September 27, 2019

VIA EPLANS

Tsaiquan Gatling
Area 1 Environmental Reviewer
Maryland-National Capital Park & Planning Commission
8787 Georgia Ave
Silver Spring, MD 20910

RE: 4 BMC Noise Mitigation for Public Open Space

On behalf of the Applicant, I am writing to request that noise mitigation not be required for any of the portion of the Public Open Space on the subject site's property along Wisconsin Avenue, Old Georgetown Road, or other abutting roadways. While the perimeter and street-facing open spaces may often be subject to 65 or more decibels, mitigation of these would be detrimental to public use and enjoyment of the space.

Public Open Space is an integral part of the approved Sketch Plan and recommended as a critical element under the Bethesda Downtown Plan, both of which envision enlivening and improving connectivity to the plaza at the Bethesda Metro Station.

Strict compliance with the guidelines to maintain 65 dBA throughout all Public Open Space would significantly compromise the design of the project's open space and negatively impact the intent to provide an open, visible, and accessible public plaza. Necessary changes would include site elements such as walls or fencing that would restrict visual and physical access. Further, because the plaza provides spaces well away from the street, there are opportunities for use by those more sensitive to noise to relax in a quieter atmosphere. To this end seating and amenities will be distributed throughout the property.

I appreciate your consideration of this request and am happy to respond to any questions or concerns.

Sincerely,

Joshua C. Sloan, RLA, ASLA, AICP Director of Planning & Landscape Architecture



Marc Elrich County Executive Hadi Mansouri Acting Director

October 23, 2019

Mr. Ghassan Khouri, P.E. VIKA Maryland, LLC 20251 Century Blvd., Suite 400 Germantown, MD 20874

Re:

Stormwater Management CONCEPT Request

for 4 Bethesda Metro Center Preliminary Plan #: 11981068A

SM File #: 284508

Tract Size/Zone: 3.48 Ac./CR-8.0,C-6.0,R-7.5

Total Concept Area: 0.92 Ac.

Lots/Block: P37/13

Watershed: Little Falls Branch

Dear Mr. Khouri:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via ESD to the MEP with the use of green roof and a request for a waiver of partial quality and full quantity due to existing site conditions and shallow storm drain. This is a redevelopment project.

The following items will need to be addressed prior to Planning Board approval of the Site Plan:

- 1. Prior to Planning Board approval of the Site Plan, this stormwater management concept must be formally revised and an approved Site Development Plan (SDP) Approval letter must be issued by DPS. If the Site Plan will be approved in stages, the Site Development Plan revision submittal must specifically refer to the appropriate phase.
- 2. At revision see if additional green roof and planter box micro-bioretention may be installed.

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

This 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. Ghasan Khouri, P.E. October 23, 2019 Page 2 of 2

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

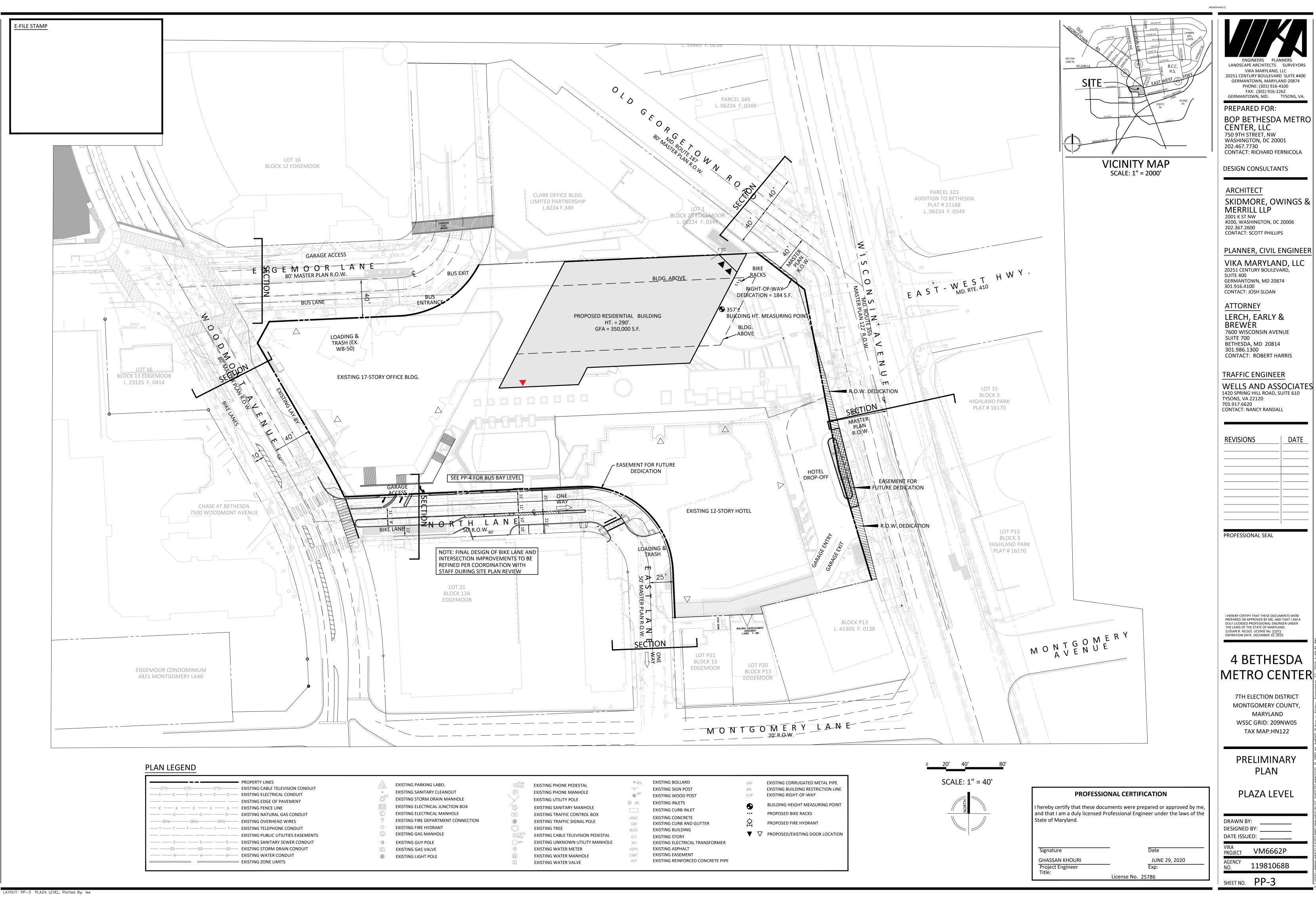
Division of Land Development Services

MCE: CN284508 4 Bethesda Metro Center.DWK

cc:

N. Braunstein SM File # 284508

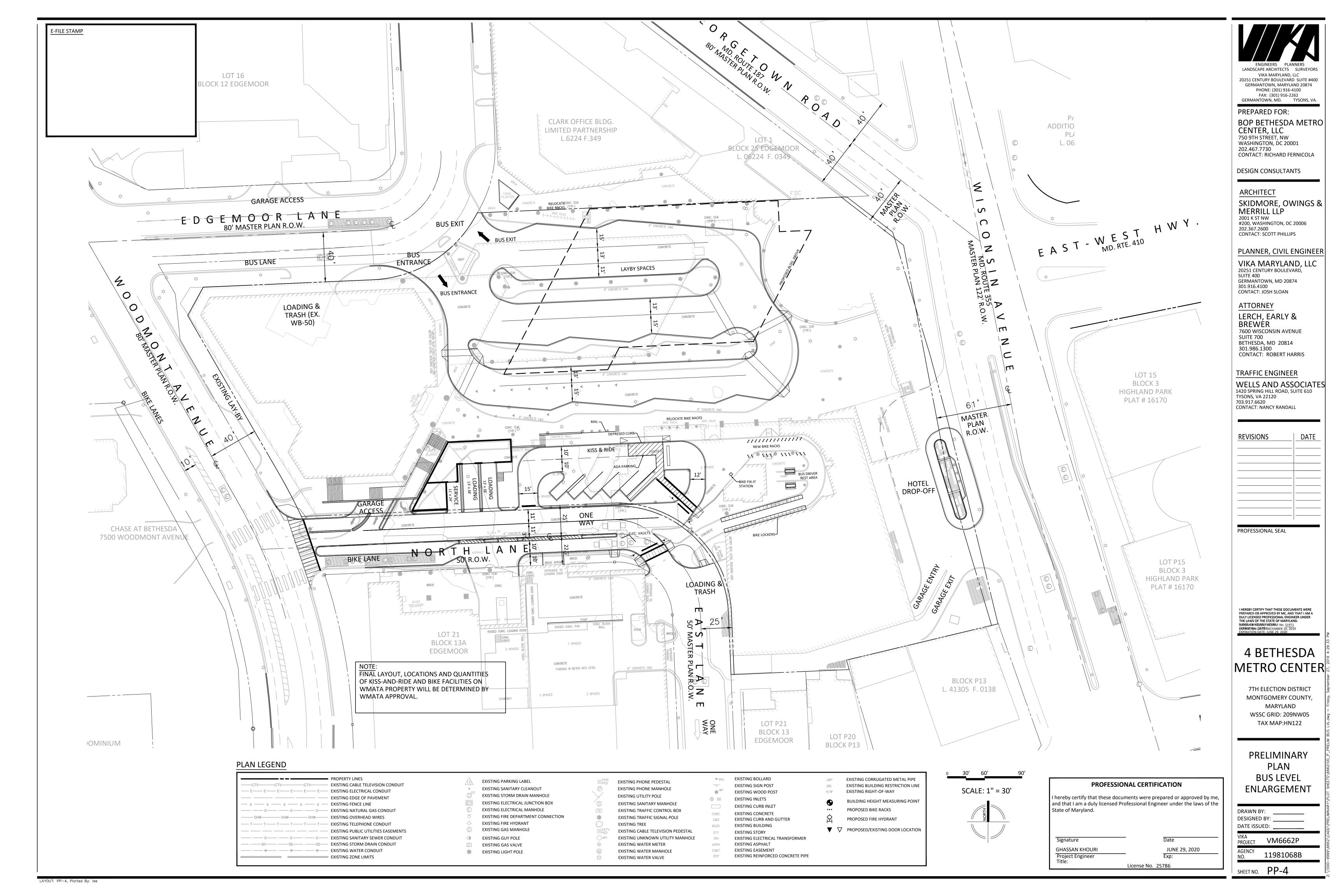
ESD: Required/Provided 6114 cf / 1151 cf PE: Target/Achieved: 2.00"/0.40" STRUCTURAL: 0.00 cf WAIVED: 0.92 ac.



PLANNER, CIVIL ENGINEER

REVISIONS	DATE

# METRO CENTER





# Department of Permitting Services Fire Department Access and Water Supply Comments

DATE:

28-Oct-19

TO:

Josh Sloan VIKA, Inc

FROM:

Marie LaBaw

RE:

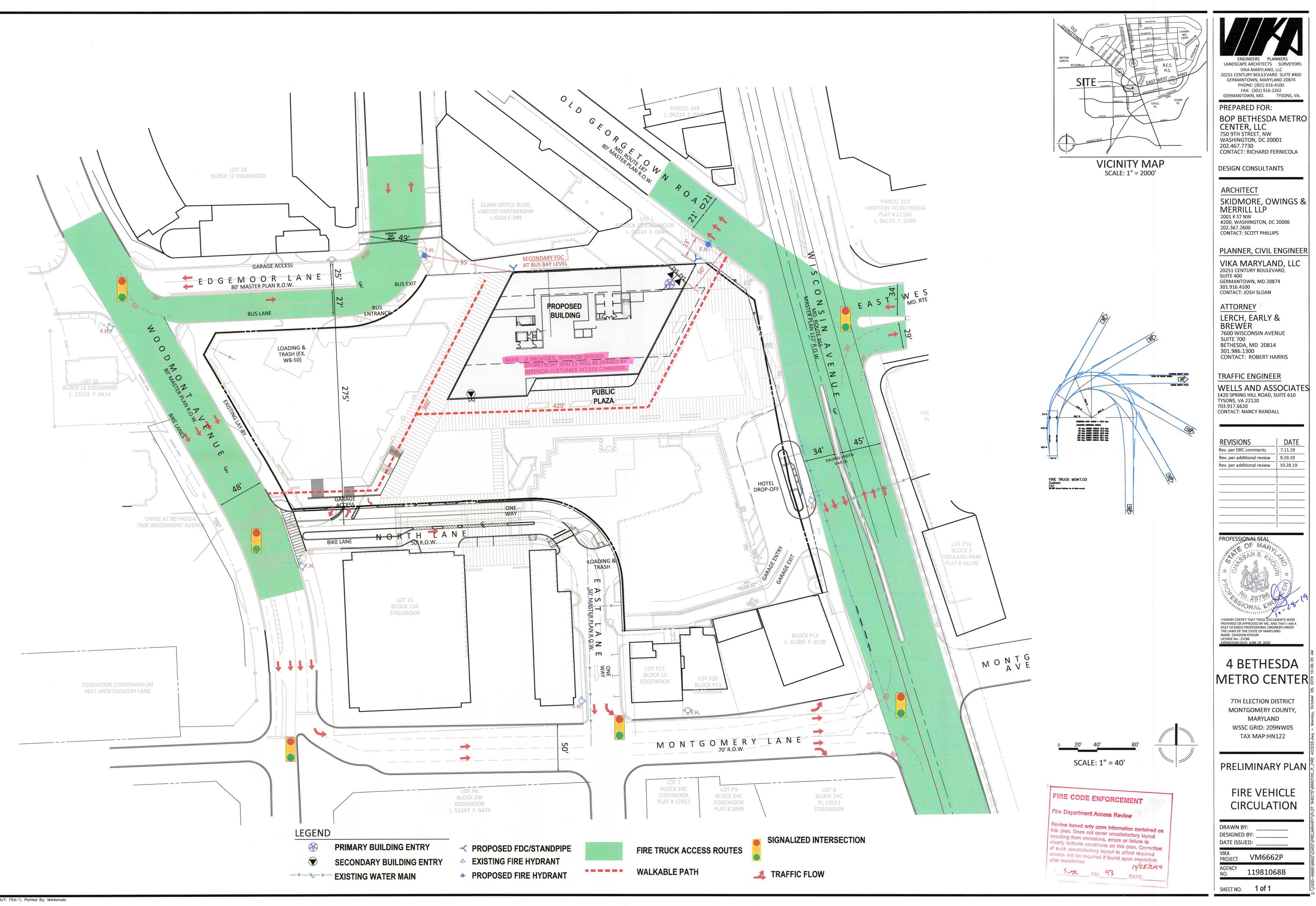
4 Bethesda Metro Center

11981068B

# PLAN APPROVED

- 1. Review based only upon information contained on the plan submitted 28-Oct-19 .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
- 2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

\*\*\* Any interior retail spaces must have main customer access from inside the main building via main lobby \*\*\*



LANDSCAPE ARCHITECTS SURVEYORS 20251 CENTURY BOULEVARD SUITE #400 GERMANTOWN, MARYLAND 20874 PHONE: (301) 916-4100 GERMANTOWN, MD. TYSONS, VA.

PLANNER, CIVIL ENGINEER

VIKA MARYLAND, LLC 20251 CENTURY BOULEVARD,

1420 SPRING HILL ROAD, SUITE 610

Rev. per DRC comments 7.11.19 Rev. per additional review 9.19.19 Rev. per additional review 10.28.19

4 BETHESDA

MONTGOMERY COUNTY, WSSC GRID: 209NW05 TAX MAP:HN122

PRELIMINARY PLAN

FIRE VEHICLE CIRCULATION

LAYOUT: FDA-1, Plotted By: Maldonado



#### DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher Conklin

Director

October 31, 2019

Stephanie Dickel,
Acting Regulatory Supervisor/Planner Coordinator
Area 1 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 11981068B 4 Bethesda Metro Center

Dear Ms. Dickel:

We have completed our review of the preliminary plan dated October 10, 2018. A previous plan was reviewed by the Development Review Committee at its meeting on May 22, 2018. 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 the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. This letter and all other correspondence from this department should be included in the package.

#### **Design Exceptions**

- 1. Design Exception for 100 foot tangent
  - a. North Lane The Applicant is reconfiguring the loading and service areas along with garage and Kiss & Ride accesses along North Lane. Where possible the applicant is proposing the access opposite the existing garage access; however, the Kiss and Ride lot access point that is less than 100 feet away from the opposite existing garage access point. Also, the existing garage access under this site is less than 100 feet from Woodmont Avenue, which the applicant proposes to keep in it's current location. They are not proposing any modifications to the garage.

<u>MCDOT Response</u>: The proposed access points along this road are better defined than the existing condition. The applicant will need to submit sight distance forms for all new and existing access points along this road, including the loading and service. They will

# Office of the Director

need to submit the forms to DPS for their review and approval prior to right-of-way permit. MCDOT recommends that they are approved, if they meet sight distrance requirements for any new access points.

- Edgemoor Lane The existing bus access, loading and trash service areas along
   Edgemoor Lane will remain. These access points are within 100 feet of the each other
   and the adjacent garage access.
  - MCDOT Response: MCDOT has no comment regarding the existing access points since they remain unchanged; however, the applicant may need to submit sight distance forms to DPS for their review and approval prior to right-of-way permit approval.
- 2. Sidewalk on North Lane The applicant has not submitted a Design Excepiton for sidewalk on the north side of North Lane. They are proposing to modify most of North Lane to better define the access points along this road; however, they are not proposing a sidewalk on the north side. Currently, there is a sidewalk on the south side of the street. The existing right-of-way meets the Sector Plan minimum right-of-way width. As proposed, the street cross section does not allow for a sidewalk within the right-of-way on the north side of the street.

<u>MCDOT Response</u>: MCDOT finds the applicant's street cross section for North Lane acceptable.

## Significant Plan Review Comments

- 1. The applicant submitted a Traffic Impact Study dated May 17, 2019. MCDOT wrote an approval letter dated October 31, 2019. The TIS includes the required ADA pedestrian study, since the site will generate more than 50 pedestrian trips. For the ADA study, the Applicant proposes to fix the first tier improvements as required per the October 25, 2018 memo and fund tier 2 and 3 items. The October 25, 2018 memo states that if you fund tier 2 and 3, the minimum fund is \$100,000 and \$50,000 for these tiers. Therefore, the Applicant is required to make the contribution for tier 2 and 3 prior to the issuance of the first above grade building permit. The contribution will be placed into the Bethesda Bikeway and Pedestrian CIP (#P500119).
- 2. In order to meet the Bicycle System Adequacy test required in the LATR, the applicant must participate in a pro-rata basis towards the construction of a master planned two-way, separated bike lane along their Woodmont Avenue street frontage. The applicant must provide an engineer's estimate for the separate bike lanes along their Woodmont Avenue street frontage that will include contingencies and be approved by MCDOT prior to the issuance of the right-of-way permit. The cost shall include, but not be limited to, repaving, restriping, curbs, ramps, flex posts, signing and other related improvements for the separated bike lanes. The payment must be made prior to the issuance of the first Use and Occupancy permit. If the County has already completed the project, or decides not to implement the project, the applicant will continue to make the payment prior to issuance of the first use and occupancy permit. This payment will be used to fund other bicycle infrastructure improvements in the Bethesda CBD.
- 3. In order to meet the Bicycle Master Plan, the Applicant will:
  - a. Construct North Lane as shown on the preliminary plan sheet PP-4 titled "Preliminary Plan Bus Englargement." The final details of layout will be determined at permit stage. The applicant must submit a plan and be approved by MCDOT prior the issuance of the right-of-way permit. The bike facility must be completed prior to issuance of the Use and Occupancy permit.
  - b. participate in funding the master planned Woodmont Avenue and Edgemoor Lane

separated bike lanes along their street frontages. The applicant must provide an engineer's estimate for the separated bike lanes along their Woodmont Avenue and Edgemoor Lane street frontages that will include contingencies and be approved by MCDOT prior to issuance of the right-of-way permit. The cost estimate shall include, but not be limited to, repaving, restriping, flex posts, curbs, signing and other related improvements to the separated bike lanes. The payment must be made prior to the issuance of the Use and Occupancy permit.

- 4. Street cross sections are as shown on sheet PP-5 in the preliminary plan with the exception of the Edgemoor Lane cross section. This cross section should be modified to show two-way separated bike lanes one side of the street.
- 5. The crosswalk along North and East Lanes is shown for illustrative purposes. Final details will be determined during the permit stage by MCDOT.
- 6. <u>Traffic Mitigation Agreement</u>: A draft TMAg was not submitted with the preliminary plan amendment application. The project is located in the Bethesda TMD and therefore must submit a draft Traffic Mitigation Agreement (TMAg) to MCDOT based on the most recent template for residential development. The TMAg will apply to the entire development. Prior to the issuance of any building permits by MCDPS, the Applicant will need to work with MCDOT to finalize the draft TMAg. Coordinate with Ms. Sandra Brecher, Chief Commuter Services Section to obtain the most recent template for residential with mixed use and commercial/office use projects. Ms. Brecher may be contacted at 240-777-8383.

The Applicant has requested approval under two alternative development scenarios. The TMAg will include but not be limited to the following provisions, tailored as appropriate to the final scenario:

- Telework. The Applicant will work with MCDOT to promote telework among residents/employees of the development. Provide a well-lit space with internet access in the Project to enable residents to telework in the event they are unable to do so from their apartment. The Applicant will work with MCDOT to promote telework among employees of the development as appropriate.
- <u>Bicycle Facilities</u>. Provide bike racks in weather-protected, highly visible/active locations. Include secure bicycle storage (bike cage) and small bicycle repair station for resident use. Provide bicycle parking in numbers to satisfy the requirements of Section 6.2.4 C of the Zoning Ordinance.
- Bikeshare. See comment below.
- Real Time Transit Information on Interior Display Monitor. See comment below.
- <u>Car Sharing Parking</u>. Provide two (2) car sharing vehicle parking spaces or the number required by law, whichever is greater, in highly visible, preferentially-located spots.
- Electric Car Charging. Provide at least two (2) electric car charging stations on site or other EV charging arrangements acceptable to MCDOT.
- <u>Carpool/Vanpool Parking</u>. Provide carpool and vanpool parking spaces for employees working on-site, to be designated in highly visible, preferentially-located spots (specific number to be determined).

Real Time Transit Information on Interior Display Monitor(s)— Provide connection and equipment for a monitor to display real time transit information (i.e., Metrobus and Metrorail arrivals and departure times) in residential and office locations. The placement must be in a location that is highly visible to office and commercial tenant employees, as well as hotel visitors and guests. The monitor can be the same one the Project plans to use for project-related information (i.e., building directory, hotel events, etc.).

<u>Bikeshare</u> – The Applicant should contact MCDOT to discuss bikeshare as related to this Project. The net increase in this development will increase demand in the Bethesda bikeshare service area. Therefore, the Applicant should anticipate a requirement to support an off-site bikeshare station. The TMAg will reflect the agreed upon means of support.

7. Prior to approval of the record plat by the Department of Permitting Services (DPS), submit completed, executed and sealed MCDOT Sight Distances Evaluation certification forms, for the existing and proposed driveways and loading spaces, to DPS for their review and approval.

## Standard Plan Review Comments

- 8. No steps, stoops, retaining walls or other structures for the development are allowed in County right-of-way. In addition, doors are not allowed to swing into the County right-of-way.
- 9. The storm drain analysis was reviewed and is acceptable to MCDOT. No improvements are needed to the downstream public storm drain system for this plan.
- 10. Construct Bethesda Central Business District streetscaping along the Woodmont Avenue, North Lane, and Edgemoor Lane site frontages.
- 11. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.
- 12. Improvements along Wisconsin Avenue (MD 355) and Old Georgetown Road (MD 187) as required by the Maryland State Highway Administration.
- 13. If the proposed development will alter any existing street lights, replacement of signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
- 14. 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. Kamal Hamud of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
- 15. Trees in the County rights of way spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.
- 16. For information related to the Woodmont Avenue separated bike lanes please contact Mr. Robert Gonzales of our Transportation Engineering Section. Mr. Gozales can be reached at Robert, gonzales@montgomerycountymd.gov or at 240-777-7296.

- 17. For impacts to the public parking facilities in the vicinity of this project stage, please contact Mr. Benjamin Morgan of our Division of Parking Management. Mr. Morgan may be contacted at 240 777-8704.
- 18. 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:
  - Paving, separated bike lanes, curbs and gutters, sidewalks and handicap ramps, along North Lane.
  - Construct Bethesda Streetscaping along Woodmont Avenue, North Lane, and Edgemoor Lane.
  - c. Permanent monuments and property line markers, as required by Section 50-4.3(G) of the Subdivision Regulations.
  - d. Erosion and sediment control measures as required by Montgomery County Code 19-10(02) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
  - e. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me for this project at <u>rebecca.torma-kim@montgomerycountymd.gov</u> or (240) 777-2118.

Sincerely,

Rebecca Torma, Manager Development Review Team Office of Transportation Policy

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Sharepoint/transportation/development review/Rebecca/developments/bethesda/11981068B 4 Bethesda Metro Center.docx

cc: Letters notebook

cc-e: Matthew Folden, M-NCPPC Area 1

Atiq Panjshiri, MCDPS RWPR
Dan Sanayi, MCDOT DTEO
Kamal Hamud, MCDOT DTEO
Mark Terry, MCDOT DTEO
Robert Gonzales, MCDOT DTE
Benjamin Morgan, MCDOT DPM