



Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

November 18, 2005

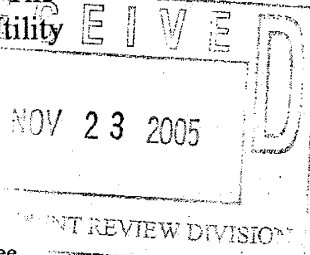
Ms. Cathy Conlon
Supervisor, Development Review
Subdivision Division
Maryland National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Re: Montgomery County
Bank of America-Woodmoor
MD 193
File No. 1-20060440

Dear Ms. Conlon:

The State Highway Administration's (SHA) November 1, 2005 letter offered comments on the preliminary plan application for the Bank of America – Woodmoor development. Based on discussions during the November 7, 2005 Development Review Committee (DRC) meeting and recent site observations, we are hereby rescinding our November 1, 2005 comments and replacing these comments with the following:

- SHA supports continued access from MD 193. The existing depressed curb entrance must be reconstructed at its current location with a 25' wide channelized commercial entrance with 20' turning radii. We realize that a few existing parking spaces may have to be eliminated to accommodate this wider entrance. However, a reconstructed entrance to current SHA standards will function more efficiently and more safely than the existing depressed curb entrance.
- The traffic study is currently being reviewed by various SHA traffic offices. We anticipate completing a response letter to Mr. Shahriar Etemadi (M-NCPPC) by November 28, 2005.
- Access to the property is subject to the "Rules and Regulations" of this Administration. The required MD 193 access modifications are subject to the terms and conditions of an access permit, which must be received from this office.
- Any proposed utility connections and/or utility work within MD 193 rights-of-way will require a utility permit from SHA's District #3 Utility Office. The developer/applicant should contact Mr. Augustine Rebish, District #3 Utility Engineer @ 301-513-7350 for permitting requirements.

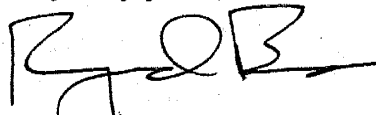


My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Ms. Cathy Conlon
Page Two

If you have any question, please contact Ray Burns at 410-545-5592 or our toll free number in Maryland only at 1-800-876-4742.

Very truly yours,

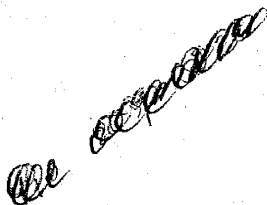


for

Steven D. Foster, Chief
Engineering Access Permits Division

SDF/rbb

cc: Mr. Joseph J. Ucciferro \ Bohler Engineering
Mr. Shahriar Etemadi \ M-NCPPC
Mr. Richard Weaver \ M-NCPPC
Mr. Darrell Mobley *sent via e-mail*
Mr. Lee Starkloff *sent via e-mail*
Mr. Augustine Rebish *sent via e-mail*





Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

November 1, 2005

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

Re: Montgomery County
MD 193
Bank of America - Woodmoor
File No. 1-20060440

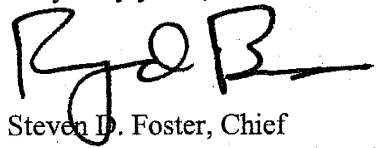
Dear Ms. Conlon:

The State Highway Administration (SHA) would like to thank you for the opportunity to review the preliminary plan application for the Bank of America - Woodmoor development. We have completed our review and offer the following comments:

- The term "denied access" is to be placed on the final record plat along the property frontage to MD 193 (University Boulevard). All access to the site will be from Lexington Drive.
- Access to this property is subject to the "Rules and Regulations" of this Administration with a permit issued by our District 3 office for proposed signing and utility connections within the State right-of-way. Please contact Mr. Augustine Rebish, District 3 Utility Engineer @ 301-513-7350 for permitting requirements.
- The traffic study is currently being reviewed by various divisions within SHA. A response letter will be provided to Mr. Shahriar Etemadi (M-NCPPC) by November 28, 2005.

If additional information is required from SHA regarding this project, please do not hesitate to contact Mr. Raymond Burns at 410-545-5592, Mr. John Borkowski at 410-545-5595, or by using our toll free number in Maryland only, 1-800-876-4742 (x-5592 for Ray, x-5595 for John). You may also E-mail Ray (rburns1@sha.state.md.us) or John (jborkowski@sha.state.md.us). Thank you for your cooperation.

Very truly yours,


for Steven D. Foster, Chief
Engineering Access Permits Division

SDF/RB/JAB

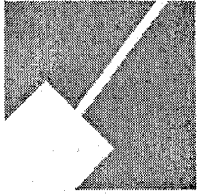
cc: Mr. Darrell Mobley (Via E-mail)
Mr. Augustine Rebish (Via E-mail)
Mr. Richard Weaver, M-NCPPC (Via E-mail)
Mr. Shahriar Etemadi, M-NCPPC (Via E-mail)
Mr. Joseph J. Ucciferro (Bohler Engineering)

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

WSSC Comments on Items for November 7, 2005, Development Review Committee Meeting

File Number	Project Name	Comments
1-20060460	BANK OF AMERICA – WOODMOOR	Water and sewer lines about the property. Connections (maybe On-site) required.

Unless otherwise noted, all extensions require Requests for Hydraulic Planning Analysis and need to follow the System Expansion Permit (SEP) Process. Contact WSSC's Development Services Center (301-206-8650) or visit the Development Services on WSSC's web-site (www.wsscwater.com) for information on requesting a Hydraulic Planning Analysis and additional requirements for extensions. Contact WSSC's Permit Services (301-206-4003) for information on service connections and on-site system reviews.




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

Department of Park & Planning, Montgomery County, Maryland
8787 Georgia Avenue, Silver Spring, Maryland 20910

MEMORANDUM

TO: Cathy Conlon, Supervisor, Development Review

FROM: Stephen D. Federline, Supervisor, Environmental Planning 

DATE: December 13, 2005

SUBJECT: Preliminary Plan 120060460 – Bank of America - Woodmoor

The Environmental Planning staff has reviewed the preliminary plan referenced above. Staff recommends **approval of the preliminary plan of subdivision with NO CONDITIONS.**

NOTE: Revised Recommendation NRI/FSD #4-05354E

Per previous correspondence dated July 14, 2005, Candy Bunnag of Environmental Planning determined that an exemption was not required for the then-proposed sediment control plan.

However, the submission of the preliminary plan now requires an exemption. This memo supersedes that earlier correspondence. A determination has been made that the plan qualifies for the following exemption:

EXEMPTION:

X **Small Property**

X Activity occurring on a tract less than or equal to 1 acre in size where activity will not result in the clearing of more than 30,000 square feet of existing forest, or any specimen or champion trees, and reforestation requirements would be less than 10,000 square feet.

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FOREST CONSERVATION RECOMMENDATIONS

TO: Development Review Division

SUBJECT: Project Name Bank of America- Woodmoor #120060460
NRI/FSD #4-05354E REVISED RECOMMENDATION

Note: PER A PREVIOUS CORRESPONDENCE DATED JULY 14, 2005, CANDY BUNNAG OF ENVIRONMENTAL PLANNING DETERMINED THAT AN EXEMPTION WAS NOT REQUIRED FOR THE THEN-PROPOSED SEDIMENT CONTROL PLAN. HOWEVER, THE SUBMISSION OF THE PRELIMINARY PLAN NOW REQUIRES AN EXEMPTION.

This memo supercedes that earlier correspondence. A determination has been made that the plan qualifies for the following exemption:


EXEMPTION:

X Small Property

X Activity occurring on a tract less than or equal to 1 acre in size where activity will not result in the clearing of more than 30,000 square feet of existing forest, or any specimen or champion trees, and reforestation requirements would be less than 10,000 square feet.

This property is not subject to a Tree Save Plan.

This property is not within a Special Protection Area.

Signature:  301-495-4550 Date: 012/13/05
Steve Federline, Environmental Planning
CountyWide Planning Division

cc: Joseph Ucciferro, Bohler Engineering (Fax 301-821-7987)

C4 2068



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

March 25, 2005

Mr. Joseph Uciferro
Bohler Engineering, Inc.
810 Gleneagles Court, Suite 300
Towson, MD 21286

Re: Stormwater Management **CONCEPT** Request
for Bank of America, Woodmore Shopping Ctr.
Preliminary Plan #: N/A
SM File #: 215609
Tract Size/Zone: 0.516 acres / C-4
Total Concept Area: 0.516 acres
Lots/Block: Lot 1/1
Parcel(s): Part of Parcel 4
Watershed: Northwest Branch

Dear Mr. Uciferro:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control via installation of a Stormfilter or equal. On-site recharge is not required for redevelopment projects. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs. A waiver of on-site water quality requirements was made for 0.13 acres of developed area.

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

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Because it is not possible to provide water quality control for approximately 0.13 acres of the proposed development, a waiver of water quality control requirements for that area is hereby granted.

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

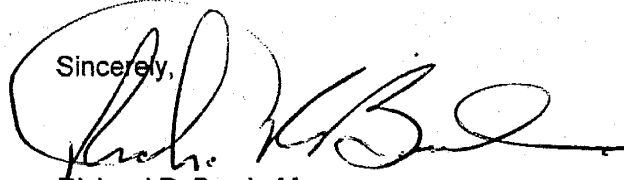
Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is required for the waived portion of the site.



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

If you have any questions regarding these actions, please feel free to contact Mark Ethetidge at 240-777-6338.

Sincerely,



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

RRB:dm mce

cc: R. Weaver
S. Federline
SM File # 215609

QN -ON; Acres: 0.55
QL - ON; Acres: 0.35
QL - SW; Acres: 0.13
Recharge is/is not provided



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Department of Permitting Services 240-777-6240

Robert C. Hubbard
Director

Waiver Request for Parking

Code: Zoning Ordinance	Section of Code: 59-F-3.7	Title of Code Section Subsection: Article E - Off Street Parking and Loading	Permit Number: N/A
---------------------------	------------------------------	---	-----------------------

Applicant's Name and Address: Woodmoor Shopping Center/ Bank of America 28 University Boulevard East Silver Spring, Maryland	Project Name and Location: Relocation of in-line bank to a pad site. Woodmoor Shopping Center located at 28 University Boulevard East Silver Spring, Maryland
---	---

Waiver Request Description
Applicant seeks a waiver from Section 59-F-3.7 of the Montgomery County Zoning Ordinance (Schedule of Parking Requirements).

Conditions Necessitating Waiver Request

Applicant proposes to construct a 3000 sq ft Bank building to an existing C-4 zoned shopping center. The project involves relocating the existing Bank of America in-line location to a now pad site located at the southern end of the shopping center adjacent to Lexington Ave. The shopping center currently has a parking deficiency. With the demolition of the existing two-story office building and the construction of the new bank pad site the bank will only generate a need for 8 additional parking spaces. The overall square footage of the center will increase by 111 square feet. The center had already received a Special Exception from the Montgomery County Board of Appeals, CBA-1595, granted in 1964. The proposed waiver for 127 parking spaces is only for an additional 8 spaces once construction is complete, in accordance with Sec. 59-F-3.7. Interior landscape islands which are required to be 8.5' in width are proposed to be 3.5' in width and the landscape strip adjacent to Lexington Ave. is from 0' to 9.5' in width, code indicated the min. width is 10' Pursuant to Montgomery Zoning Ordinance Sec.59-E-2.74 and Sec. 59-E-2.71 the total amount of required parking for this project is 336 parking spaces. Strict adherence to the requirements of Article E will result in the loss of this project.

DPS Staff:

Applicant will incorporate the relevant comments from Sarah Navid, Permitting Services Specialist, Right-of Way Permitting and Plan Review concerning the widening of Lexington Ave. adjacent to the Proposed Bank of America building.

Based upon review of the record, including parking analyses and relevant testimony, it has been determined that the intent and spirit of the Code have been met. The Hearing Officer recommends approval of this waiver request.

This waiver is to be granted to Woodmoor Shopping Center/ Bank of America, represented by Emily Vaias, Attorney, Linowes and Blocher LLP

Director's Comments:

Date: October 6, 2004

Approved
 Denial

[Signature]
Director



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

February 6, 2006

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

RE: Preliminary Plan #1-20060460
Bank of America-Woodmoor

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 12/22/05. An older version of this plan was reviewed by the Development Review Committee at its meeting on 11/7/05. We recommend approval of the plan subject to the following comments:

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

1. Show all existing planimetric and topographic details specifically paving, storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways as well as existing rights of way and easements on the preliminary plan.
2. Necessary dedication for University Blvd and Lexington Drive as well as truncation at the corner of aforementioned streets.
3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
4. We did not receive complete analyses of the capacity of the downstream public storm system(s) and the impact of the post-development runoff on the system(s). As a result, we are unable to offer comments on the need for possible improvements to the system(s) by this applicant. Prior to approval of the record plat by the Department of Permitting Services (DPS), the applicant's consultant will need to submit this study, with computations, for review and approval by DPS. Analyze the capacity of the existing downstream public storm drain system and the impact of the post-development ten (10) year storm runoff on same. If the proposed subdivision drains to an existing closed section street, include spread and inlet efficiency computations in the impact analysis.



Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
240/777-6000, ITTY 240/777-6013, FAX 240/777-6030

5. The sight distances study has **not** been accepted. Prior to approval of the record plat by DPS, the applicant's engineer will need to submit a revised sight distances certification. The revised form will need to reflect the correct classification for Lexington Drive (secondary residential roadway) to achieve a minimum of two hundred (200) feet of sight distance in each direction.
6. In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks along the frontage are required to serve the proposed subdivision.
7. The parking layout plan will be reviewed by the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, handicap parking spaces and access facilities, and sidewalks. The applicant may wish to contact Ms. Sarah Navid of that Department at (240) 777-6320 to discuss the parking lot design.
8. For safe simultaneous movement of vehicles, we recommend a driveway pavement width of no less than twenty four (24) feet to allow vehicles to enter and exit the site without encroaching on the opposing lanes. This pavement width will permit an inbound lane width of fourteen (14) feet and an exit lane width of ten (10) feet.
9. Curb radii for intersection type driveways should be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site.
10. In order to ensure adequate driveway capacity, particularly egress volume, provide a minimum fifty (50) foot tangent section before encountering cross traffic on-site, for all driveways.
11. The parking lot travel lanes are to be designed to allow a WB-50 truck to circulate without crossing the centerline nor the curb line.
12. The proposed private streets must be sufficiently wide to accommodate two-way vehicular traffic. Private streets are to be designed to allow an SU-30 truck to circulate without crossing the centerline nor the curb line.
13. The applicant needs to submit a truck circulation plan for review by the M-NCPPC and MCDPS. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed dumpsters. The truck circulation pattern and loading position should be designed for counter-clockwise entry and for a left-side backing maneuver. Passenger vehicle travel ways should be separated from the expected truck patterns and storage areas. The applicant may also need to provide documentation of their proposed delivery schedules.
14. Truck loading space requirements to be determined in accordance with the DPWT "Off-Street Loading Space" policy.
15. On the site plan, delineate the location and dimensions of the proposed truck loading and/or dumpster spaces.

Ms. Catherine Conlon
Preliminary Plan No. 1-20060460
Date February 6, 2006
Page 3

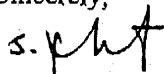
16. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans With Disabilities Act.
17. Where perpendicular parking spaces border a sidewalk, a two (2) foot vehicle overhang is assumed. The applicant should either provide a seven (7) foot wide sidewalk or wheelstops within those parking spaces.
18. For any parking facility containing more than fifty (50) parking spaces, the applicant needs to furnish bicycle parking facilities as required Section 59 E-2.3 of the Montgomery County Code. Accordingly, the applicant should provide either bike lockers or inverted "U" type bike racks.
19. The owner will be required to submit a recorded covenant for the operation and maintenance of private storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
20. Access and improvements along University Blvd (MD 193) as required by the Maryland State Highway Administration.
21. Show clearly on the plan the improvements and road widening for Lexington Drive as per MCDPS requirements.
22. If the proposed development will alter or impact any existing County maintained transit system component (i.e. bus stops or shelters) please contact Mr. Jeff Dunckel of our Transit Services at 240 777-5826 for proper executing procedures.
23. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
24. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
25. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Traffic Management Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
26. Trees in the County rights of way - species and spacing to be in accordance with the applicable DPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
27. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:

Ms. Catherine Conlon
 Preliminary Plan No. 1-20060460
 Date February 6, 2006
 Page 4

- A. On Lexington Drive, construct five (4) foot wide concrete sidewalk along the frontage.
- B. Additional road improvements may be required as a result of a review of a traffic study if such study is required by the Planning Board staff.
- C. The applicant needs to submit four copies of the Traffic Study to the DPWT Traffic Engineering and Operations Section for our Departmental review.
- D. Improvements to the existing public storm drainage system, if necessitated by the previously mentioned outstanding storm drain study. If the improvements are to be maintained by Montgomery County, they will need to be designed and constructed in accordance with the DPWT Storm Drain Design Criteria.
- E. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- F. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- G. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

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

Sincerely,



Sam Farhadi, P.E., Senior Planning Specialist
 Traffic Safety Investigations and Planning Team
 Traffic Engineering and Operations Section

Enclosures 0

m:/subdivision/farhas01/preliminary plans/1-20060460,Bank Of America.doc

cc: Joseph Ucciffero, Bohler Engineering Inc.
 Emily Vaias, Linowes & Blocher
 Raymond Burns, MSHA
 Joseph Y. Cheung; DPS Right-of-Way Permitting & Plan Review
 Christina Contreras; DPS Right-of-Way Permitting & Plan Review
 Sarah Navid; DPS Right-of-Way Permitting & Plan Review
 Gregory Leck, Manager, DPWT TSIPT



FIRE MARSHAL COMMENTS

DATE: 1-24-06
TO: PLANNING BOARD, MONTGOMERY COUNTY
VIA:
FROM: CAPTAIN JOHN FEISSNER 240.777.2436
RE: APPROVAL OF ~ *BANK OF AMERICA #1-06046 PLAN DATED 7/5/05*

1. **PLAN APPROVED.**

- a. Review based only upon information contained on the plan submitted 1-24-06. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
- b. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

cc: Department of Permitting Services