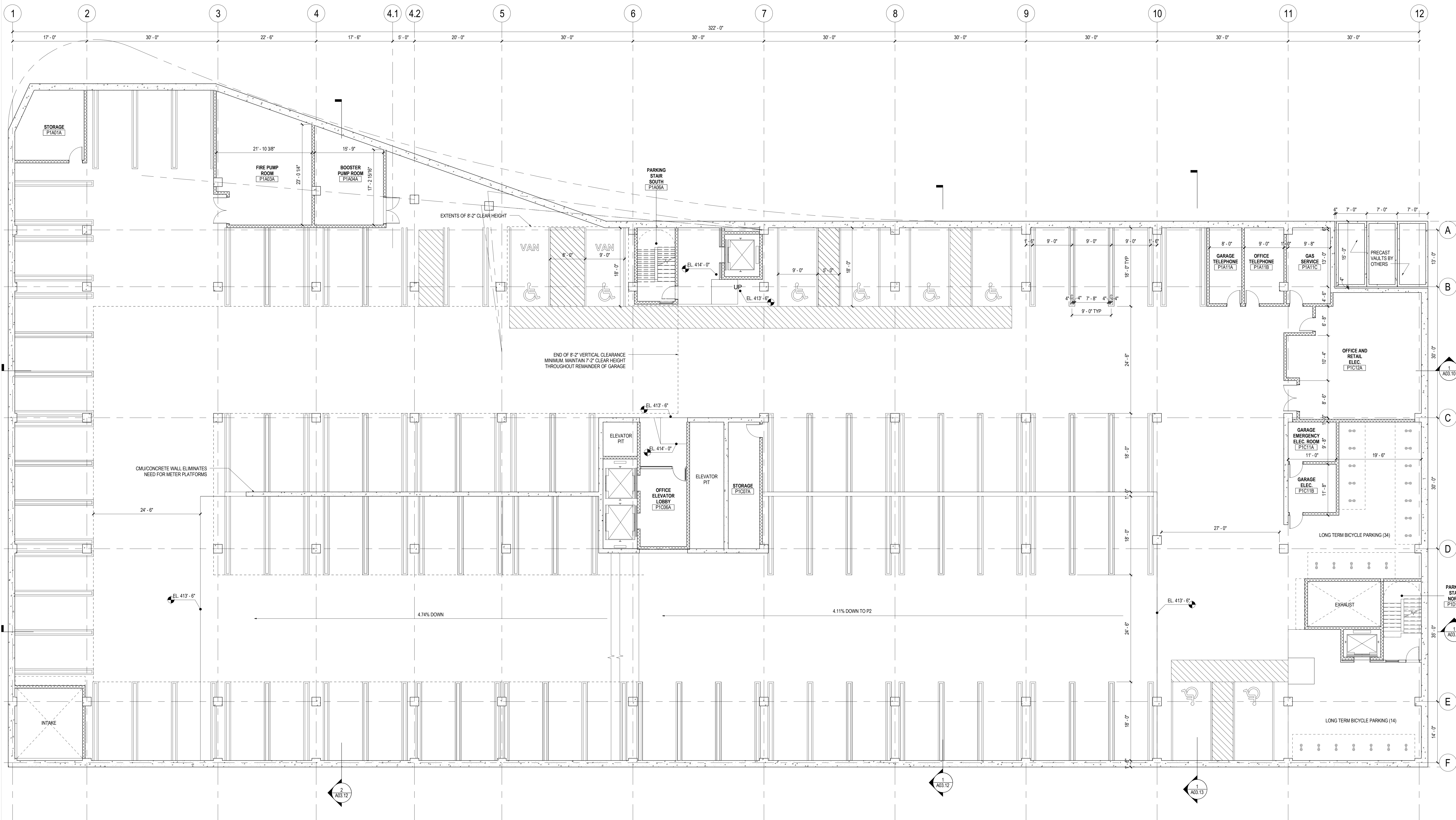
Scale

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Description

CONSTRUCTION PLAN LEVEL P1

A01.P1



CONSTRUCTION PLAN - LOWER LEVEL 01

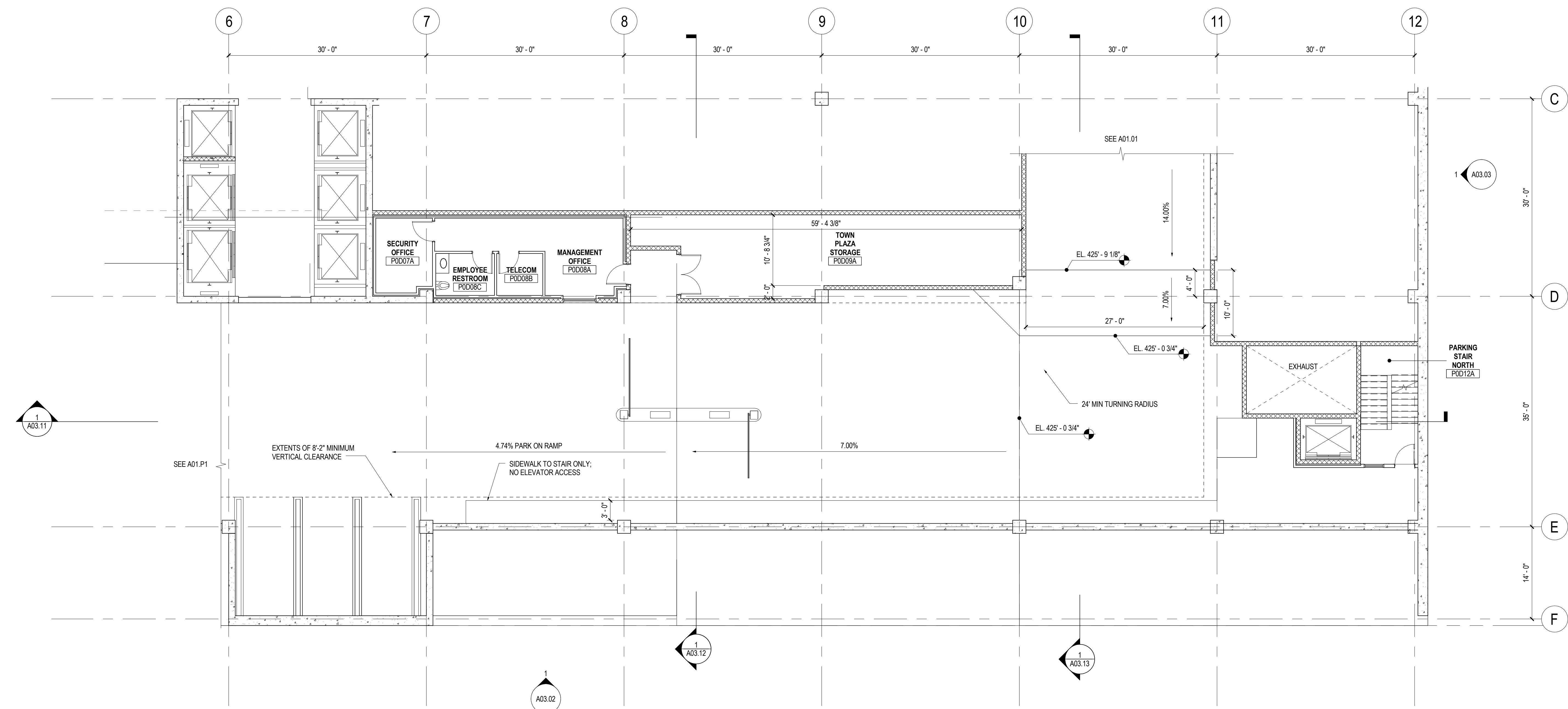
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SHEET NOTES

GENERAL NOTES

PARKING SCHEDULE

Level P0	
Standard - 9'-0" x 18'-0"	3
Level P1	
ADA	6
ADA Van	2
Standard - 9'-0" x 18'-0"	81
Level P2	
Standard - 9'-0" x 18'-0"	103
Level P3	
Motorcycle- 4'-0" x 9'-0"	6
Standard - 9'-0" x 18'-0"	102
Level P4	
Motorcycle- 4'-0" x 9'-0"	6
Standard - 9'-0" x 18'-0"	100
Grand total:	409



Date	Description
04.10.15	SD / MANDATORY REFERRAL

Seal / Signature

CONSTRUCTION PLAN - LEVEL P0 PARTIAL PLAN
SCALE: 1/8" = 1'-0"

SHEET NOTES

GENERAL NOTES

PARKING SCHEDULE	
Level P0	
Standard - 9'-0" x 18'-0"	3
Level P1	
ADA	6
ADA Van	2
Standard - 9'-0" x 18'-0"	81
Level P2	
Standard - 9'-0" x 18'-0"	103
Level P3	
Motorcycle - 4'-0" x 9'-0"	6
Standard - 9'-0" x 18'-0"	102
Level P4	
Motorcycle - 4'-0" x 9'-0"	6
Standard - 9'-0" x 18'-0"	100
Grand total:	409

Project Name
WHEATON OFFICE BUILDING

Project Number
09.7577.000

Scale
1/8" = 1'-0"

Description
CONSTRUCTION PLAN LEVEL P0

A01.P0

Date	Description
04-10-15	SD / MANDATORY REFERRAL

Seal / Signature

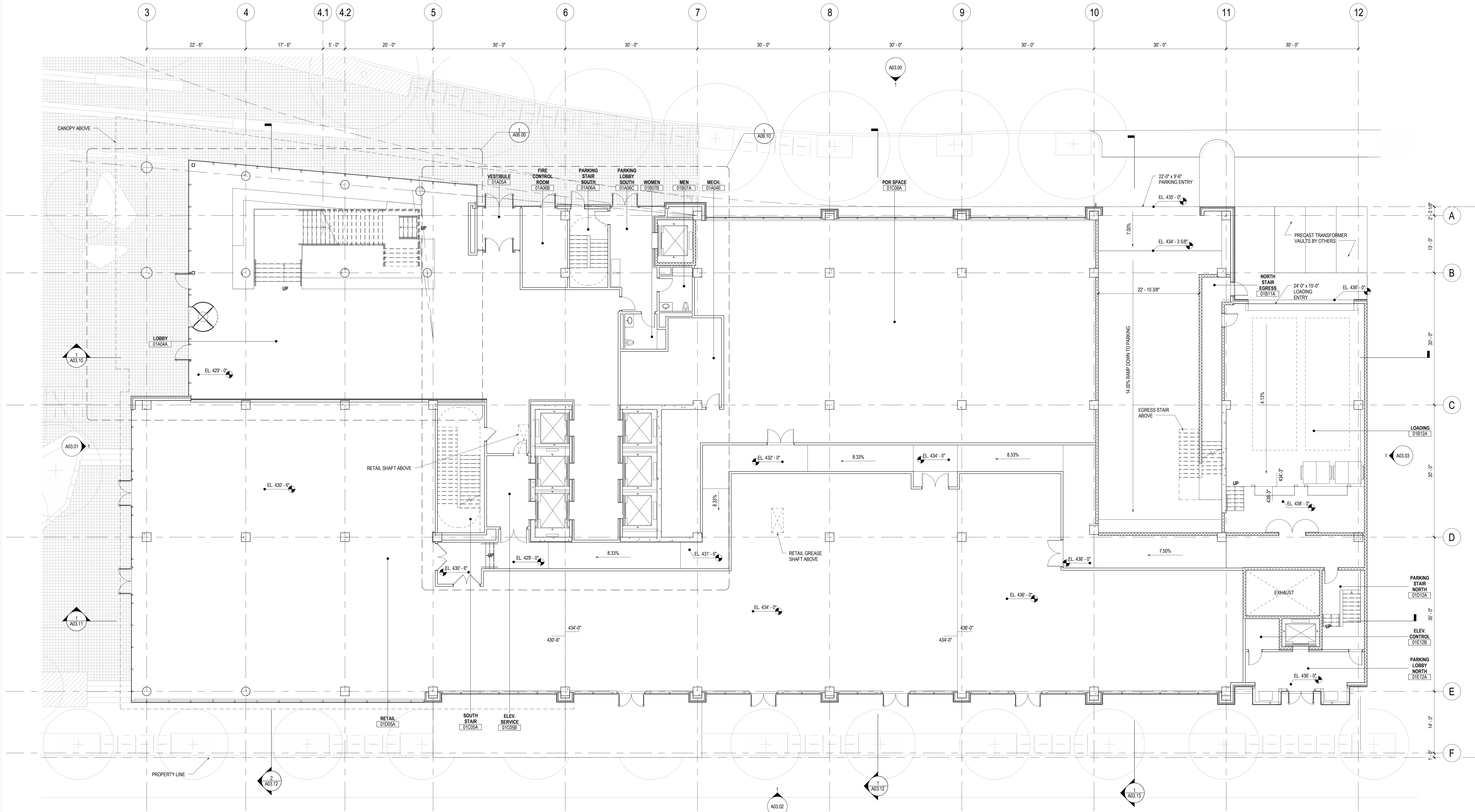
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WHEATON OFFICE BUILDING

Project Number
09.7577.000

Scale
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Description
CONSTRUCTION PLAN LEVEL 01

A01.01

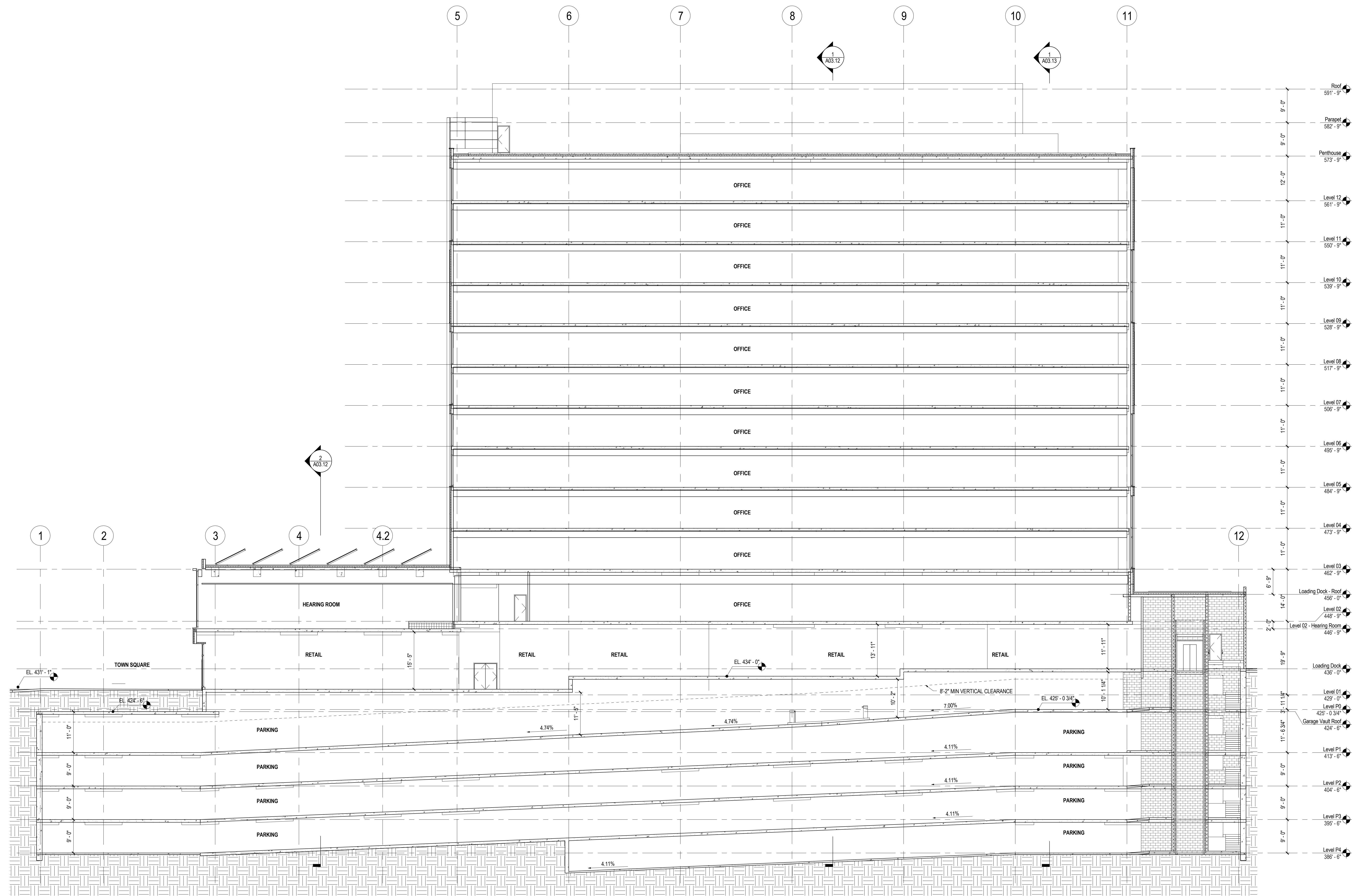


CONSTRUCTION PLAN - LEVEL 01
SCALE: 1/8" = 1'-0"

SHEET NOTES

GENERAL NOTES

1



Date	Description
04.10.15	SD / MANDATORY REFERRAL

Seal / Signature

BUILDING SECTION NORTH-SOUTH AT D
SCALE: 3/32" = 1'-0"

SHEET NOTES

GENERAL NOTES

Project Name

WHEATON OFFICE BUILDING

Project Number

09.7577.000

Scale

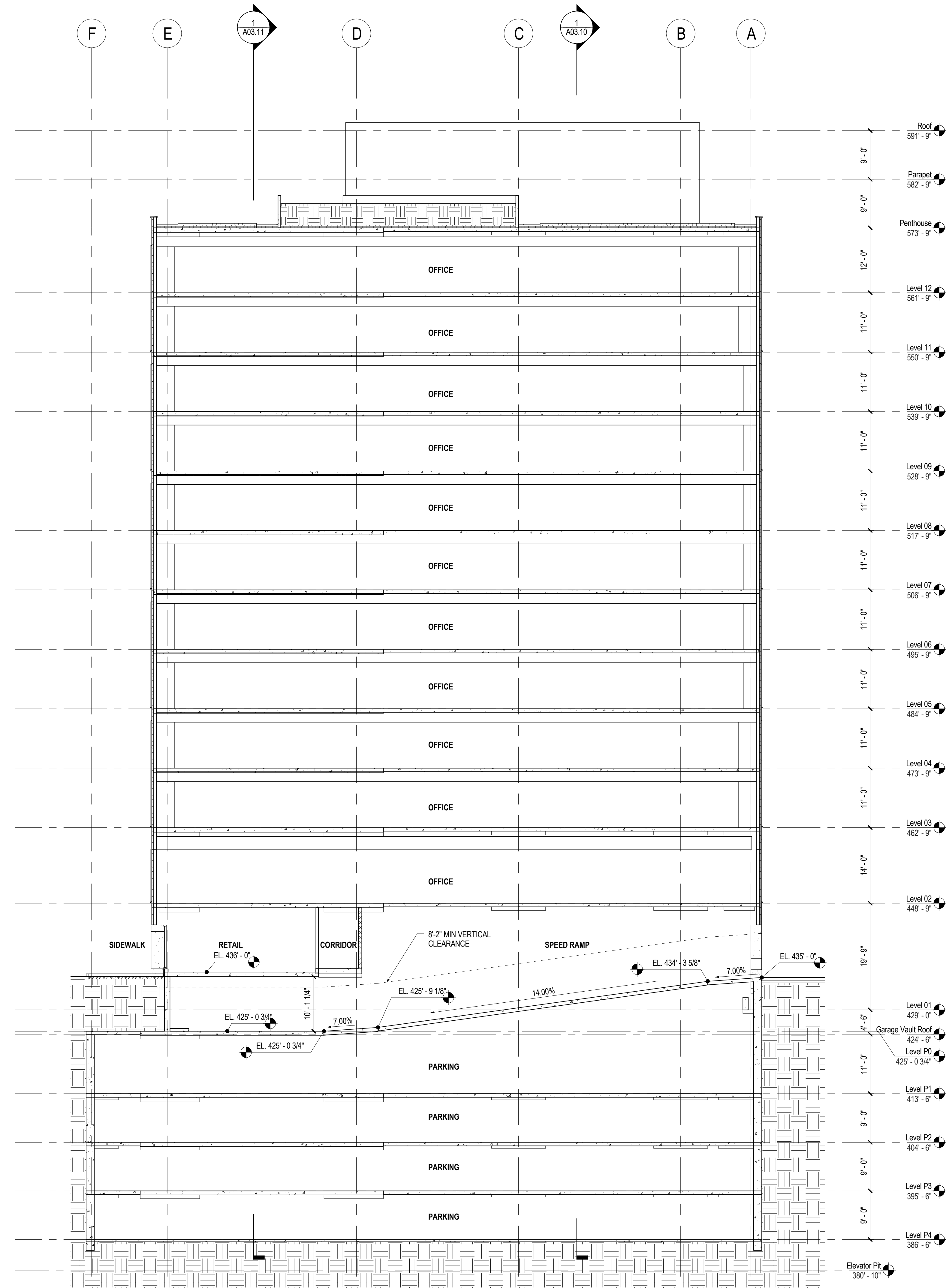
3/32" = 1'-0"

Description

BUILDING SECTION - NORTH/SOUTH

A03.11

Date	Description
04.10.15	SD / MANDATORY REFERRAL



BUILDING SECTION EAST-WEST AT 11
SCALE: 3/32" = 1'-0"

1

SHEET NOTES

GENERAL NOTES

Seal / Signature

Project Name
WHEATON OFFICE BUILDING

Project Number
09.7577.000

Scale
3/32" = 1'-0"

Description
BUILDING SECTION - EASTWEST

A03.13

ATTACHMENT 5

ASSIGNMENT AND ASSUMPTION AGREEMENT

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT (this "Agreement") is made as of this 25th day of August, 2014 by and between MONTGOMERY COUNTY, MARYLAND, a Maryland public body corporate (the "Assignor"), and WHEATON/SILVER SPRING, LLC, a Maryland limited liability company ("Assignee").

RECITALS

A. Assignor and Assignee entered into that certain General Development Agreement of even date herewith, pursuant to which, among other things, Assignee ultimately shall acquire those certain parcels of land currently owned by The Maryland-National Capital Park and Planning Commission (the "Commission") located in Silver Spring, Maryland and identified as Block C, Parcel D and Block C, Lot 2 (the "Property") to develop thereon a privately owned project (the "Project").

B. Assignor and the Commission entered into that certain Agency Authorization of even date herewith, a copy of which is attached to this Agreement as Exhibit A (the "Agency Authorization").

C. Assignor desires to assign to Assignee, and Assignee desires to assume from Assignor, all of Assignor's rights under the Agency Authorization, pursuant to the terms and subject to the conditions set forth below.

NOW, THEREFORE, in consideration of the mutual covenants contained in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor and Assignee agree as follows:

1. Assignment. Assignor hereby assigns to Assignee, without representation or warranty except as set forth below, all of Assignor's rights and interests in, to and under the Agency Authorization (the "Assignment").

2. Assumption. Assignee hereby accepts and assumes the Assignment.

3. Representations and Warranties. Each of Assignor and Assignee represents and warrants to the other party that this Agreement has been duly authorized, executed and delivered by and on its behalf and constitutes such party's valid and binding agreement in accordance with its terms. Assignor further represents and warrants that it has full power and authority to make the Assignment and that the Commission has received and accepted all insurance information and certificates required of Assignee under the Assignment.

4. Further Assurances. The parties shall, at any time and from time to time, execute and deliver such further documents and instruments and take such other action as may be reasonably requested by the other party to carry out the purpose and intent of this Agreement.

5. Successors and Assigns. This Agreement shall be binding upon, and inure to the benefit of, Assignor and Assignee and their respective successors and assigns.

6. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Maryland (without regard to principles of conflicts of law).

7. Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original and all of which together shall constitute one and the same Agreement.

IN WITNESS WHEREOF, Assignor and Assignee have signed, sealed and delivered this Assignment and Assumption Agreement as of the date first set forth above.

ASSIGNOR:

MONTGOMERY COUNTY, MARYLAND, a
Maryland public body corporate

By: Ramona Bell-Pearson [SEAL]
Ramona Bell-Pearson
Assistant Chief Administrative Officer

APPROVED FOR FORM AND LEGALITY

By: Vickie L. Gaul
Vickie L. Gaul
Associate County Attorney

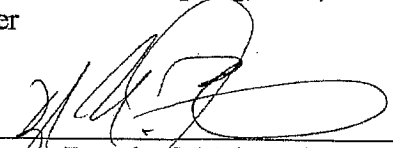
8-25-14
Date

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

ASSIGNEE:

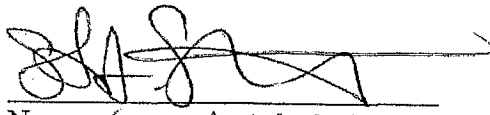
**WHEATON/SILVER SPRING, LLC, a
Maryland limited liability company**

By: S/C Wheaton/Silver Spring, LLC, its Co-
Manager

By: 
Name: Douglas M. Firstenberg
Title: Manager

By: BA Wheaton/Silver Spring, LLC, its Co-
Manager

By: Bozzuto Holdings, LLC, its Managing
Member

By: 
Name: STEVEN A. STRAZELLA
Title: EXECUTIVE VICE PRESIDENT

has

Exhibit A

Agency Authorization

Attached

AGENCY AUTHORIZATION

THIS AGENCY AUTHORIZATION, is made this 25th day of August, 2014, by and between the MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION, a Maryland public body corporate (the "Commission") and MONTGOMERY COUNTY, MARYLAND, a political subdivision of the State of Maryland (the "County").

RECITALS:

A. The Commission is the owner of approximately 3.2 acres of land located in Silver Spring, Maryland identified as Lot numbered Two (2) in Block lettered "C" and Parcel lettered "D" in Block lettered "C" in a subdivision known as J.C. WILSON ESTATE, WOODSIDE PARK, and known as 8787 Georgia Avenue, which property is more particularly described on Exhibit A (collectively, the "Property").

B. The Commission has entered into a Development Agreement (the "DA") with the County, pursuant to which the County will ultimately acquire the Property from the Commission.

C. The County has simultaneously entered into a General Development Agreement (the "GDA") with a private developer, Wheaton/Silver Spring, LLC (the "Developer"), pursuant to which the Developer will ultimately acquire the Property from the County for the development thereon of a privately owned project which will be comprised of 360 multi-family residential units, more or less, and approximately 25,000 square feet of retail and ancillary uses (the "Project").

D. The Project must proceed through development approval processes including, but not limited to, the filing of sketch plan, preliminary plan of subdivision, and site plan applications (the "Development Applications") with the Montgomery County Planning Board (the "Planning Board"). The Commission enters into this Agency Authorization to enable the County or its assignee, prior to acquisition to pursue the Development Applications.

E. The Commission enters into this Agency Authorization in its capacity as owner of the Property, and the County acknowledges and agrees that any approvals or consents required or granted by the Commission as set forth in this Agency Authorization do not and will not substitute for regulatory approvals required under applicable law.

F. This Agency Authorization is to be strictly limited to permitting the County to prepare, file, and process the Development Applications with the Planning Board, and building permit and other permit applications with applicable agencies with jurisdiction thereof, including the Montgomery County Department of Permitting Services. This Agency Authorization may not be construed as Commission approval, in any manner or form, of the proposed development on the Property, nor does it constitute any consent, agreement, commitment, or obligation of the Commission or County with respect to the GDA, present or future conveyances, agreements, licenses, permits, approvals, or any other public actions as more fully stated below. The Commission shall be provided with two (2) copies of all Development Applications.

F. This Agency Authorization may be assigned by the County to the Developer in accordance with the DA, and the County will notify the Commission upon such assignment.

NOW, THEREFORE, in consideration of Ten Dollars in hand paid, the mutual promises herein made, and of other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, it is hereby agreed, by and between the parties, as follows:

1. For the limited purpose of seeking approvals for the Development Applications, the Commission hereby permits and consents to the County acting as the Commission's agent in preparing and submitting for zoning, subdivision, and such other development approvals for the Property as the Commission may agree in writing to include, which agreement shall not be unreasonably withheld, under this authorization and subject to the limitations set forth herein.

2. The County shall submit at its sole cost all plans, narratives, data, and all other documentation which the County will utilize in connection with the Development Applications. Copies of the Development Applications must be submitted to the Commission for its review at least five (5) business days before their submission.

3. As limitations of this Agency Authorization, it is understood and agreed by and between the parties that:

- a. This Agency Authorization does not constitute, nor may it be construed as approval by the Commission, of the Development Applications submitted by the County.
- b. This Agency Authorization does not constitute, nor may it be construed as, a joint venture agreement between the Commission and the County.
- c. This Agency Authorization shall not be binding on the Commission regarding conveyances, agreements, licenses, permits, or approvals by or from the Commission.
- d. This Agency Authorization shall not affect, in any manner whatsoever, any public action, review, or approval process involving the Commission or for which the Commission or a component of the Commission (including an official thereof) is responsible.
- e. This Agency Authorization is not a decision or predetermination regarding Commission disposition of its properties. It is acknowledged by the County that any disposition of property by the Commission is subject to other processes, procedures, and approvals, separate from this Agency Authorization.
- f. This Agency Authorization is not, and shall not, constitute "use" of the Property by the County. Any and all uses to which the Property may be put presently are not affected by this Agency Authorization. In the event

either the DA or the GDA are terminated, the Commission may terminate this Agency Authorization at any time.

4. This Agency Authorization does not authorize the County to make any representations or statements regarding the Commission and the Property which are not made expressly subject to the Commission's prior written approval. Further, this Agency Authorization does not authorize the County to encumber or offer to encumber the Property or in any way to cause the Property to become encumbered without prior written consent of the Commission. The County acknowledges and agrees that it is the Commission's agent pursuant to this Agency Authorization for the sole purpose of the preparation, filing, and processing of the Development Applications. This paragraph shall not preclude the County from agreeing to or offering conditions to be placed on approvals of the Development Applications by appropriate governmental authorities, which conditions might apply to or affect the Property if and only if County succeeds in obtaining title to the Property, with the further provision that the County understands that the Commission does not consent to such conditions, and cannot represent to the appropriate governmental authorities that the Commission consents to such conditions.

5. This Agency Authorization is not, does not, and shall not operate to constrain, restrict, prevent, or impair in any way the Commission's present use or control of the Property during either the term of the Agency Authorization or until such time, if ever, the County attains rights in the Property.

6. Any notices, consents, or other communications required or permitted to be given pursuant to this Agency Authorization must be in writing and shall be deemed to have been delivered (a) if delivered in person, or via courier when received at the address of the person to whom notice is given, (b) if sent by a nationally recognized overnight delivery service (e.g., Federal Express, UPS, Airborne Courier), on the first business day after receipt by such delivery service for overnight delivery, or (c) if sent by certified United States Mail, on the earlier of the date actually received or two (2) business days after deposited in a receptacle provided by the United States Post Office, addressed to the intended party at the following respective addresses:

If to COMMISSION: Montgomery County Department of Parks, Director
Maryland-National Capital Park and Planning Commission
9500 Brunett Avenue
Silver Spring, Maryland 20901

with a copy to:

Judie L. Lai, Architectural and Special Projects Section
Chief
Montgomery County Department of Parks
9500 Brunett Avenue
Silver Spring, Maryland 20901
Judie.lai@montgomeryparks.org

and with a copy to:

Office of the General Counsel
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue, Suite 205
Silver Spring, Maryland 20910

If to COUNTY:

Montgomery County Government
Office of the County Executive
101 Monroe Street, Second Floor
Rockville, Maryland 20850
Attention: Chief Administrative Officer

with a copy to:

Montgomery County Government
Department of Transportation
101 Monroe Street, Ninth Floor
Rockville, Maryland 20850
Attention: Director

and with a copy to:

Montgomery County Government
Office of the County Attorney
101 Monroe Street, Third Floor
Rockville, Maryland 20850
Attention: County Attorney

or to such other substitute address and/or addressee as any party hereto shall designate by written notice to the other party in accordance with the terms of this paragraph; provided, however, that no such notice of change of address and/or addressee shall be effective unless and until actually received by the party to whom such notice is sent.

7. The recitals are incorporated into this Agency Authorization.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have caused this Agency Authorization to be executed as of the above written date.

**THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION**

ATTEST:

for Barbara Wae

Joseph Zimmerman
Secretary-Treasurer

Boy

Patricia Colihan Barney
Executive Director

DATE: 8/12/14

DATE: 8/12/14

APPROVED AS TO LEGAL SUFFICIENCY

By: *Carol S. Rubin* 8/11/14

Carol S. Rubin Date
Associate General Council

MONTGOMERY COUNTY, MARYLAND

By: *Ramona Bell-Pearson* 9/25/14

Ramona Bell-Pearson Date
Assistant Chief Administrative Officer

APPROVED AS TO FORM AND LEGALITY

By: *W. Paul*

Date: 8-28-14, 2014

AGENCY AUTHORIZATION
by and between
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
and
MONTGOMERY COUNTY, MARYLAND

EXHIBIT A

Property

Being all that land in the Thirteenth (13th) Election District, Montgomery County, Maryland, and being more particularly described as follows:

Lot numbered Two (2) in Block lettered "C" in a subdivision known as "J.C. WILSON ESTATE, WOODSIDE PARK" per plat thereof recorded in Plat Book 99 at Plat No. 11049 among the Land Records of Montgomery County, Maryland.

AND

Parcel lettered "D" in Block lettered "C" in a subdivision known as "J.C. WILSON ESTATE, WOODSIDE PARK, Public Parking Lot No. 2" per plat thereof recorded at Plat No. 21574 among the Land Records of Montgomery County, Maryland.

Lot 2: BEING the same land conveyed to Maryland National Capital Park and Planning Commission by Deed recorded in Liber 2165 at folio 565 (former Lot 1), by Deed recorded in Liber 2654 at folio 200 (former Outlot A), by Deed recorded in Liber 4514 at folio 757 (part of former Spring Street right of way) and by Resolution No. 14-161 recorded in Liber 17189 at folio 615 (part of former Spring Street right of way).

Parcel D: BEING the same land conveyed to Maryland National Capital Park and Planning Commission by Deed in Liber 16328 at folio 238 and by Resolution 14-161 recorded in Liber 17189 at folio 615 (former Spring Street right of way).

NOTE: Being identified for purposes of taxation and assessment as Acct. Nos. 13-01433996 (Lot 2) and 13-03309215 (Parcel D)

MEMORANDUM OF UNDERSTANDING

AGENCY AUTHORIZATION

THIS UNDERSTANDING AND AUTHORIZATION, is made this 25th day of August, 2014, by and between MONTGOMERY COUNTY, MARYLAND, a political subdivision of the State of Maryland (the "County") and WHEATON/SILVER SPRING, LLC, a Maryland limited liability company (the "Developer").

RECITALS:

A. The County is the owner of those certain parcels of land located in Wheaton, Maryland and identified as (i) Part of Lots 13 and 14 in Block H, (ii) Montgomery County Public Parking Lot 13, and (iii) Lots 11 and 12 (collectively, the "Property", outlined and labeled on Exhibit A).

B. The County has designated the Developer to enter into negotiations for a general development agreement (the "GDA"), pursuant to which Developer desires to (i) acquire a portion of the Property (the "Wheaton Private Land") and develop thereon a privately owned residential apartment building containing approximately 230 units and affordable housing units, together with related parking and approximately 6,000 rentable square feet on the ground floor of the residential apartment building to be leased back to the County (collectively, the "Wheaton Project"). Simultaneous to negotiations on the GDA, the Developer and the County are entering into a "turnkey" design and construction contract (the "Turnkey Contract") with respect to the design and construction on the Property of (i) a public office building containing approximately 255,000 square feet together with a public parking facility containing approximately 395 parking spaces (collectively, the "Public Office Building"), and (ii) a public square (collectively, the Public Office Building and the public square are the "Wheaton Public Improvements").

C. Approval of the Wheaton Public Improvements must undergo Mandatory Referral review by the Montgomery County Planning Board (the "Planning Board") prior to construction pursuant to State and County law (the "Mandatory Referral Application"). Pursuant to the Turnkey Contract, the Developer will pursue the Mandatory Referral Application for the Wheaton Public Improvements. The Developer also desires to pursue certain development approval processes for the Wheaton Project on the Wheaton Private Land following execution of the GDA for the development and transfer of the Wheaton Private Land to the Developer. Such development approval processes include, but are not limited to, the filing of sketch plan, preliminary plan of subdivision, and site plan applications (the "Development Applications") with the Planning Board. The County desires to enter into this Agency Authorization to enable the Developer to pursue the Mandatory Referral Application and the Development Applications.

D. This Agency Authorization is to be strictly limited to permitting the Developer to prepare, file, and process the Mandatory Referral Application and the Development Applications with the Planning Board, and building permit and other permit applications for the Wheaton Public Improvements and the Wheaton Project with applicable agencies with jurisdiction thereof, including the Montgomery County Department of Permitting Services. This Agency

Authorization may not be construed as County approval, in any manner or form, of the proposed development on the Wheaton Private Land, nor does it constitute any consent, agreement, commitment, or obligation of the Developer or the County with respect to the GDA being negotiated, present or future conveyances, agreements, licenses, permits, approvals, or any other public actions as more fully stated below. The County shall execute the Mandatory Referral Application as may be required, the County shall be provided with two (2) copies of all Development Applications, and the Developer shall keep the County fully informed at all times of its intent to file and process any and all Development Applications authorized herein.

NOW, THEREFORE, in consideration of Ten Dollars in hand paid, the mutual promises herein made, and of other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, it is hereby agreed, by and between the parties, as follows:

1. For the limited purpose of preparing for the County and submitting to the Planning Board the Mandatory Referral Application and seeking approvals for the Development Applications, the County hereby permits and consents to the Developer acting as the County's agent in preparing and submitting for zoning, subdivision, and such other development approvals as to the Property as County may agree in writing to include, which agreement shall not be unreasonably withheld, under this authorization and subject to the limitations set forth herein.

2. The Developer shall submit at its sole cost all plans, narratives, data, and all other documentation which the Developer will utilize in connection with the Development Applications. Copies of the Development Applications must be submitted to the County for its review at least five (5) business days before their submission. The Turnkey Contract specifies the requirements related to preparation and County review of the Mandatory Referral Application prior to submittal.

3. As limitations of this Agency Authorization, it is understood and agreed by and between the parties that:

- a. This Agency Authorization does not constitute, nor may it be construed as approval by the applicable agencies of the County, of the Development Applications submitted by the Developer.
- b. This Agency Authorization does not constitute, nor may it be construed as, a joint venture agreement between County and the Developer.
- c. This Agency Authorization shall not be binding on the County regarding the terms of the GDA, conveyances, agreements, licenses, permits, or approvals by or from the County.
- d. This Agency Authorization shall not affect, in any manner whatsoever, any public action, review, or approval process involving the County or for which the County or a component of the County (including an official thereof) is responsible.

101 Monroe Street, Second Floor
Rockville, Maryland 20850
Attention: Chief Administrative Officer

with a copy to:

Montgomery County Government
Department of Transportation
101 Monroe Street, Ninth Floor
Rockville, Maryland 20850
Attention: Director

and with a copy to:

Montgomery County Government
Office of the County Attorney
101 Monroe Street, Third Floor
Rockville, Maryland 20850
Attention: County Attorney

If to DEVELOPER:

StonebridgeCarras, LLC
7200 Wisconsin Avenue, Suite 700
Bethesda, Maryland 20814
Attention: Douglas Firstenberg, Principal

and

Bozzuto & Associates, Inc.
7850 Walker Drive
Greenbelt, Maryland 20770
Attention: Richard L. Mostyn

with a copy to:

Linowes and Blocher LLP
7200 Wisconsin Avenue, Suite 800
Bethesda, Maryland 20814
Attention: Richard M. Zeidman, Esq.

and with a copy to:

Gallagher, Evelius, & Jones
218 N Charles Street, Suite 400
Baltimore, Maryland 21201
Attention: Kirsten Woelper, Esq.

or to such other substitute address and/or addressee as any party hereto shall designate by written notice to the other party in accordance with the terms of this paragraph; provided, however, that no such notice of change of address and/or addressee shall be effective unless and until actually received by the party to whom such notice is sent.

7. The recitals are incorporated into this Agency Authorization.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have caused this Agency Authorization to be executed as of the above written date.

MONTGOMERY COUNTY, MARYLAND

By: Ramona Bell-Pearson
Ramona Bell-Pearson
Assistant Chief Administrative Officer

WHEATON/SILVER SPRING, LLC, a Maryland limited liability company

By: [Signature]
Name: DOUGLAS M. FIRSTENBERG
Title: CO. MANAGER

APPROVED AS TO FORM AND LEGALITY

By: [Signature]
Date: 8-25-14, 2014



ATTACHMENT 6
MONTGOMERY COUNTY DEPARTMENT OF PARKS
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB Item: _____
July 30, 2015

July 10, 2015

TO: Luis Estrada, Planner Coordinator/Urban Designer, Area 2 Division

VIA: Michael F. Riley, Director of Parks *MFR*

Mitra Pedoem, Acting Deputy Director of Administration *Mitra*

Dr. John E. Hench Ph. D., Chief, Park Planning and Stewardship Division (PPSD) *JEH*

Brooke Farquhar, Master Planner/Supervisor, PPSD Park and Trail Planning Section *Brooke Farquhar*

FROM: Rachel Davis Newhouse, Planner Coordinator, PPSD Park and Trail Planning Section *Rachel Davis Newhouse*

SUBJECT: Wheaton Public Office Building and Town Square, Mandatory Referral, **MR 2015028**

Background

The mandatory referral for development of a new Maryland - National Capital Park and Planning Commission Montgomery Regional Office Headquarters and a Town Square is consistent with the guidance of the January 2012 approved and adopted Wheaton CBD and Vicinity Sector Plan.

Staff from the Department of Parks worked closely with the Mid-County Regional Services Center staff to develop a program of requirements (**POR**) for the design of the Town Square that represented the amenities the public has requested at many community meetings and charrettes. Many of these amenities have been addressed in the project design.

It is our understanding that the maintenance and operations of the Town Square is covered under a separate operation and maintenance agreement between the Commission and the County.

The following recommendations should guide the design and development of the Town Square:

Town Square Design

1. Provide the infrastructure needs for events and storage areas. Provide electricity and lighting for events in this space. Provide storage (300 square feet minimum) for tables, chairs, etc. nearby the event plaza. Provide Wi-Fi for the plaza.
2. Provide space for lending library boxes along the plazas and lawn.
3. Provide green plantings for the front entry plaza by providing plantings within the plaza space. Use tree wells, planters, green walls, etc. to provide areas for plants to grow. Use a terrace paving material, like decking, that allows water to percolate into the soil below to support the plantings. Create terrace walls that can function as seating walls and planters.

4. Provide numerous seating options in the various spaces throughout the Town Square. Some can be moveable and some should be part of the plaza space (i.e. seating and terrace walls). Provide seating that is iconic to Wheaton and that encourages playfulness.
5. Provide buffers adjacent to Reddie Drive that function as buffers to Reddie when it is open to traffic and then functions as part of the larger Town Square when Reddie is closed to traffic. Moveable bollards, or moveable benches, structures are ways to achieve this.
6. Provide artistic structure(s) that are unique to Wheaton and convey the spirit of Wheaton. Consider having the unique features be things children can play upon. Material should be vandal resistant. The applicant should work with M-NCPPC and local arts organizations to create an integrated public art package.
7. Provide wayfinding signage that locates the public and informs them of nearby shopping and restaurant opportunities, links them to adjacent bike trails and informs them of the various cultural and culinary tours available in Wheaton. The wayfinding signage should be digital and solar powered and provide Wi-Fi.
8. Provide a space in the Town Square that is considered the play space. Consider using a soft surface material for the plaza that can be played upon and will cushion falls.
9. Provide shaded areas. Consider many shade options such as under trees, under awnings, under umbrellas, etc.
10. Provide a variety of lighting types that add excitement each space and create a safe area. Lighting should be solar powered as much as possible. Lighting should be flexible to be off during non-event times and on when needed for the larger area.
11. Provide multiple options for exercise and fitness. Consider including a Heartsmart trail loop along the edge of the development site by using Heartsmart trail medallions located within the pavement every 1/10 of a mile. Consider including a multi-stationed fitness unit within the Town Square.
12. The water feature is an important placemaking element in the urban plaza. The current location/configuration places the water feature approximately 12 feet from several sets of stairs and in close proximity to the main entrance of the building and overhanging wood soffit. During Design Development, careful consideration should be given to its location/configuration to ensure that adequate area is provided around the water feature in all directions to facilitate safe, public interaction and building entry functions.
13. A wall or screen to provide a sense of separation from the existing Dunkin Donuts parking lot shall be provided. The proposed three-foot wide planting bed and one-foot tall wall will not adequately screen the view of parked cars from the sidewalk along one of the major entry routes to the plaza and new building.
14. There are several sets of exterior stairs in the project. The stairs should be designed to ease the transition between different levels using a comfortable riser/tread ratio and designed as integral and attractive site elements.

15. The number of short and long term bicycle parking facilities shall exceed the minimum standards set forth in the Zoning Ordinance. Provide an adequately-sized, indoor, secure bicycle parking area.
16. During Design Development consideration shall be given to providing occupiable rooftop space such as a staff breakout area and walkways in the green roof area(s).
17. The green roofs, in order to be successful, shall be designed to accommodate a minimum of 5"-6" spread soil depth. Maintenance access to the green roofs shall be needed.

Site Design for Community Policing Through Environmental Design

18. Provide a clear line of sight- for people on sight and passerby.
19. Provide natural surveillance- for people on sight and passerby.
20. Provide a Perception of Safety (includes-good and correct placement of lighting fixtures and cameras, well maintained landscaping, well maintained building, adequate signage).
21. Provide structures/amenities that are safe for people to use.
22. Provide security for the building, the unauthorized areas (such as utility rooms) and areas that have money storage.
23. Provide an action plan for employees for all emergencies (includes evacuation of building).

This concludes the comments for the above subject Mandatory Referral.

cc:

John Nissel, Deputy Director of Operations
Bill Tyler, Chief, Southern Parks
David Vismara, Chief, Horticulture, Forestry and Environmental Education
Michael Ma, Acting Chief, Park Development
Antonio DeVaul, Chief, Park Police
Jim Poore, Chief, Facilities Management

ATTACHMENT 7



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

FROM: Molline Jackson,
Art Review Panel Coordinator

PROJECT: Wheaton Headquarters for the M-NCPPC New Office
Mandatory Referral

LEAD REVIEWER: Luis Estrada (Planning Department – Lead Reviewer)

DATE: July 17, 2015

The Art Review Panel has generated the following meeting minutes based on our discussion of the design concept for the public use space on July 8, 2015 for the Wheaton Headquarters. The recommendations provided within this memo should be incorporated into The Staff Report and considered by the Planning Board. Should you have any additional questions and/or comments please feel to contact me.

Attendance:

Judie Lai (Parks Department – M-NCPPC Liaison)
Xavius de Silva-Thompson (MCDOT)
Jane Galbraith Mahaffie (Developer – Stonebridge Carras)
Suzan Jenkins (CEO of AHCMC)
Todd Bressi (Public Art Consultant for AHCMC)
Joseph Frandoni (AHCMC)

Molline Jackson (Art Review Panel Coordinator)
Claudia Rousseau (Panelist)
Damon Orobona (Panelist)
Germano Gomez (Panelist)
Judy Moore (Panelist)
Luis Estrada (Lead Reviewer)
Luann Korona (Panelist)
Ralph Bennett (Panelist)

Meeting Notes:

- The Developer presented the overall project, with a specific focus on the public spaces. The public use space consists of 9 different areas (page 15 of 49 in the submittal package), including the armature (ramping system) and Reddie Drive (private street, maybe closed for special events).
- Other public use areas include: 2 seating areas, the main event plaza, the main stage, the lawn amphitheater, the main entrance to the office building and the café space.

- The office building is 12-stories, approximately 361,200 sf. (30,100 sf. proposed building footprint).
- The first floor of the building will have retail and restaurant uses along Triangle Lane, in order to activate the existing retail directly adjacent to the eastern property boundary.
- The existing topography presents a challenge for the overall development/ construction of the site. However, the project has provided clever ways to address the steep slopes in problem areas.
- The terraced amphitheater will have real grass (lawn) and concrete risers, gradually stepping down to the main plaza area.
- The Developer has identified three (3) possible locations for the installation of public art, but has reserved the right to add more locations upon coordinating with the Art Humanities Council of Montgomery County (“AHCMC”). The three locations identified during the meeting are: 1) the retaining wall between the Wheaton Metro Station and the stairwell leading up to the main plaza, 2) the scrim wall behind the main stage, and 3) possibly the armature/ ramping system.
- The total budget for public art specifically is \$250,000, but public art may also be incorporated into other aspects of the functional design details (e.g. lighting, the ramping system, signage, etc.).
- The AHCMC attended the meeting and has agreed to work with the Applicant/Developer in order to come up the “conceptual outline” or the action plan as the project progresses.
- The public artworks will be integrated wherever feasible, as a result of ideas generated by community charrettes specifically completed for the Matthew Mazzotta project (open house held May 2015) and the public surveys prescribed for the Montgomery County Public Arts Roadmap project. The AHCMC has agreed to share their expertise and knowledge with the Developer, as they continue to engage the local community.

Panel Recommendations:

1. The Art Review Panel strongly recommends that a Public Arts professional be included on the development team. The Panel recommends that the AHCMC serve as the Public Arts professional(s) that will facilitate the discussion between the local community and the County. AHCMC is the public agency tasked with managing the publically funded public artworks throughout the County.
2. As the project progresses, the Public Art professional will provide guidance as it specifically relates to site design details, coordination of the development phasing as it relates to the construction schedule, programming, compatible public artworks, commissioning local artist, etc.
3. The Developer and AHCMC will work together to consider an open competition regarding the public artworks. The solicitation of the local community would further support their commitment to community-wide participation, and give the public a real opportunity to solve

design challenges through the use of public art. The Silver Spring Civic Building serves as an example of a successful open competition.

4. The Applicant should start communications with the AHCMC (<http://creativemoco.com/>) to assist with the following tasks:
5. Developing an overarching theme and program for the mixed use project. Identifying internal and external opportunities for public artworks to be incorporated into the fabric of the design. Opportunities for temporary public art exhibits and community contributions (i.e. ways to enhance the total budget) should also be included in their discussions, as this will generate community support (strong base) for the overall project.
6. Help to facilitate a call for local artists and community charrettes.
7. Management of gallery/exhibit space on ground level of the office building. Arts on the Block would be an ideal candidate if given the opportunity (<http://artsontheblock.com/>). The BUP committee (Bethesda Urban Partnership) could also provide some framework from successful projects that they have completed and currently manage.
8. Contact neighboring properties: The Housing Opportunities Commission (<http://www.hocmc.org/>), The Mid-County Regional Services Center (<http://www.montgomerycountymd.gov/midcounty/>), etc. The Developer is strongly encouraged to present the project to their existing neighbors in order to gain their feedback, but also partial collaboration on artistic/ creative way-finding techniques.
9. The Way-Finding package could also be infused with public art that will bring the public into the spaces from the surrounding major roadways (i.e. Georgia Avenue and Veirs Mill Road). Public artwork(s) could be attached to the office building and would act as a landmark for the local community.
10. The history of Wheaton should be thoughtfully incorporated into the overall theme of the public spaces.
11. The Art Review Panel would like to be included in on any discussion regarding the final plans for the public use space and public art component, as well as coordination with the AHCMC.

ATTACHMENT 8



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

July 16, 2015

Mr. Bradford Fox, P.E.
Bohler Engineering
16701 Melford Boulevard, Suite 310
Bowie, MD 20715

Re: Stormwater Management **CONCEPT** Request
for Wheaton Public Improvements
SM File #: 276035
Tract Size/Zone: 1.41Ac./CR-6.0
Total Concept Area: 2.58 Ac.
Lots/Block: 13&pt 11&14; 11-15 &pt 16&18/ H;F
Watershed: Sligo Creek

Dear Mr. Fox:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept proposes to meet full required stormwater management goals via ESD to the MEP, by the use of green roof and micro-bioretenion (planter boxes).

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

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Landscaping shown on the approved Landscape Plan as part of the approved Mandatory Referral are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.
5. Provide a narrative to explain where the drainage goes from the storm drain down to the Wheaton Regional on Dennis Avenue.
6. Provide approval of storm drain capacity from MDSHA and MCDOT.
7. Use the latest MCDPS design criteria for the stormwater management structures at time of plan submittal.

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTY
www.montgomerycountymd.gov

8. Stormwater management structures that will have signage for the public must be designed according to MCDPS criteria, even if they are not counted toward the ESDv.
9. At time of plan design, down size some of the micro-bioretenion structures to eliminate storage that is not needed.
10. You are providing 10,359 square feet of 8 inch green roof (8,345 square feet on top of building and 2,014 square feet on top of the armature). At time of plan submittal try to increase green roof area on the building, especially in areas under the solar panels. If additional green roof is provided then reduce the size of the micro-bioretenion within the same drainage area.
11. Provide a soils report at time of plan submittal. This is usually required at time of concept but has been extended to design plan submittal since your concept does not depend on infiltration.
12. Provide a copy of the mechanical plans showing schematics of roof drains and garage drains showing where they outfall. Roof drains should be draining to micro-bioretenion structures and garage drains need to drain to WSSC.
13. Even though the Silva Cells are not being used for stormwater management, you must show on the design plans that they will not direct additional drainage area to or away from the micro-bioretenion structures.
14. You must not provide more than 18 inches from top of wall to top of media in the micro-bioretenion unless approved by MCDPS.
15. Provide outfall protection for all concentrated flows into the micro-bioretenion structures.

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

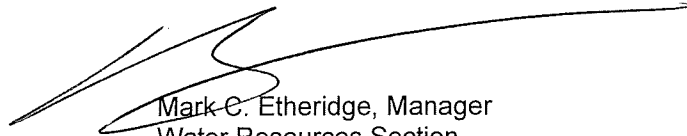
Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.

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

Mr. Bradford Fox, P.E.
July 16, 2015
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If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332.

Sincerely,



Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: me CN276035 Wheaton Public Improvements.DWK

cc: C. Conlon
SM File # 276035

ESD Acres:	2.58
STRUCTURAL Acres:	0.00
WAIVED Acres:	0.00