



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher Conklin
Director

August 14, 2024

Ms. Grace Bogdan, Planner Coordinator
Down-County Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive
Wheaton, MD 20902

RE: Preliminary Plan No. 120240110
Sketch Plan No. 32019006B
PLD Lot 44 - 4702 West Virginia Avenue

Dear Ms. Bogdan:

We have completed our review of the preliminary and sketch plans uploaded to eplans on July 23, 2024. Previous versions of these plans were reviewed by the Development Review Committee (DRC) at its meeting on May 21, 2024. We recommend approval of the plans subject to the following comments:

Significant Plan Review Comments

1. West Virginia Avenue is classified as a Downtown Street with a 60-foot right-of-way. The applicant shall dedicate 30 feet from centerline along the site frontage in accordance with the May 2017 Bethesda Downtown Sector Plan.
2. The applicant is proposing a 36-foot-long x 11.5-foot-wide loading area along the east side of the West Virginia Avenue site frontage. MCDOT has reviewed and accepts the truck turning diagrams (for an SU-30 truck) and sight distance exhibits. A copy of the Sight Distance Evaluation certification form is included with this letter. At the signing and marking plan stage, please coordinate with the Department of Permitting Services.
3. The West Virginia Avenue cross-section along the site frontage shall be the following as shown on Sheet 07-PREL-120240110-202 of the plan:
 - 11-foot travel lane
 - 11.5-foot landscape buffer (or 11.5-foot loading zone east of the garage access)
 - 8-foot brick sidewalk per Bethesda Streetscape standards
 - 2-foot maintenance buffer

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX
www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

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4. The applicant will be required to construct the following improvements east of the site along the West Virginia Avenue frontage:
 - Extend the curb to the southwest intersection of Tilbury Street
 - Construct a 5-foot wide, concrete sidewalk to the southwest intersection of Tilbury Street
 - Upgrade all four handicap ramps at the West Virginia Avenue/Tilbury Street intersection.
5. The applicant is seeking to abandon a portion of the unused, unimproved 10'-wide paper alley that extends east/west to the south of the property. MCDOT concurs that there is no existing or planned use for this right-of-way and has no objection to its abandonment.
6. The applicant will be required to underground the utilities along the West Virginia Avenue site frontage.
7. The storm drain analysis was reviewed and is acceptable to MCDOT. The applicant is connecting the proposed storm drain to the existing storm drain system at the Tilbury Street/Highland Avenue intersection. As shown on Sheet 14-SD-120240110-002 of the plan, the applicant will be required to upgrade the following:
 - Replace the existing inlet at the southwest corner of Tilbury Street/Highland Avenue with an A-10 inlet
 - Replace twenty-five (25) feet of existing 15" RCP with 18" RCP between Structures 48-X12
 - Replace forty-eight (48) feet of existing 18" RCP with 24" RCP between Structures X12-X10
8. The Applicant shall coordinate with Mr. Samuel Damesa at 240-777-8384 or samuel.damesa@montgomerycountymd.gov to implement the following recommendations for Transportation Demand Management (TDM) elements on the Subject Property:

This project is located in the Bethesda Downtown Sector Plan area, which is in the Red Subdivision Staging Policy Area. The project proposes to develop approximately 125,000 gross square feet (gsf). A new development in a Red Policy Area with more than 40,000 gsf must submit a Project-Based Level 3 Results Plan. A Project-based TDM Results Plan requires a commitment by the owner or applicant to achieve a base NADMS that is 5% higher than the District's goal as well as related commuting goals at that project. The Plan must be submitted and approved by MCDOT prior to issuance of any building permit from DPS.

Level 3 Project-Based TDM Results Plans require the following:

- i. Appoint a Transportation Coordinator (a person to work with MCDOT and TMD representatives to achieve NADMS and other commuting goals);
- ii. Notify the Department of the Coordinator's contact information within 30 days of receipt of final use and occupancy (U&O) certificate;
- iii. Provide space in the project for the promotion of TDM;
- iv. Display TDM-related information in highly visible location(s) visible to employees, residents and other project users;

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- v. Select specific TDM actions to be implemented in order to achieve 5% above the blended (residents and employee) Bethesda TMD Non-Auto Driver Mode Share goal of 55%;
- vi. Conduct independent monitoring to determine if the project is meeting its goals, until the project's goals are achieved;
- vii. Additional and/or Substitution of Strategies: If strategies initially selected by the owner or applicant do not result in the project achieving goals by six (6) years after final occupancy, revisions to the plan or strategies initially selected may be required;
- viii. Additional Funding: Commit funding if the project does not achieve the goal within 6 years of final occupancy. Provide higher additional funding if the project has not achieved the goal within 8 years of final occupancy.

Standard Plan Review Comments

9. All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Montgomery County 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.
10. 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.
11. Construct Bethesda Central Business District streetscaping along the West Virginia Avenue site frontage.
12. This project is located in a Bicycle and Pedestrian Priority Area (BiPPA). Design all access points to be at grade with the sidewalk, dropping down to street level between the sidewalk and roadway.
13. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.
14. In all underground utility installations, install identification tape or other "toning" device approximately two feet above the utility.
15. At or before the permit stage, please coordinate with Mr. Benjamin Morgan of our Division of Parking Management to coordinate the impacts on public parking facilities in the vicinity of this project. Mr. Morgan may be contacted at Benjamin.morgan@montgomerycountymd.gov or 240-777-8704.
16. If the proposed development will alter any existing street lights or replace signing and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper execution procedures. All costs associated with such relocations shall be the responsibility of the applicant.
17. 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

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Right-of-Way Plan Review Section.

18. Erosion and sediment control measures as required by Montgomery County Code 19 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 MCDPS.
19. Posting of a ROW permit bond is a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - a. Paving, curbs, gutters, sidewalks, handicap ramps and storm drain along West Virginia Avenue and Tilbury Street.
 - b. Construct Bethesda Streetscaping along the West Virginia Avenue site frontage.
 - c. Permanent monuments and property line markers, as required by Section 50-4.3(G) of the Subdivision Regulations.
 - d. The 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 at william.whelan@montgomerycountymd.gov or (240) 777-2173.

Sincerely,

William Whelan

William Whelan
Development Review Team
Office of Transportation Policy

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[SharePoint/transportation/directors office/development review/WhelanW/120240110 PLD Lot 44 4702 West Virginia Ave - MCDOT letter 081424.docx](#)

Enclosures (1)

Sight Distance Certifications

cc: SharePoint\Correspondence folder FY-2025

cc-e: Patrick LaVay	Macris, Hendricks and Glascock
Matthew Gordon	SGRW Law
Katie Mencarini	MNCP&PC
Mark Terry	MCDOT DTEO
Sandra Brecher	MCDOT CSS
Samuel Damesa	MCDOT CSS
Sam Farhadi	MCDPS RWPR

DPS-ROW CONDITIONS OF APPROVAL

820240140 PLD Lot 44 & 4702 West Virginia Ave

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

“07-SITE-820240140-211.pdf V3” uploaded on/ dated **“6/7/2024”** and

The followings need to be addressed prior to the certification of site plan:

1. The loading zone location, design and utilization need to be approved by MCDOT.
2. Provide public sidewalk:
 - a. ensure/ show all sidewalks/ handicap ramps have matching receiving counterparts, are aligned and ADA connection is provided. Show/ label the existing sidewalks where connection is made.
 - b. Public and private sidewalks when adjacent each other need to have the physical limits of maintenance provided or PIE/ ROW for the additional sidewalk is needed.
3. The proposed storm drain system layout will be reviewed at ROW permit stage.



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 02-Jul-24
TO: Stephen Crum - scrum@mhgpa.com
Macris, Hendricks & Glascock
FROM: Marie LaBaw
RE: PLD Lot 44 & 4702 West Virginia Ave
120240110 820240140

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **02-Jul-24** .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.

***** See Statement of Performance Based Design *****

FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

BY: SAC FM: 43 DATE: 7/2/2024

July 2, 2024

Dr. Marie LaBaw, P.E.
Montgomery County
Department of Permitting Services
Fire Department Access & Water Supply
2425 Reddie Drive, 7th Floor
Wheaton, MD 20902

Re: 4702 West Virginia Avenue, Bethesda
MNCPPC Site Plan # 820240140
MHG Project # 2018.243.13

Dr. LaBaw:

On behalf of the applicant, BB 4702 Holdings LLC we hereby request approval of a Performance Based Design in accordance with Executive Regulation 8-16 Section 22.00.07.81 as an alternative to the access requirements in NFPA 1, Section 18.2.3.2.3.6. The project consists of two buildings that will sit on top of a single parking garage. The western building is a multi-family high rise structure. The eastern building is a low rise townhome style multi-family building. Due to the limited size of the property, 15 feet of clear and unobstructed walkable grade cannot be provided on the west and south sides of the building. A reduction to 10 feet is requested along these two frontages. An existing 10' platted public alley provides 10' along the entire western frontage and most of the southern frontage. To accommodate the last 21' of structure on the southeast side, a new 10' "no build" easement will be granted by the Montgomery Parks Department. The easement will be granted and recorded prior to Use & Occupancy Certificate issuance for either of the new buildings.

For your use in reviewing this request, we have included a Fire Access Plan with the building's first floor plan overlaid.

Thank you in advance for your review of this application. If you have any questions or need additional information, please contact us at your convenience.



Digitally Signed by Patrick G. La Vay
2024.07.02 15:18:59-04'00'

Professional Certification

I 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. 35186, Expiration Date: 01.05.2026

Sincerely,



Patrick G. La Vay, P.E.



CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
LAND PLANNING

9220 Wightman Road, Suite 120
Montgomery Village, MD 20886
Phone: 301.670.0840
www.mhga.com

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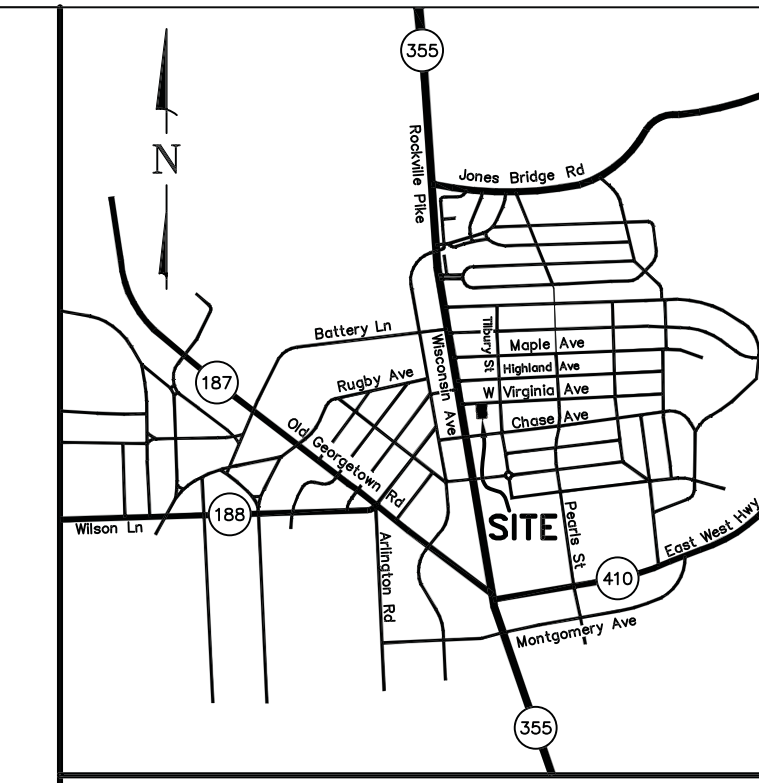


Digitally Signed by Patrick G. La Vay
2024.07.02 15:17:26 -0400

Professional Certification

I 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. Lic. No. 16905 Exp. Date: 04.21.2026

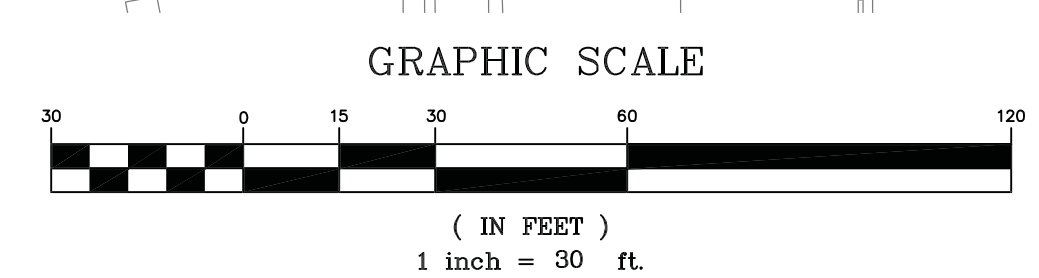
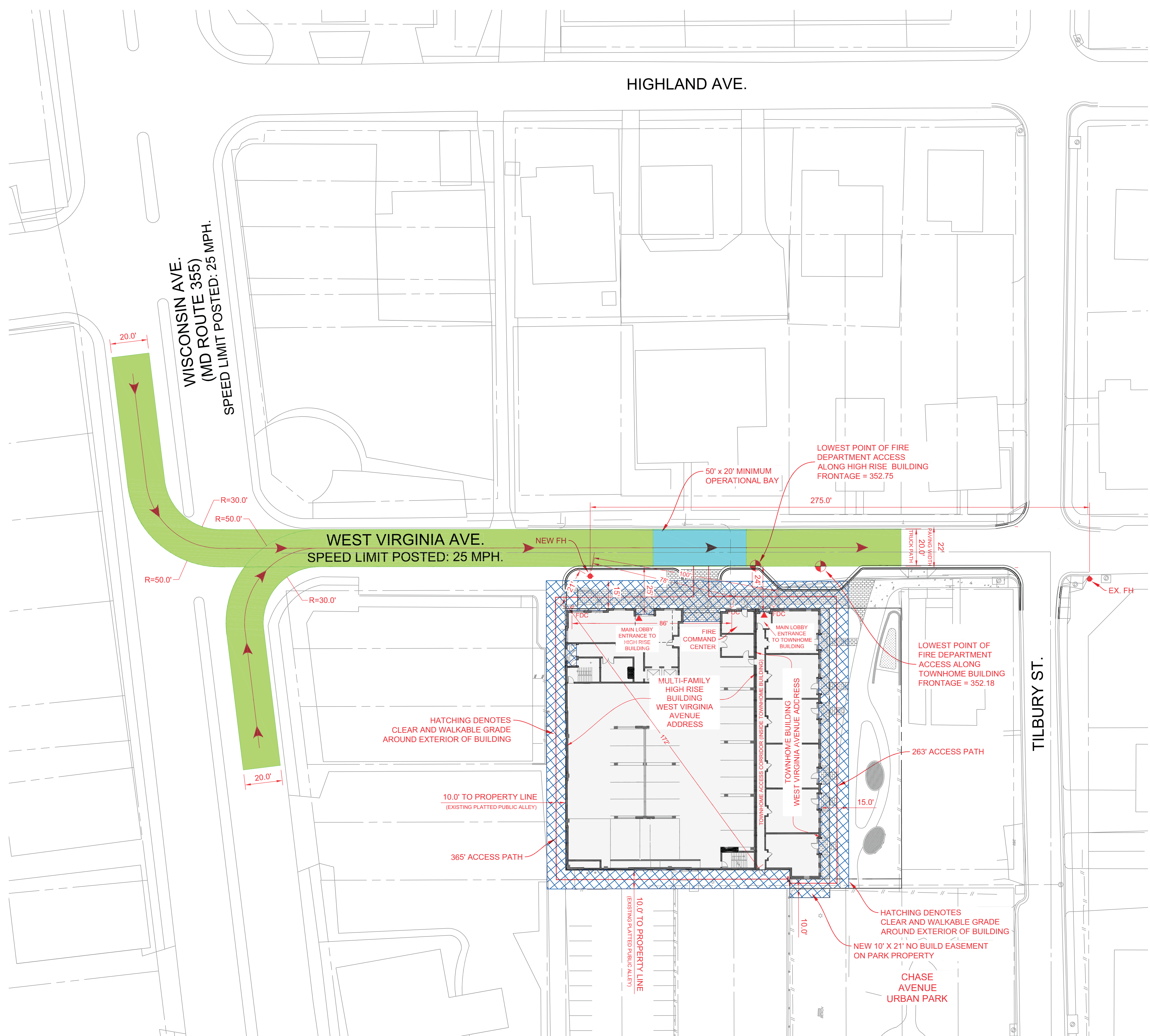
BB 4702 HOLDINGS LLC
7201 WISCONSIN AVENUE
SUITE 440
BETHESDA, MD 20814



VICINITY MAP
SCALE 1" = 2,000'

LEGEND

- APPARATUS ACCESS MOVEMENT
- OPERATIONAL BAY 50 X 20' MIN
- 15' CLEAR AND WALKABLE GRADE AROUND BUILDING
- MAIN EXTERIOR DOORS
- ACCESS PATH LENGTH



REVISIONS

NO.	DESCRIPTION	DATE

TAX MAP HN23 WSSC 210N05

PLATS 186 & 23734

7TH ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

**LOTS 11-14 & 29, BLOCK 9
WEST CHEVY CHASE
HEIGHTS
PLD LOT 44 & 4702 WEST
VIRGINIA AVENUE**

PROJ. MGR PGL

DRAWN BY JDP

SCALE 1" = 30'

DATE 06.05.2024

**FIRE APPARATUS
ACCESS PLAN
820240140**

PROJECT NO. 18.243.13

SHEET NO. 1 OF 1

FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.

BY: *S.M.C.* PM: 43 DATE: 7/2/2024

SP0.32



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

August 2, 2024

Mr. Patrick La Vay, P.E.
Macris, Hendricks and Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, MD 20886

Re: **REVISED COMBINED STORMWATER
MANAGEMENT CONCEPT/SITE
DEVELOPMENT STORMWATER
MANAGEMENT PLAN** for
West Chevy Chase Heights
Preliminary Plan #: 820200100
SM File #: 285629
Tract Size/Zone: 0.60 ac. / CRT-0.5
Total Concept Area: 0.59 ac.
Lots/Block: Lots 11-14, 29 / Block 9
Parcel(s): N/A
Watershed: Lower Rock Creek
Redevelopment (Yes/No): Yes

Dear Mr. La Vay:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The plan proposes to meet required stormwater management goals via the use of green roof, micro-bioretenion practices, and a partial waiver. Due to site constraints, a partial waiver is hereby granted.

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 project.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Enclosed garage areas must drain to WSSC.

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**.



2425 Reedie Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311
www.montgomerycountymd.gov/permittingservices

Mr. Patrick La Vay, P.E.
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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 Patrick Fitzgerald at 240-777-6362; Patrick.fitzgerald@montgomerycountymd.gov.

Sincerely,

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

cc: Neil Braunstein
SM File # 285629

Apartment Lot:

ESD: Required/Provided 3,121 cf / 1,599 cf
PE: Target/Achieved: 2.0"/1.02"
STRUCTURAL: N/A
WAIVED: 1,522 cf

Greenway Lot:

ESD: Required/Provided 379 cf / 300 cf
PE: Target/Achieved: 1.8"/1.4"
STRUCTURAL: N/A
WAIVED: 79 cf



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

Scott Bruton
Director

June 25, 2024

Ms. Grace Bogden
Montgomery County Planning Department
2425 Reedie Drive, 13th Floor
Wheaton, Maryland 20902

Re: PLD Lot 44 / 4702 West Virginia
Sketch Plan #32019006B
Preliminary Plan #120240110
Sketch Plan #820240140

Dear Ms. Bogden:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above-referenced plan and recommends Approval for up to 59 total units, including up to 6 live/work units and 9 MPDU's (15% of the units).

The PLD Lot 44 development is part of a larger General Development Agreement (GDA) with Montgomery County (the County). The final number of affordable units and the level of affordability must adhere to the Applicant's agreement with the County.

An Agreement to Build must be submitted to, reviewed, and executed by DHCA before building permits are obtained from the Department of Permitting Services (DPS). At the MPDU Agreement to Build stage, DHCA must approve the final MPDU locations, layouts, and bedroom mix. No more than 40% of one floor may consist of MPDUs and the MPDUs must be reasonably distributed throughout the building. None of the MPDUs are to be places in the live/work units.

The applicant may work with DHCA to create an Alternative Agreement in lieu of providing all of the required MPDUs on-site, as long as the development remains in compliance with the GDA.

Affordable Housing

Division of Housing
Landlord Tenant Affairs

Multifamily Housing

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3691 FAX • www.montgomerycountymd.gov/dhca



Sincerely,

A handwritten signature in blue ink that reads "Maggie Gallagher". The signature is written in a cursive style with a horizontal line at the end.

Maggie Gallagher, Program Manager I
Affordable Housing Programs Section