

ATTACHMENT C



Department of Permitting Services Fire Department Access and Water Supply Comments

DATE: 10-May-25
TO: Stephanie Castor - scastor@solteszco.com
Soltesz, Inc
FROM: Marie LaBaw
RE: Viva White Oak
12018024A

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **09-May-25**. 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 *****

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STRATEGIES FOR TODAY. INSIGHT FOR TOMORROW.

May 8, 2025

S. Marie LaBaw, PhD, PE
Fire Department Access and Water Supply
Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, MD 20850

Re: Viva White Oak Performance Based Design Review
Preliminary Plan Amendment #12028024A

Dear Marie,

On behalf of our client, MCB White Oak Developer LLC, the developer of Viva White Oak, we are requesting the review and approval of a performance based design in conjunction with a Preliminary Plan Amendment for construction of master plan roads on the property described below.

The subject property is approximately 279 acres and located on Cherry Hill Road southwest of Gracefield Road in Silver Spring, Maryland. Our client is currently constructing the Master Plan roads in preparation for the future mixed-use development planned for this property.

As shown on the FDA Plan, there is an existing conspan style bridge (Manufactured by Contech) over a stream valley that will remain as part of the new Master Plan Roads design being constructed under this Preliminary Plan Amendment. The existing abutment span is approximately 565 feet and the existing street section across the bridge is approximately 61 feet between sidewalks. Due to the span and width of the existing conspan bridge this development is unable to abide by 500 foot spacing required between fire hydrants per Chapter 22.00.07.88. The Preliminary Plan Amendment provides a fire hydrant at each end of the existing bridge abutment for a total spacing distance of 598 feet. The developer would like this distance to be reviewed and approved. (All other hydrants along Master Plan roads will meet the 500' spacing requirement.)

There will not be buildings along the sides of the conspan bridge, therefore, it is expected that the only incidents requiring use of the hydrants will be for vehicular fires and collisions. In this regard, with the hydrants located 598 feet apart as proposed, the maximum distance for a hose to reach a fire on the bridge is 299 feet. This distance does not exceed typical hose lengths. For these reasons, we believe that the performance based design in this case will provide adequate access and response capability for fire apparatus.

Please contact us with questions or if you need additional information.

Sincerely,

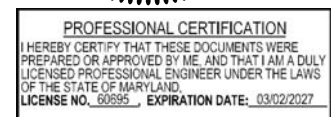
Jyotika Sharma, PE
Project Manager
Soltesz, Inc.

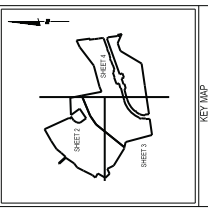
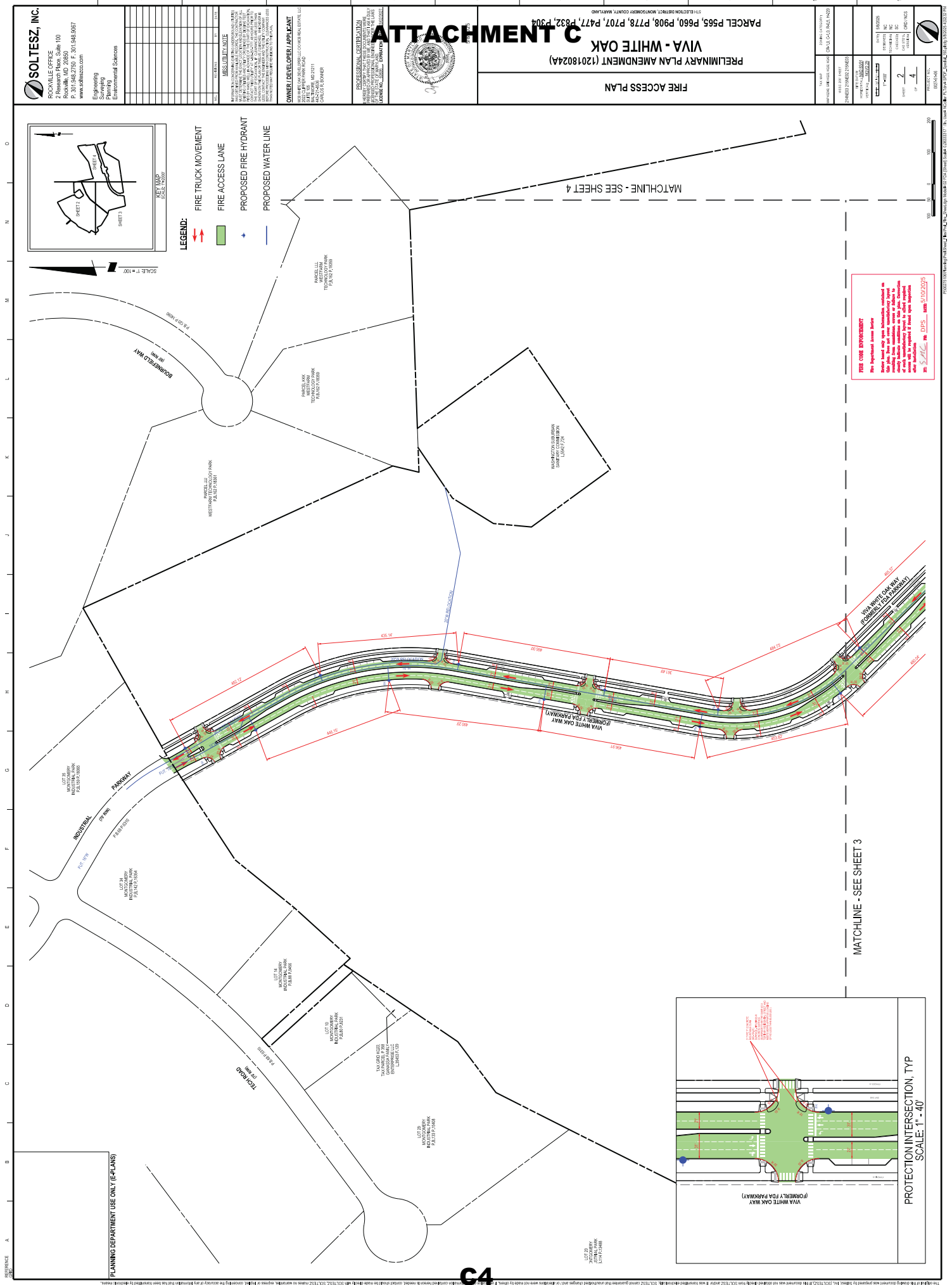
FIRE CODE ENFORCEMENT

Fire Department Access Review

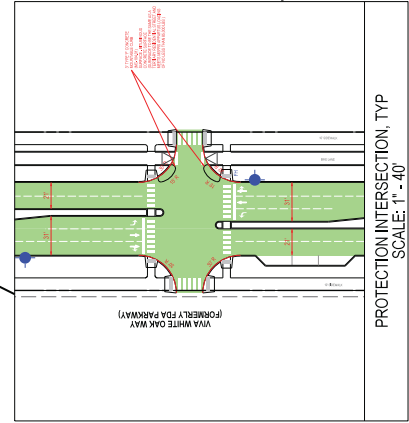
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

BY: SAC FM: DPS DATE: 5/10/2025





- LEGEND:**
- FIRE TRUCK MOVEMENT
 - FIRE ACCESS LANE
 - PROPOSED FIRE HYDRANT
 - PROPOSED WATER LINE



FOR THE RECORD
The Engineer does not warrant the accuracy of the information provided in this plan. The user of this plan is responsible for verifying the accuracy of the information provided in this plan. The user of this plan is responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user of this plan is responsible for obtaining all necessary permits and approvals from the appropriate authorities.

SOLTESZ, INC.
ROCKVILLE OFFICE
2 Research Plaza, Suite 100
Rockville, MD 20850
P: 301.548.2750 F: 301.548.9067
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Engineering
Surveying
Planning
Environmental Sciences

PRELIMINARY PLAN AMENDMENT (12018024A)
VIVA - WHITE OAK
PARCEL P565, P660, P908, P778, P477, P832, P304

FIRE ACCESS PLAN

OWNER/DEVELOPER APPLICANT
VIVA - WHITE OAK DEVELOPMENT, LLC
1511 ELECTRIC DRIVE, SUITE 100, ROCKVILLE, MD 20850
P: 301.548.2750 F: 301.548.9067
www.soltesz.com

PROFESSIONAL CERTIFICATION
I, the undersigned, being a duly licensed Professional Engineer in the State of Maryland, do hereby certify that I am the author of this plan and that it is a true and correct copy of the original plan as filed with me.

DATE: 08/27/2019
BY: [Signature]
FOR: SOLTESZ, INC.

NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO BE VERIFIED BY THE USER OF THIS PLAN.
4. ALL DIMENSIONS ARE TO BE VERIFIED BY THE USER OF THIS PLAN.

REVISIONS:

| NO. | DESCRIPTION | DATE |
|-----|-------------------|------------|
| 1 | ISSUED FOR PERMIT | 08/27/2019 |
| 2 | FOR RECORD | 08/27/2019 |

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VIVA WHITE OAK, TRAFFIC ORDER 04-30-2025

Parking locations are shown on Sheets 2-4 of the Fire Access Plan Set, see Exhibit A in this document for the intersection locations described below.

Limits of “No Parking Any Time” Regulation on streets in VIVA White Oak are:

1. VIVA White Oak Way, north of Intersection 1, no parking on both sides.
2. VIVA White Oak Way, from Intersection 1 to 47’ south of Intersection 1, no parking on the west side.
3. VIVA White Oak Way, from 126’ to 270’ south of Intersection 1, no parking on the west side.
4. VIVA White Oak Way, from 321’ north of Intersection 2 to Intersection 2, no parking on the west side.
5. VIVA White Oak Way, from Intersection 2 to 200’ south of Intersection 2, no parking on the west side.
6. VIVA White Oak Way, from 153’ north of Intersection 3 to Intersection 3, no parking on the west side.
7. VIVA White Oak Way, from Intersection 3 to 42’ south of Intersection 3, no parking on the west side.
8. VIVA White Oak Way, from 121’ to 261’ south of Intersection 3, no parking on the west side.
9. VIVA White Oak Way, from 106’ north of Intersection 4 to Intersection 4, no parking on the west side.
10. VIVA White Oak Way, from Intersection 4 to 62’ south of Intersection 4, no parking on the west side.
11. VIVA White Oak Way, from 177’ south to 201’ south of Intersection 4, no parking on the west side.
12. VIVA White Oak Way, from 83’ north of Intersection 5 to Intersection 5, no parking on the west side.
13. VIVA White Oak Way, from Intersection 5 to 68’ south of Intersection 5, no parking on the west side.
14. VIVA White Oak Way, from 222’ north of Intersection 6 to Intersection 6, no parking on the west side.
15. VIVA White Oak Way, from Intersection 6 to Intersection 7, no parking on the west side.
16. VIVA White Oak Way, from Intersection 1 to 128’ south of Intersection 1, no parking on the east side.
17. VIVA White Oak Way, from 209’ to 243’ south of Intersection 1, no parking on the east side.
18. VIVA White Oak Way, from 339’ to 453’ south of Intersection 1, no parking on the east side.
19. VIVA White Oak Way, from 154’ north of Intersection 2 to Intersection 2, no parking on the east side.

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20. VIVA White Oak Way, from Intersection 2 to 139' south of Intersection 2, no parking on the east side.
21. VIVA White Oak Way, from 130' north of Intersection 3 to Intersection 3, no parking on the east side.
22. VIVA White Oak Way, from Intersection 3 to 152' south of Intersection 3, no parking on the east side.
23. VIVA White Oak Way, from 205' north of Intersection 4 to Intersection 4, no parking on the east side.
24. VIVA White Oak Way, from Intersection 4 to Intersection 5, no parking on the east side.
25. VIVA White Oak Way, from Intersection 5 to 169' south of Intersection 5, no parking on the east side.
26. VIVA White Oak Way, from 100' north of Intersection 6 to Intersection 6, no parking on the east side.
27. VIVA White Oak Way, from Intersection 6 to 57' south of Intersection 6, no parking on the east side.
28. VIVA White Oak Way, from 81' north of Intersection 7 to Intersection 7, no parking on the east side.
29. VIVA White Oak Way, from Intersection 7 to Traffic Circle, no parking on both sides.
30. FDA Boulevard, south of the Traffic Circle, no parking on both sides.
31. FDA Boulevard, from the Traffic Circle to Intersection 8, no parking on both sides.
32. FDA Boulevard, from Intersection 8 to 174' east of Intersection 8, no parking on the south side.
33. FDA Boulevard, from west of Intersection 9 to Intersection 9, no parking on the south side.
34. FDA Boulevard, from Intersection 9 to east of Intersection 9, no parking on the south side.
35. FDA Boulevard, 96' east of B-5 to B-5, no parking on the south side.
36. FDA Boulevard, from Intersection 8 to 264' east of Intersection 8, no parking on the north side.
37. FDA Boulevard, from 86' west of Intersection 10 to Intersection 10, no parking on the north side.
38. FDA Boulevard, from Intersection 10 to B-5, no parking on the north side.
39. FDA Boulevard, from B-5 to Cherry Hill Road, no parking on both sides.
40. B-5, from FDA to 290' north of FDA, no parking on both sides.
41. B-5, from 88' south of Intersection 11, to Intersection 11, no parking on the west side.
42. B-5, from 130' south of Intersection 11, to Intersection 11, no parking on the east side.
43. B-5, north of Intersection 11, no parking on the west side.
44. B-5, from Intersection 11 to 83' north of Intersection 11, no parking on the east side.
45. B-5, from 204' north of Intersection 11, no parking on the east side.

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**TRAFFIC ORDER 04-30-2025
EXHIBIT A, INTERSECTION LOCATIONS**



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DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

May 14, 2025

Ms. Emily Tettelbaum, Planner III
Midcounty Planning Division
The Maryland-National Capital
Park & Planning Commission (M-NCPPC)
2425 Reedie Drive,
Wheaton, MD 20902

RE: Sketch Plan and Preliminary Plan Letter
Sketch Plan No. 320240080:
Preliminary Plan No. 120180024A
Viva White Oak

Dear Ms. Tettelbaum:

This letter supersedes the previous letter dated September 18, 2018, as part of the preliminary plan # 1201800240. We have completed our review of the revised Sketch Plan and Preliminary Plan submitted via ePlans on March 25, 2025, and May 1, 2025, respectively. The Development Review Committee (DRC) reviewed these plans at its December 17, 2024, meeting. The project is scheduled for consideration by the Planning Board on May 29, 2025.

Sketch Plan Comments

The sketch plan is conceptual, and the specific improvements within the County-maintained rights-of-way will be determined during the Preliminary Plan stage. We recommend approval of the sketch plan, subject to the following conditions:

1. The proposed additional access points from Cherry Hill Road, excluding the FDA Boulevard intersection, are not currently approved.
2. Some of the proposed access points along FDA Boulevard and Viva White Oak Way shown in this plan do not match the preliminary plan. The proposed accesses/intersections shown in the preliminary plan (120180024A) are the only ones approved.
3. The traffic circle at the public terminus of the proposed B-5, as depicted in Preliminary Plan No. 120180024A, is not illustrated on the submitted sketch plan. However, since a certified sketch plan will not be provided, the right-of-way (ROW) improvements detailed in the Preliminary Plan (120180024A) letter below will be applicable.

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. Internal Roads other than the Master Plan Roads, Cherry Hill Road frontage improvements, and the access road to the FDA campus:
 - a. The internal roads are conceptual and not approved at this time. They will be reviewed and approved as part of future preliminary plans.
 - b. The roadway's cross-section and ROW width other than those of the master plan roads will be reviewed and approved as part of future preliminary plans.
 - c. All intersections as shown should be perpendicular.

Preliminary Plan Comments

This Preliminary Plan application has been reviewed solely with respect to the following roadways: Cherry Hill Road frontage improvements, Viva White Oak Way, FDA Boulevard, Roundabout, B-5 (including the traffic circle), and the FDA Boulevard extension to the FDA campus (south of the proposed Roundabout). We recommend approval of the Preliminary Plan, subject to the following conditions:

1. Cherry Hill Road:
 - a. Per the Master Plan of Highways and Transitways (MPOHT) and Complete Street Design Guidelines (CSDG), the roadway is classified as a Downtown Boulevard with 4 planned lanes and a minimum ROW of 90 ft. The Bicycle Master Plan specifies separated bike lanes.
 - b. In the certified plans, the applicant shall show the ROW and the land owned by the General Services Administration (GSA) per Liber 40426, folio 425. The proposed sidewalk and bike lane along the roadway must be fully contained within the public ROW or in GSA-owned land. The applicant should provide either a ROW dedication or should be included in the perpetual access and maintenance agreement between GSA and Montgomery County, which is currently in progress. Before the County can close out the ROW permit and release the construction bond for the Cherry Hill Road bike lane and sidewalk, the agreement must be fully executed and recorded in the land records.
 - c. The applicant will be responsible for constructing the frontage improvements as shown in the plan (Sheet # 16 & 17 of 20) and the roadway cross section (Sheet 18 of 20).
 - c. At the time of ROW permit submission, please contact Mr. Khursheed Bilgrami for the details of the Montgomery County—Cherry Hill Road Bike Lane Capital Improvements Project (CIP)-P502314. The bike lanes and frontage improvements proposed as part of this application shall be coordinated and connected with the CIP bike lanes at the north end of the property. Mr. Bilgrami can be reached at 240-777-7266 or at Khursheed.Bilgrami@montgomerycountymd.gov. The written confirmation of this coordination from Mr. Bilgrami must be provided to the Montgomery County Department of Permitting Services (MCDPS) at the time of ROW permit submission.

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- d. The design details of the proposed bike lane transition south of the FDA Boulevard intersection shall be coordinated with the Montgomery County Department of Permitting Services (MCDPS) during the permit stage.
2. Viva White Oak Way:
- a. Per the MPOHT and CSDG, the roadway is classified as a Downtown Boulevard with 4 planned lanes and a minimum ROW of 100 feet. The Bicycle Master Plan specifies separated bike lanes.
 - b. The applicant must provide the ROW dedication as shown in the plans.
 - c. The applicant will be responsible for constructing the roadway as shown in the plan (Sheets 8, 9, 10 & 11 of 20) and the roadway cross section (Sheet 19 of 20). Coordination with the MCDPS is required at the ROW permit stage to finalize the design details of the bike lane, including the drainage elements related to the bike lane.
 - d. We agree with the general concept plan shown for the transition of the proposed road section to the existing road section at the north end of the property. The transition details shall be further defined with MCDPS at the ROW permit stage.
 - e. The applicant shall contact MCDPS during the ROW permit stage to evaluate and implement appropriate superelevation at all horizontal curve locations along the proposed roadway, in accordance with applicable design standards and engineering best practices.
3. FDA Boulevard, and FDA Boulevard extension to the FDA campus (south of the roundabout):
- b. Per the MPOHT and CSDG, the roadway is classified as a Downtown Boulevard with 4 planned lanes and a minimum ROW of 100 ft. The Bicycle Master Plan proposes separated bike lanes.
 - c. This roadway is owned by GSA. A perpetual access and maintenance agreement between GSA and Montgomery County is currently in progress. Before the County can close out the ROW permit and release the construction bond for FDA Boulevard and FDA Boulevard extension to the FDA campus (south of the roundabout), the agreement must be fully executed and recorded in the land records.
 - d. The applicant will construct the roadway as shown in the plan (Sheets 11, 12, 13, and 14 of 20) and the roadway cross section (Sheet 19 of 20).
 - e. The proposed driveway access to Lot 1, located on the north side of FDA Boulevard closer to Cherry Hill Road, shall be restricted to right-in only movements.
 - f. We concur with the general concept plan for the transition of FDA Boulevard to both ends of the existing bridge and the proposed extension of FDA Boulevard south of the roundabout connecting to the existing road leading to the FDA campus. The specific details of these transitions will be further coordinated and defined with MCDPS during the ROW permit stage.

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4. Proposed B-5:

- a. Per the MPOHT and CSDG, the roadway is classified as a Downtown Street with 4 planned lanes and a minimum ROW of 70 ft. The Bicycle Master Plan proposes separated bike lanes; however, given that the existing portion of B-5 (Healing Way) includes a shared-use path that is privately maintained with public access, it is appropriate to extend the shared-use path to FDA Boulevard for consistency and continuity.
- b. The applicant must provide the ROW dedication as shown in the plans.
- c. The applicant shall be responsible for constructing the roadway in accordance with the layout depicted on Sheet 15 of 20. Prior to certification of the preliminary plan, the roadway cross section shown on Sheet 19 of 20 must be revised to align with the proposed configuration as illustrated in the plans and described herein. The certified plans must incorporate the following roadway section, which has been developed in coordination with the Montgomery County Department of Transportation (MCDOT) and is designed to accommodate a WB-67 design vehicle.
 - i. B-5-Looking North from STA 6+00 to FDA Boulevard:
 - 10-ft wide sidewalk
 - 6-ft wide lawn panel
 - 12-ft wide travel lane
 - 11-ft wide turn lane
 - 13-ft wide travel lane
 - 12-ft wide travel lane
 - 6-ft wide lawn panel
 - 10-ft wide sidewalk
 - ii. B-5-Looking North from the proposed traffic circle to STA 6+00
 - a. 10-ft wide sidewalk
 - b. 18-ft wide lawn panel or 8-ft street parking and 10-ft lawn panel
 - c. 12-ft wide travel lane
 - d. 12-ft wide travel lane
 - e. 18-ft wide lawn panel or 8-ft street parking and 10-ft lawn panel
 - f. 10-ft wide sidewalk

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- d. Traffic Circle (Proposed B-5): A traffic circle shall be constructed at the terminus of the existing segment of B-5 and the new portion to be constructed by the applicant. The construction of the traffic circle shall be subject to the following conditions:
 - a. The pavement must drain away from the center of the roundabout toward the outside curb.
 - b. A cross-section of the traffic circle must be provided in the certified preliminary plans.
 - c. The design of the traffic circle must comply with Montgomery County Standard MC-221.02.
5. Roundabout (FDA Boulevard/Viva White Oak Way):
 - a. This roadway is owned by GSA. A perpetual access and maintenance agreement between GSA and Montgomery County is currently in progress. Before the County can close out the ROW permit and release the construction bond for FDA Boulevard, the agreement must be fully executed and recorded in the land records.
 - b. The applicant will be responsible for constructing the roadway as shown in the plan (Sheets 11 of 20) and the roadway cross section (Sheet 7 of 20).
 - c. The proposed trees shown in the center island of the roundabout on Sheet 7 of 20 must be revised to ensure the area remains clear of obstructions and provides adequate sight distance for all approaches.
 - d. The proposed pavement should drain away from the center of the roundabout toward the outside curb.
 - e. We agree with the roundabout detail as shown on Sheet 7 of 20 of the plans. Final design details shall be approved by MCDPS during the ROW permit stage. The roundabout shall be constructed per the Maryland State Highway Administration-Roundabout Design Guidelines. Please follow the roundabout detail in the link https://www.roads.maryland.gov/OHD2/MDSHA_Roundabout_Guidelines.pdf and https://www.roads.maryland.gov/mmutcd/2011_Chapters_03C.pdf and the truck apron detail uses the detail in the link: Y:\Land_Development\Web_Standard_Details\Residential_Traffic_Circle.tif
6. The travel lane paving section for all roads shown on this plan shall comply with Montgomery County Standard Detail MC-2005.03. The proposed two-way separated bike lanes and the shared-use path on the east side of B-5 shall be constructed of asphalt and must conform to Standard Detail MC-217.04. Additionally, the proposed sidewalk shall be constructed in accordance with Standard Detail MC-111.01, with the width of the sidewalks as shown in the plans.

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7. The size and location of the fiber-optic underground utility line along FDA Boulevard and the public road to the FDA campus must receive approval from GSA prior to issuance of the ROW permit. The size and location of the utility lines must be clearly shown on the plans. The applicant must provide a letter from the GSA confirming:
 - a. The size of the utility lines.
 - b. The proposed location, indicating whether the lines are within the ROW or within a Public Utility Easement (PUE).
8. A 2-foot flat buffer (with a slope of $\leq 2\%$) must be provided beyond the proposed sidewalk for all master plan roads before transitioning into existing grades. The PUE is to be graded on a side slope not to exceed 4:1.
9. At the time of the certified preliminary plan submission, the applicant shall provide WB-67 truck turning templates that were developed in coordination with the MCDOT for the proposed B-5 roadway and the Cherry Hill Road intersection at FDA Boulevard. The applicant shall submit final design details—including truck aprons and curb radii—for all protected intersections to the MCDPS for review and approval during the ROW permit stage.
10. Proposed on-street parking along the master-planned roadways shall comply with the applicable Public Rights-of-Way Accessibility Guidelines (PROWAG). Accessible (handicap) parking spaces within the on-street parking areas must be clearly labeled, dimensioned, and detailed in the certified plans to demonstrate compliance with accessibility standards.
11. At the ROW permit stage, the final design and placement of stormwater management (SWM) facilities associated with the master-planned roadways shall adhere to the following criteria:
 - a. SWM facilities shall be located at least 150 feet from any median break, measured from the proposed curb line of the intersecting minor street.
 - b. The design should minimize the encroachment of SWM facilities into the roadway pavement section.
 - c. Access openings to SWM facilities shall be located within the lawn panel area to avoid conflicts with pedestrian or vehicular traffic.
 - d. Final SWM design must be reviewed and approved by the MCDPS.

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12. The applicant shall install traffic signal conduits at all intersections/median breaks as part of the initial construction of the roads. At the ROW permit stage, the traffic conduit plans shall be submitted to MCDPS and reviewed and approved by MCDOT. If the proposed development alters or impacts the existing traffic signal at the intersection of Cherry Hill Road and FDA Boulevard—including signal equipment (e.g., traffic signals, signal poles, handboxes, surveillance cameras) or communication components (e.g., traffic signal interconnects, fiber optic lines)—the applicant shall be fully responsible for all associated modifications. Please contact Mr. Kamal Hamud of the Transportation Systems Engineering Team at kamal.hamud@montgomerycountymd.gov or at 240-777-2190 for coordination and execution procedures. All costs associated with such relocations and modifications shall be the responsibility of the applicant.
13. A Traffic Operational Analysis may be required during future preliminary plan amendments, depending on the scope of future development. The analysis shall include, at a minimum:
 - a. A traffic signal warrant analysis at proposed intersections.
 - b. Evaluation of the need for additional turn lanes at intersections.
 - c. Extension of the proposed turn lanes as part of this application.
14. At the ROW permit, all proposed intersection/median break centerlines must be properly aligned, and roads should be designed to intersect as nearly as possible at right angles to ensure safe and efficient traffic flow.
15. The conceptual grade establishment plan for the roadways is approved. The final grade establishment plan shall be submitted to and approved by MCDPS.
16. Sight Distance Study: The sight distance evaluation for all proposed access points and median breaks, including the FDA Boulevard intersection at Cherry Hill Road, as shown on the plans, is approved.
17. Storm Drain Analysis:
 - a. A revised storm drain study shall be submitted to the MCDPS at the time of ROW permit application for review and approval.
 - b. Storm drain easements are required if the proposed public storm drain system extends beyond the public ROW limits. All such easements must comply with the requirements of the Montgomery County Drainage Manual.
 - c. Please refer to the storm drain checklist at the link below:
http://www.montgomerycountymd.gov/dot-dir/dev_review/development_review.html
18. The County has a valid road participation agreement that covers all proposed master plan roadways, including B-5. Please contact Ms. Ronnie Warner of the Montgomery County Department of General Services (MCDGS) at ronnie.warner@montgomerycountymd.gov or at 240-777-6071 for further coordination regarding this participation agreement.
19. Transportation Demand Management (TDM) Plan Requirements

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TDM provisions of County Code 42A-26 apply to this development application. An owner or applicant for a development located in a District in an **Orange Policy Area** must submit a **Level 3 Project-based TDM Results Plan** for a project with more than **160,000 gross square feet (gsf)**. The Viva White Oak project, located in the White Oak TMD and Orange Policy Area, proposes mixed-use development of up to approximately 12.2 million square feet (SF), which may include both commercial and residential uses. Hence, the Level 3 TDM Results Plan must be approved by MCDOT and submitted **prior to the issuance of any building permit by MCDPS**.

A Level 3 TDM Results Plan requires a commitment by the owner or applicant to achieve a project Non-Auto Driver Mode Share (NADMS) goal of 40%, which is 10% higher than the base 30% NADMS goal for the White Oak TMD - Life Sciences/FDA Village Center (for residents and employees blended), and related commuting goals for that project.

The Applicant shall coordinate with MCDOT Commuter Services Section (CSS) staff: Samuel Damesa at Samuel.Damesa@montgomerycountymd.gov or (240) 777-8384 and James Carlson at James.Carlson@montgomerycountymd.gov or (240) 777-8382 to implement the aforementioned recommendations of the Transportation Demand Management (TDM) plan for the new development project.

STANDARD COMMENTS:

1. 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. Include this letter and all other correspondence from this department.
2. The Forest Conservation shall not extend into Slope Easements and the Public Utility Easements.
3. No steps, stoops, retaining walls, or other private structures associated with the development shall be permitted within the County ROW. Additionally, no doors shall be permitted to swing open into the County ROW.
4. Design all driveway access points and alleys to be at-grade with the sidewalk, dropping down to street level between the sidewalk/sidepath and roadway.
5. The Forest Conservation Easement is not allowed to overlap any other easement.
6. At this time, the following individuals are working on various projects that may require coordination and further design work during future Preliminary Plan amendments. The applicant shall coordinate with the appropriate contacts listed below and must include the Development Review Team in any written or other correspondence related to these efforts:
 - a. Mr. Justin Willits of our Division of Transportation Engineering for the location and improvements to the BRT bus facilities in the vicinity of this project. Mr. Willits may be contacted at justin.willits@montgomerycountymd.gov or at 240-388-5365

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- b. Mr. Matt Johnson of our Transportation Engineering Section at matt.johnson@montgomerycountymd.gov or at 240-777-7237 regarding the proposed bike facilities along the public ROW.
 - c. Mr. Wayne Miller of the Division of Transit Services concerning the location and potential improvements or relocations of Ride On bus facilities in the vicinity. Mr. Miller may be contacted at 240-777-5836 or at wayne.miller2@montgomerycountymd.gov.
 - d. The development is subject to the [White Oak Local Area Transportation Improvement Program \(LATIP\) fee](#) for future preliminary plan amendments. We recommend that the applicant coordinate with Mr. Andrew Bossi of our Office of Transportation Policy at 240-777-7170 or at andrew.bossi@montgomerycountymd.gov regarding the White Oak LATIP Fee and credits for this development.
- 7. The applicant shall contact MDSHA regarding the master-planned interchange at US-29 and Tech Road/Industrial Parkway, including any potential impacts related to the proposed development. Written documentation of this coordination shall be provided to MCDPS/MCDOT at the time of ROW permit submission.
 - 8. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
 - 9. The owner will be required to submit a recorded covenant for the operation and maintenance of any 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.
 - 10. Size storm drain easement(s) prior to record plat. No fences will be allowed within the storm drain easement(s) without a revocable permit from the Department of Permitting Services and a recorded Maintenance and Liability Agreement.
 - 11. The applicant shall coordinate and relocate all existing utilities along the existing roadways as necessary to accommodate the proposed roadway improvements.
 - 12. All street trees planted within County ROW shall conform to the applicable MCDOT standards regarding species selection, spacing, and planting specifications. Prior to finalizing and implementing any tree planting plans within the public ROW, coordination with the MCDPS-ROW Plan Review Section is required.
 - 13. A permit and bond will be required as a prerequisite to MCDPS approval of the record plat. No roads can be platted until the bond has been approved. The permit will include, but not necessarily be limited to, the following improvements:
 - a. Street grading, paving, curbs and gutters, a bike lane, concrete sidewalks and handicap ramps, enclosed storm drainage and appurtenances, and street trees along the proposed Viva White Oak Way.
 - b. Street grading, paving, curbs and gutters, a bike lane, concrete sidewalks and handicap ramps, enclosed storm drainage and appurtenances, and street trees along the proposed

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- FDA Boulevard, including the roundabout.
- c. Street grading, paving, curbs and gutters, a bike lane, concrete sidewalks and handicap ramps, enclosed storm drainage and appurtenances, and street trees along the proposed FDA Boulevard extension south of the roundabout to the FDA campus.
 - d. Street grading, paving, curbs and gutters, concrete sidewalk, bituminous concrete shared use path and handicap ramps, enclosed storm drainage and appurtenances, and street trees along proposed B-5, including the traffic circle.
 - * **NOTE: The Public Utilities Easement is to be graded on a side slope not to exceed 4:1.**
 - 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 should provide street lights on all public street frontages in accordance with the specifications, requirements, and standards prescribed by the Division of Traffic Engineering and Operations.
 - h. The developer shall ensure the final and proper completion and installation of all utility lines underground for all new road construction.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. Deepak Somarajan, our Development Review Team Engineer for this project, at deepak.somarajan@montgomerycountymd.gov or (240) 777-7170.

Sincerely,

Deepak Somarajan, Engineer III
Development Review
Office of Transportation Policy

SharePoint\teams\DOT\Director's Office\Development Review\Deepak\Preliminary Plan\ 12018024A-Viva White Oak\
Letter\120180024A-Viva White Oak Prelim Plan ltr

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| | | |
|-------|---------------------|----------------------------|
| cc-e: | Christopher Conklin | MCDOT Director |
| | Haley Peckett | MCDOT Deputy Director |
| | Greg Ossont | MCDGS Deputy Director |
| | Cicero Salles | White Oak Planning Manager |
| | Patrick Butler | M-NCPPC |
| | Ronnie Warner | MCDGS OPD |
| | Mark Etheridge | MCDPS WRM |
| | Tom Weadon | MCDPS WRM |
| | Patrick Fitzgerald | MCDPS WRM |
| | Atiq Panjshiri | MCDPS RWPR |
| | Sam Farhadi | MCDPS RWPR |
| | Marie LaBaw | MCDPS Fire |
| | Michael Paylor | MCDOT DTEO |
| | Mark Terry | MCDOT DTEO |
| | Kamal Hamud | MCDOT DTEO |
| | Eric Willis | MCDOT DTE |
| | Wayne Miller | MCDOT DTS |
| | Sandra Brecher | MCDOT CSS |
| | James Carlson | MCDOT CSS |
| | Samuel Damesa | MCDOT CSS |
| | Matt Johnson | MCDOT DTE |
| | Jamie Henson | MCDOT DTE |
| | Justin Willits | MCDOT DTE |
| | Andrew Bossi | MCDOT OTP |
| | Rebecca Torma | MCDOT OTP |

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DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

May 9, 2025

Ms. Jyotika Sharma, P.E.
Soltesz
2 Research Place, Suite 100
Rockville, Maryland 20850

Re: **REVISED COMBINED STORMWATER
MANAGEMENT CONCEPT/SITE
DEVELOPMENT STORMWATER
MANAGEMENT PLAN** for
Viva White Oak
Preliminary Plan #: 12018024A
SM File #: 283385
Tract Size/Zone: 279.6 ac. / CR
Total Concept Area: 23.87 ac.
Lots/Block: Master Plan Roads – Proposed Lots
I-01 (Viva White Oak Pkwy) and I-02 (Portion of
Viva White Oak Pkwy, FDA Blvd, Parcels A & B)
Parcel(s): N/A
Watershed: Paint Branch
Redevelopment (Yes/No): No

Dear Ms. Sharma:

Based on a review by the Department of Permitting Services Review Staff, the revised stormwater management concept for the above-mentioned site is **acceptable with conditions**. The plan proposes to meet required stormwater management goals via the use of proprietary filtration structures with pretreatment. This concept plan approval applies only the master plan roadway and all other information for the future development lots is for illustrative purposes only and will require future stormwater management concept approvals.

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

1. The roadway design has been reviewed by DOT as part of the Preliminary Plan process and they have confirmed that the design will be acceptable with conditions. If there are any changes to the layout and road configuration that impact the intent of the Concept Plan, a Stormwater Concept Revision may be necessary.
2. Per discussions with the applicant's team and Maryland Department of the Environment (MDE), this Concept Plan approval is predicated on the removal of the existing haul road in between FDA Boulevard and the West Farm Regional Pond. Although the dam breach study for the Westfarm Regional Pond has not yet been approved by the MDE, it is understood, based upon conversations with MDE, that the removal of the haul road, located in the area between the pond embankment and FDA Boulevard, will result in the Westfarm Regional Pond's dam hazard



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

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classification reducing from its current hazard classification of "Significant" to a classification of "Low" hazard. Prior to the issuance of the first Sediment Control Permit for any proposed improvements associated with this Preliminary Plan, the haul road must be removed, and the low hazard classification must be confirmed by formal issuance of the MDE dam breach analysis. If the haul road remains, or if other features are added in the future in the area between the pond outfall and FDA Boulevard, a revised MDE Dam Breach Analysis may be required prior to issuance of any sediment control permit for the improvements. A Stormwater Management Concept Revision will also be required. No improvements will be allowed that result in a change in hazard classification of the Westfarm Regional Pond from low hazard to any other classification.

3. There is an existing, active sediment control permit, No. 976020001, which overlaps with a portion of the Viva White Oak project. That permit must be formally closed prior to DPS issuance of any additional sediment control permits in that area. DPS will not allow overlapping of sediment control permits. Please note that closure of the existing permit will require approval of a formal plan revision that reflects the required grading for the closure operations. It is anticipated that closure of this existing permit will result in removal of the existing haul road mentioned in Condition No. 2 above.
4. Prior to issuance of a Sediment Control Permit to disturb area within the floodplain, a Floodplain Delineation Study and Floodplain District Permit will be required.
5. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
6. An engineered sediment control plan must be submitted for this project.
7. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
8. The underground structures must be watertight, meet DPS access and setback requirements, and be volume-based flow split systems.
9. This stormwater management concept approval rescinds the previous approval letter dated September 7, 2018.

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.

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May 9, 2025
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If you have any questions regarding these actions, please feel free to contact Patrick Fitzgerald at 240-777-6362.

Sincerely,

Mark Etheridge

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

cc: Neil Braunstein
SM File # 283385

Lot I-01

ESD: Required/Provided 38,990 c.f. / 0 c.f.
PE: Target/Achieved: 2.2"/ 2.2"
STRUCTURAL: 40,258 c.f.
WAIVED: N/A

Lot I-02

ESD: Required/Provided 95,730 c.f. / 0 c.f.
PE: Target/Achieved: 2.2"/ 2.2"
STRUCTURAL: 96,577 c.f.
WAIVED: N/A