



Lot 667 Woodmont, Preliminary Plan, 120150050

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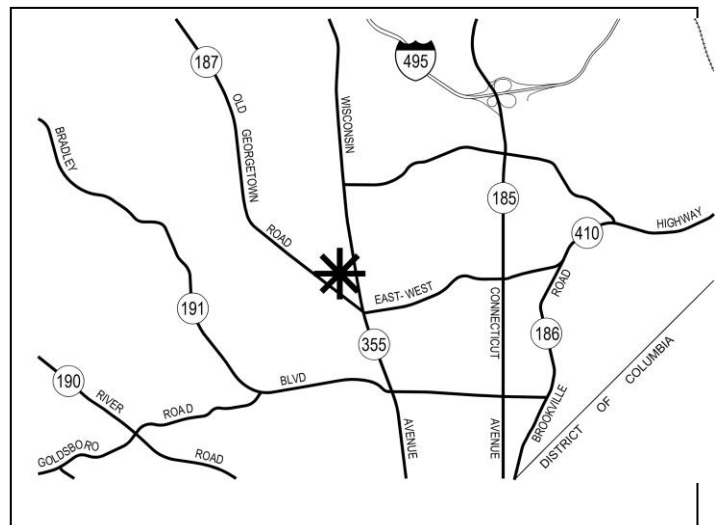
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Completed: September 4, 2015

Description

- Request: To increase the maximum allowable development on Lot 667 from 19,835 square feet of non-residential uses to 25,259 square feet
- Located at 4901, 4905 and 4909 Fairmont Avenue and 4910 and 4912 St. Elmo Avenue
- 0.43 acres zoned: CR 5.0, C 1.0, R 4.75, H-145T in the Woodmont Triangle Amendment to the Bethesda CBD Sector Plan
- Applicant: White Flint Express Realty Group, Limited Partnership
- Filing Date: October 7, 2014
- Reviewing Authority: Chapter 50



Summary

- Lot 667 was created via minor subdivision 220131130 (approved by the Planning Board on September 12, 2013) for one lot with development limited to the existing 19,835 square feet of non-residential development, including 11,175 square feet of restaurant, 5,294 square feet of office, and 3,366 square feet of miscellaneous service uses.
- Staff recommends Approval of Preliminary Plan 120150050 to increase the maximum allowable development to 25,259 square feet of non-residential development. Per the Woodmont Triangle Amendment to the Bethesda CBD Sector Plan, the maximum non-residential FAR in the Triangle is 1.0 FAR (for this site 25,264 square feet).
- This Application is being reviewed under the CBD-2 Zone development standards in effect on October 29, 2014 as permitted under Section 59.7.7.1.B.1 of the Zoning Ordinance.

RECOMMENDATION: Staff recommends approval of Preliminary Plan 120150050 for a maximum of 25,259 square feet of non-residential development on Lot 667, subject to the following conditions:

- 1) Approval under this Preliminary Plan is limited to a maximum of 25,259 square feet of non-residential development including 16,599 square feet of restaurant/retail, 5,294 square feet of office and 3,366 square feet of miscellaneous service uses or other permitted non-residential uses that generate the same or fewer peak hour vehicles trips.
- 2) The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated December 30, 2014, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 3) Prior to issuance of the first use and occupancy permit, the Applicant must provide and install six short term public bicycle parking racks (“inverted U” rack or similar) along the Subject Property’s frontage on St. Elmo Avenue.
- 4) The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated November 12, 2014, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 5) The Applicant must provide a minimum of 10 percent of the net lot area as public use space, including as public art a free-standing panelized mural or Staff approved alternative, to be located adjacent to the northern edge of the Property’s sidewalk along the St. Elmo Avenue frontage, as illustrated on the Preliminary Plan. Installation of this art work must occur prior to the issuance of final use and occupancy permits. Before issuance of any above-grade building permit for this site, the Applicant must present the public art to the Planning Department’s Art Review Panel for review and comment.
- 6) The certified preliminary plan must contain the following note: “Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the preliminary plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board’s approval.”
- 7) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.

BACKGROUND

The Subject Application (“Application”) was filed on October 7, 2014. At that time the property was zoned CBD-2 (Central Business District-2). The property was comprehensively rezoned by District Map Amendment (G-956) on October 30, 2014 to the Commercial – Residential (CR) Zone 5.0, C 1.0, R 4.75, H-145T. Because the Application was filed prior the adoption and approval of G-956, this Application is being reviewed under the CBD-2 Zone development standards in effect on October 29, 2014 as permitted under Section 59.7.7.1.B.1 of the Zoning Ordinance.

PREVIOUS APPROVAL

On September 12, 2013, the Planning Board approved, by minor subdivision plat 220131130, one lot for this site with a maximum allowable development of 19,835 square feet of non-residential development, including 11,175 square feet of restaurant, 5,294 square feet of office, and 3,366 square feet of miscellaneous service uses.

SITE DESCRIPTION

The Subject Property, (“Subject Property” or “Property”) is a 18,564 net square foot (0.426 acres), recorded lot, 667, and is zoned CBD-2. It is located in the west corner of the intersection of Fairmont and Norfolk Avenues. The Property is a through and corner lot with frontage on St. Elmo, Fairmont, and Norfolk Avenues. Lot 667 contains the following addresses and existing commercial uses:

- 4901 Fairmont Avenue is developed a 2 story office building with a surface parking lot for 6 vehicles;
- 4905 and 4909 Fairmont Avenue contains a vacant restaurant;
- 4910 St Elmo Avenue is developed as a 1 story restaurant; and
- 4912 St Elmo Avenue is developed as an automotive repair shop.

Access to the Property is provided from two driveways: one driveway located on Fairmont Avenue provides access to the two story office building and surface parking lot and one driveway in front of 4912 St. Elmo Avenue provides access to the automotive repair shop.

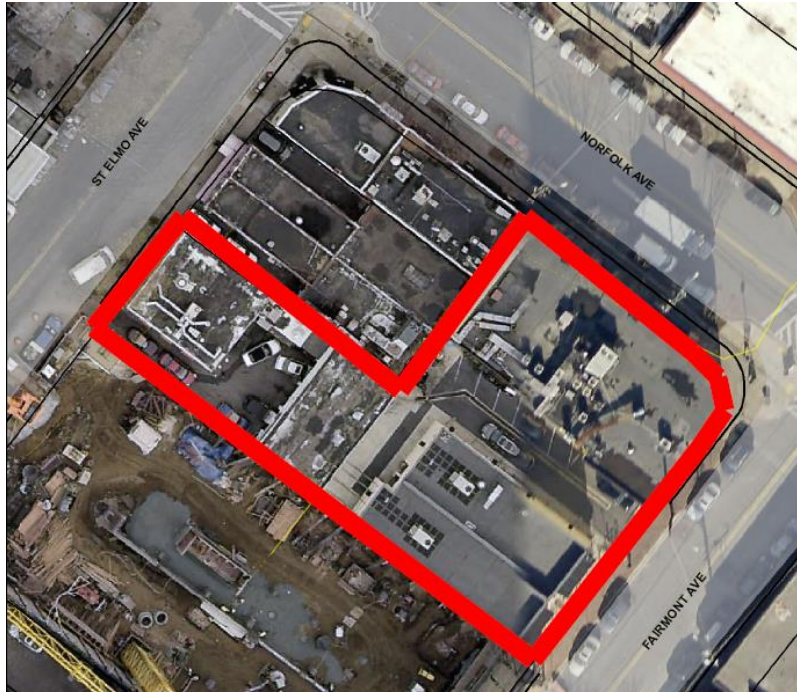


Figure 1 Aerial View of Property

The surrounding area contains a mix of residential and commercial land uses in the Commercial-Residential (CR) Zone, including multi-family buildings, office buildings and low scale retail uses. The Subject Property is located within the Lower Rock Creek watershed. There are no streams, floodplains, forests, or other sensitive environmental features on the site

PROJECT DESCRIPTION

The Applicant is proposing to increase the maximum allowable development from 19,835 square feet of non-residential uses to 25,259 square feet. Under the *Woodmont Triangle Amendment to the Bethesda CBD Sector Plan*, non-residential uses in the Triangle are limited to a 1.0 FAR. This Application meets the limitation of 1.0 FAR.

The only vehicular access to the Property will be for loading and deliveries from a driveway adjacent to 4910 St Elmo Avenue. No vehicular parking is proposed on-site. The Property is located in Bethesda Parking Lot District (PLD) and the Applicant will make a payment to the PLD in lieu of providing on-site parking spaces. Pedestrian access will be provided from existing sidewalks on Fairmont, St. Elmo, and Norfolk Avenues.

ANALYSIS AND FINDINGS

Conformance to the Master Plan

The site is covered by the *Woodmont Triangle Amendment to the Bethesda CBD Sector Plan*, (“*The Amendment*” or “*Amendment*”). The Amendment’s vision for the Woodmont Triangle area “is a vibrant urban mixed use neighborhood which emphasizes residential, small scale retail, art galleries and studio space with pedestrian friendly local streets.” (p. 5).

The Amendment provides the following recommendations for the Woodmont Triangle Area:

- reduce the amount of future commercial development and increases the amount of residential development by limiting commercial FAR to 1.0;
- allows an increase in residential FAR (floor area ratio) to encourage housing;
- encourages retention of small scale retail; and
- encourages location of first floor retail. (p.8)

Floor Area Ratio (FAR)

This Amendment seeks to encourage mixed use development in the Woodmont Triangle area by limiting FAR on CBD zoned properties and states the following:

- In order to encourage residential development, the recommended increase in density up to the maximum allowed would be for residential development. All CBD zoned parcels within the study area will be limited to a FAR of 1.0 for non-residential development. (p. 13)

Improvements to Public Streets and Spaces

The Amendment states improvements to public streets and space can be accomplished by:

- Enhancing pedestrian safety and access to transit.
- Improving the pedestrian and bicycle connections between NIH, the battery Lane District and the adjacent neighborhoods and the Metro stations a primary objective. (p.15)

Urban Design Guidelines

The Amendment offers the following design recommendation with respect to new projects

- Review new projects for compatibility with existing uses and to ensure animation of the first floor space through the use of retail, restaurant or other activating uses.



Figure 5, Woodmont Triangle Amendment Boundaries, Block by Block Diagram

The Property is located within in Block 44 of the Amendment area, see Figure 5. For this block, the Plan recommended increasing the allowable residential density on the site to promote higher-intensity redevelopment.

The Amendment strongly encourages higher intensity redevelopment; specifically residential uses on CBD zoned properties. In the absence of providing residential uses, the Plan states that any non-residential development on CBD zoned properties are limited to a maximum FAR of 1.0. The proposed Preliminary Plan includes only non-residential uses, thus, the lower-scale non-residential development is limited to a 1.0 FAR. The Application also proposes retaining small scale retail uses and providing other types of first floor uses that will activate Fairmont and St. Elmo Avenues, both goals of the Amendment. The addition of six bike racks along St. Elmo Avenue will also improve bicycle connections in the adjacent neighborhoods and to the Metro Stations. Therefore, the Application is in conformance with the recommendations of the Woodmont Triangle Amendment.

Public Facilities

Access and Public Transportation

The proposed development will have one vehicular access point located on St. Elmo Avenue that will be for off-street loading only. The project eliminates personal vehicle access to the site and has no on-site parking. All parking demand associated with this project will be accommodated off-site within the Bethesda Parking Lot District (PLD) as the Applicant will pay an annual *ad valorem* tax in lieu of providing parking spaces on-site. Pedestrian and bicyclist access will be provided along the frontages of both St Elmo and Fairmont Avenues. Building entrances will be oriented toward existing public sidewalks

along both roadways. Six short-term bicycle parking spaces will be provided along the St. Elmo Avenue frontage to promote non-automobile trips.

The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station (located approximately one half mile southeast of the site), Metrobus, RideOn, and the Bethesda Circulator. Future transit in the area includes a proposed Purple Line station at the intersection of Wisconsin Avenue and Elm Street, approximately one-half mile southeast of the Property. Specific transit routes near the Site include:

1. RideOn Bus Routes 29, 32, 30, 34, 36, 40, 47, 70 and
2. WMATA Metrobus Routes J2, J3, J4, J7, and J9.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The following summarizes recommendations included in the 1994 *Bethesda CBD Sector Plan*, 2006 *Woodmont Triangle Amendment*, and 2005 *Countywide Bikeway Functional Master Plan*:

1. Right-of-way dedication along the site frontages is not required at this time because the current rights-of-way meet the minimum required by the Sector Plan.
2. Fairmont Avenue, along the southern site's frontage, as a Biker Friendly Area (p.158, 1994 CBD Plan) and Mixed Street (p. 178, 1994 CBD Plan) with a minimum right-of-way width of 60 feet (p. 173, 1994 CBD Plan). Mixed Streets are described in the Sector Plan as streets that accommodate higher levels of pedestrian activity. Neither the 2006 Woodmont Triangle Amendment nor the 2005 Countywide Bikeway Functional Master Plan contains specific recommendations for Fairmont Avenue.
3. St. Elmo Avenue, along the northern site's frontage, with a minimum right-of-way width of 70 feet (p. 173, 1994 CBD Plan). Neither the 2006 Woodmont Triangle Amendment nor the 2005 Countywide Bikeway Functional Master Plan contains specific recommendations for St Elmo Avenue.

Adequate Public Facilities Review

The Applicant submitted a traffic statement, dated July 15, 2014, for the Application per the *Local Area Transportation Review and Transportation Policy Area Review (LATR/TPAR) Guidelines*. Since the increment of proposed development is beyond the existing onsite development it is estimated to generate less than 30 peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. Trip generation, summarized in Table 1, shows that the proposed development will generate four new morning peak hour trips and fourteen new evening peak hour trips. The project is located within the Bethesda CBD Policy Area, and is exempt from the TPAR transit test and is considered to be adequate under the TPAR roadway test. As a result, the proposed development satisfies 2012-2016 Subdivision Staging Policy without making a TPAR payment. Staff concludes that the proposed development satisfies the *LATR and TPAR requirements* of the APF review and will provide safe, adequate, and efficient vehicular and pedestrian access.

TABLE 1
Summary of Proposed Trip Generation for Lot 667

Trip Generation	Morning Peak-Hour			Evening Peak-Hour		
	In	Out	Total	In	Out	Total
Proposed Development						
Restaurant/ Retail (5,429SF)	2	2	4	7	7	14
New Peak Hour Trips	2	2	4	7	7	14

Source: TEMOSS, LLC. Traffic Statement dated July 15, 2014.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The Property is proposed to be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations, firehouses, and health services are operating according to the Growth Policy resolution currently in effect and will be adequate to serve the property. Electrical, telecommunications, and gas services are also available to serve the Property.

Environmental Guidelines and Forest Conservation

The Subject Property is located in the Bethesda CBD and is not associated with any environmentally sensitive features such as forest areas, stream buffers, wetlands, 100 year floodplains, steep slopes or specimen trees. A forest conservation exemption (42015031E) was confirmed for the Property on August 11, 2014. The Project qualifies for a small property exemption under section 22A-5(s)(2) of the Montgomery County Forest Conservation Law, since the proposed activity occurs within a tract of land less than 1.0 acres in size, with no forest, specimen tree or champion trees present, and the afforestation requirements would not exceed 10,000 square feet. Removals of any street trees would be addressed by replanting under the Bethesda streetscape standards.

Stormwater Management

The Montgomery County Department of Permitting Services (MCDPS) Stormwater Management Section approved the stormwater management concept plan (#267615) on November 12, 2014. Stormwater management goals will be achieved through the use micro biofilters and planter boxes.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application meets all applicable sections. The existing lot size, width, shape and orientation are appropriate for the location of this subdivision.

The lot meets all the dimensional requirements for area, building height, building coverage, minimum public use space, and floor area ratio in the CBD-2 Zone. A summary of this review is shown below in Table 2. The Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Table 2
Preliminary Plan Data Table
Standard Method of Development CBD-2 Zone

PLAN DATA	Required/Permitted Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan
Gross Tract Area	18,000 sq. ft.	25,264 sq. ft.
Previous Dedications		6,700 sf
Net Lot Area		18,564 sf
Total Floor Area Ratio (FAR)	3.0	1.0
Residential FAR	1.0	0.0
Non-Residential FAR	2.0	1.0 ¹
Non-Residential FAR	25,264 sf	25,259 sf
Maximum Building Coverage	75% (13,923 sf)	75% (13,888 sf)
Building Height	60 ft	30 ft
Minimum Public Use Space (% of net lot area)	10% (1,856 sf)	10% (1,877 sf)
Site Plan Required	no	

¹ The Woodmont Triangle Amendment to the Sector Plan for the Bethesda CBD recommends that "all CBD zoned parcels within the study area will be limited to a FAR of 1.0 for non-residential development".

Community Correspondence

The Applicant has complied with all noticing requirements, and conducted a pre-submission community meeting on July 31, 2014. As of the date of this report, no community correspondence has been received.

Attachments

Attachment A –Minor Subdivision 220131130

Attachment B – Agency Correspondence

Plat Name: Woodmont
Plat #: 220131130

Location: Located in the southwest quadrant of the intersection of Fairmont Avenue and Norfolk Avenue.

Master Plan: Bethesda CBD Sector Plan

Plat Details: CBD-2 zone; 1 lot
Community Water, Community Sewer

Applicant: Green Tomato, LLC et al

Staff recommends approval of this minor subdivision plat pursuant to **Section 50-35A(a)(3)** of the Subdivision Regulations, which states:

Consolidation of Two or More Lots or a Part of a lot into One Lot. Consolidating more than one lot into a single lot is permitted under the minor subdivision procedure provided:

- a. Any conditions applicable to the original subdivision remain in full force and effect and the number of trips generated on the new lot do not exceed those permitted for the original lots or as limited by an Adequate Public Facilities agreement.
- b. Any consolidation involving a part of a lot may occur under the minor subdivision process if the part of a lot was created by deed recorded prior to June 1, 1958

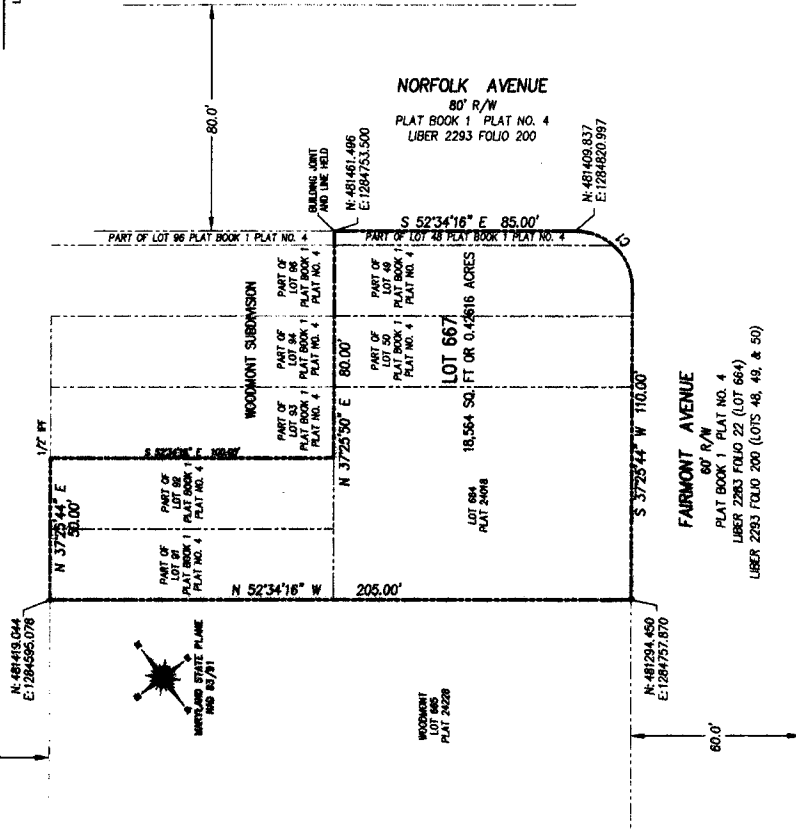
Staff applied the above-noted minor subdivision criteria for the property included in this application and concludes that the proposed subdivision complies with the requirements of Section 50-35A(a)(3) and supports this minor subdivision record plat.

CURVE DATA	CHORD	AREA	CHORD BEARING	CHORD ANGLE
15.00'	15.00'	0.00	S 0° 00' 00" E	0° 00' 00"
15.00'	15.00'	0.00	S 0° 00' 00" E	0° 00' 00"
15.00'	15.00'	0.00	S 0° 00' 00" E	0° 00' 00"

AREA TABULATION

LOT 667 18,564 SQ. FT OR 0.42616 ACRES
 STREET DESIGNATION 0 SQ. FT OR 0 ACRES
 PLAT TOTAL 18,564 SQ. FT OR 0.42616 ACRES

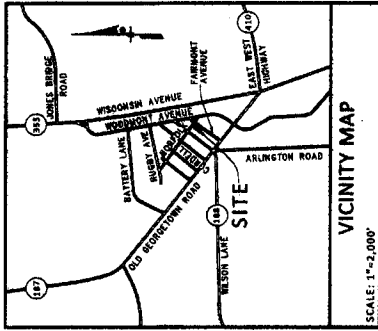
ST. ELMO AVENUE
 70' R/W
 PLAT BOOK 1 PLAT NO. 4
 LIBER 2487 FOLIO 442



NORFOLK AVENUE
 80' R/W
 PLAT BOOK 1 PLAT NO. 4
 LIBER 2293 FOLIO 200

FAIRMONT AVENUE
 80' R/W
 PLAT BOOK 1 PLAT NO. 4
 LIBER 2293 FOLIO 22 (LOT 664)
 LIBER 2293 FOLIO 200 (LOTS 48, 49, & 50)

PLAT No.



OWNER'S CERTIFICATE
 WE, THE UNDERSIGNED, OWNERS OF THE LAND DESCRIBED HEREIN, HEREBY ADOPT THIS PLAT OF RESUBDIVISION. AS OWNER OF THIS RESUBDIVISION WE, OUR SUCCESSORS AND ASSIGNS WILL CAUSE ALL PROPERTY CORNER MARKERS AND ANY OTHER REQUIRED MONUMENTS, TO BE SET BY A REGISTERED MARYLAND LAND SURVEYOR, IN ACCORDANCE WITH CHAPTER 50, SECTION 24 (E)(2) OF THE MONTGOMERY COUNTY CODE.
 THERE ARE NO RECORDED SUITS, LIENS, LEASES, MORTGAGES, OR TRUSTS AFFECTING THE PROPERTY INCLUDED IN THIS PLAT OF RESUBDIVISION.

WHITE FLINT EXPRESS REALTY GROUP LIMITED PARTNERSHIP, LLP,
 A MARYLAND LIMITED LIABILITY PARTNERSHIP

BY: LEONARD A. GREENBERG TRUSTEE
 DATE: 7/29/13

WITNESS
Michael J. Clark
 LEONARD A. GREENBERG, TRUSTEE

GREEN TOMATO LLC, A MARYLAND LIMITED LIABILITY COMPANY
 LEONARD A. GREENBERG FAMILY TRUST(2000), MANAGER

BY: LEONARD A. GREENBERG TRUSTEE
 DATE: 7/29/13

WITNESS
Michael J. Clark
 LEONARD A. GREENBERG, TRUSTEE

GENERAL NOTES

- ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN, OR OTHER PLAN ALLOWING DEVELOPMENT OF THIS PROPERTY ARE HEREBY INCORPORATED BY REFERENCE INTO THIS PLAT. ANY SUCH PLAN NOT TO BE EXTINGUISHED BY THE RECORRATION OF THIS PLAT UNLESS EXPRESSLY CONTAINED BY THE PLAN AS APPROVED. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE MONTGOMERY COUNTY PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
- THE SUBJECT PROPERTY IS LOCATED ON TAX ASSESSMENT MAP NO. 04122. THE PROPERTY IS ZONED CRD-2. HORIZONTAL DATUM IS BASED ON MARYLAND STATE COORDINATE SYSTEM (MAGRS).
- THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND INTERESTS IN THE PROPERTY. THE PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR DEFECT ON NOTE ALL MATTERS AFFECTING TITLE.
- THIS DEVELOPMENT IS SERVED BY PUBLIC WATER AND SEWER SYSTEMS ONLY.
- THIS PLAT CONFORMS TO THE REQUIREMENTS OF SECTION 50-36A OF THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS, BEING CHAPTER 50 OF THE COUNTY CODE. THIS PLAT INVOLVES A CONSOLIDATION OF TWO OR MORE LOTS ON PARTS OF ONE LOT AS PROVIDED FOR IN SECTION 50-35A(4)(3).
- THE TOTAL AREA OF THIS PLAT IS 18,564 SQ. FT OR 0.42616 ACRES.
- FEET OF DEVELOPMENT OR EQUIVALENT TRIP GENERATION UNLESS OTHERWISE MODIFIED BY THE MONTGOMERY COUNTY PLANNING BOARD THROUGH ADOPTED PUBLIC FACILITIES (MAY) REVIEW AND APPROVAL.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THE INFORMATION CONTAINED HEREIN IS CORRECT; THAT IT IS A RESUBDIVISION OF PART OF THE PROPERTY ACQUIRED BY WHITE FLINT EXPRESS REALTY GROUP LIMITED PARTNERSHIP FROM WEINBAUM MILLER M. EHRICH REVOCABLE TRUST AGREEMENT, WILFRED M. CARBERT AND HELLA C. WAINMAN AS RECORDED IN LIBER 12848 AT FOLIO 90, SAID PROPERTY BEING:
 1. ALL OF LOT 664, "WOODMONT", RECORDED AS PLAT NUMBER 24019,
 2. PARTS OF LOTS 48, 49, AND 50, "WOODMONT" AS RECORDED IN PLAT BOOK 1 AT PLAT 4
 ALSO BEING THE SUBJECT PROPERTY DESCRIBED IN THE FOREGOING.
 I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF MARYLAND. I AM A MEMBER OF THE UNITED BANK AND TRUST, SUCCESSOR TRUSTEES OF THE ANTHONY V. PAPPALARDO, SR. LIVING TRUST PURSUANT TO COURT ORDER ENTERED NOVEMBER 19, 2010 IN THE MATTER OF ANTHONY V. PAPPALARDO, SR. CASE 10-3400 IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND AS RECORDED IN LIBER 45859 AT FOLIO 259, SAID PROPERTY BEING:
 3. PARTS OF LOTS 91, AND 92, "WOODMONT" AS RECORDED IN PLAT BOOK 1 AT PLAT 4

I HEREBY CERTIFY THAT, ONCE ENGRAVED AS DESCRIBED IN THE OWNER'S CERTIFICATE HEREON, ALL PROPERTY MARKERS SHOWN THEREON WILL BE SET AS DIRECTED HEREIN IN ACCORDANCE WITH CHAPTER 50, SECTION 24 (E)(2) OF THE MONTGOMERY COUNTY CODE. THE TOTAL AREA INCLUDED ON THIS PLAT IS 18,564 SQ. FT OR 0.42616 ACRES OF LAND OF WHICH NONE IS DEDICATED TO PUBLIC USE.

DATE: 7/29/2013
Adam S. Bernat
 ADAM S. BERNAT
 PROFESSIONAL LAND SURVEYOR
 MARYLAND REGISTRATION NO. 21153
 EXP. 06/20/2014

SUBMISSION RECORD PLAT

LOT 667
 WOODMONT

BEING A RESUBDIVISION OF
 LOT 664, AND PART OF LOTS 48, 49, 50, 91 AND 92
 BETHESDA ELECTION DISTRICT NO. 7
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1" = 30' JULY 29, 2013

J.B.A.
 Johnson • Bernat • Associates, Inc.
 Engineering • Surveying • Planning

205 N. Frederick Ave. Suite 100
 Gaithersburg, MD 20877
 Tel. (301) 963-1133
 Fax: (301) 963-6306
 www.jba-inc.net

APPROVED: _____ SECRETARY-TREASURER
 APPROVED: _____ DIRECTOR

THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
 MONTGOMERY COUNTY PLANNING BOARD

DATE: 7/29/13

MINOR SUBDIVISION PLAT REVIEW SHEET

(This form contains 3 pages)

Plat Name: WOODMONT Plat Number: 220131130
 Plat Submission Date: 2-6-2013
 DRD Plat Reviewer: S. SMITH
 DRD Prelim Plan Reviewer: N/A

*For category of minor subdivision see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. _____ Checked: Initial _____ Date _____
 Preliminary Plan No. _____ Checked: Initial _____ Date _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____
 Site Plan Name if applicable: _____ Site Plan Number: _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____

Lot # & Layout Lot Area Zoning Bearings & Distances Coordinates
 Plan # N/A Road/Alley Widths etc Easements N/A Open Space N/A Non-standard
 BRLs N/A Adjoining Land Vicinity Map Septic/Wells N/A
 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map
 SPA N/A

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	Evelyn Gibson	2-7-13	2-22-13	2-11-13	No Comments
Research	Bobby Fleury			2-11-13	OK
SHA	Corren Giles				
PEPCO	Bobbie Dickey				
Parks	Doug Powell			N/A	N/A
DRD	Keiona Clark				

Final DRD Review:

Consultant Notified (Final Mark-up):	<u>SJS</u>	<u>7-25-2013</u>
Final Mylar & DXF/DWG Received:	<u>SJS</u>	<u>8-1-2013</u>
Final Mylar Review Complete:	<u>SJS</u>	<u>8-30-2013</u>

Board Approval of Plat:

Plat Agenda:	<u>SJS</u>	<u>9-12-2013</u>
Planning Board Approval:	_____	_____
Chairman's Signature:	_____	_____

MCDPS Approval of Plat:

Consultant Pick-up for DPS Signature:	_____	_____
Final Mylar for Reproduction Rec'd:	_____	_____

Plat Reproduction:

Addressing:	_____	_____
File Card Update:	_____	_____
Final Zoning Book Check:	_____	_____
Update Address Books with Plat #:	_____	_____
Update Green Books for Resubdivision:	_____	_____
Complete Reproduction:	_____	_____
Notify Consultant to Seal Plats:	_____	_____
Surveyor's Seal Complete:	_____	_____
Sent to Courthouse for Recordation:	_____	_____
Recordation Info Entered into Hansen	_____	_____

No. _____

MINOR SUBDIVISION SECTION 50-35A

Select which Category of Minor Subdivision and fill information as required

Requirements under Sec 50-35A (A)

(1) Minor Lot Adjustment

- a) Total area does not exceed 5% of combined area affected: _____
- b) No additional lots created: _____
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: _____
- d) Date sketch plan submitted: _____
- e) Sketch plan revised or denied within 10 business days: _____
- f) Final record plat submitted within ninety days: _____
- g) Sketch shows following information:
 - i. proposed lot adjustment: _____
 - ii. physical improvements within 15 feet of adjusted line: _____
 - iii. alteration to building setback: _____
 - iv. amount of lot area affected: _____

(2) Conversion of Outlot into a Lot

- a) Outlot not required for open space or otherwise constrained: _____
- b) Adequate sewerage and water service/public or private: _____
- c) Adequate public facilities and AGP satisfied: _____
- d) Any conditions/agreements of original subdivision: _____
- e) Special Protection Area, Water Quality Plan required: _____

(3) Consolidation Of Two of More Lots

- a) Any prior subdivision conditions: _____
- b) Part of lot created by deed prior to June 1 1958: ok

(4) Further Subdivision of Commercial/Industrial/Multi-Family Lot

Any subdivision/conditions; APF agreement satisfied: _____

(5) Plat of Correction

- a) All owners and trustees signed: _____
- b) Original Plat identified: _____

(6) Plats for Residentially Zoned Parcels Created by Deed prior to June 1958

- a) Deed(s) submitted: _____
- b) Developable with only one single family detached unit: _____

(7) Plat for Existing Places of Worship, Private Schools, Country Club, Private Institution, and Similar Uses located on Unplatted Parcels

- a) Adequate Public Facilities satisfied: _____
- b) Street dedication required: _____
- c) Forest conservation: _____
- d) Storm water management: _____
- e) Special Protection Area/Water Quality Plan: _____
- f) Landscaping and lighting plan including parking lot layout: _____
- g) Approved Special Exception: _____



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Al R. Roshdieh
Acting Director

December 30, 2014

Ms. Kathleen A. Reilly, 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. 120150050
Lot 667 Woodmont

Kathryn
Dear Ms. Reilly:

We have completed our review of the preliminary plan dated August 25, 2014. This plan was reviewed by the Development Review Committee at its meeting on November 10, 2014. 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. Include this letter and all other correspondence from this department.

1. We have completed our review of the submitted storm drain study. The report indicates the post-development ten (10) year runoff from the site does not exceed the capacity of the existing storm drain pipes and should not have any adverse impacts on the current storm drain system. The study also indicated that inlet spreads along the property frontage are less than 8 feet. We concur with the storm drain study analysis.
2. Clearly delineate the proposed driveway locations and dimensions on the certified preliminary plan.
3. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
4. Provide a minimum five (5) foot wide perpetually clear pedestrian passageway within the sidewalk area along all streets.

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor · Gaithersburg, Maryland 20878
Main Office 240-777-2190 · TTY 240-777-6013 · FAX 240-777-2080
trafficops@montgomerycountymg.gov

5. Truck loading space requirements to be determined in accordance with the Executive Branch's "Off-Street Loading Space" policy.
6. On the site plan, delineate the location and dimensions of the proposed truck loading and/or dumpster spaces.
7. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.
8. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, 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.
9. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
10. If the proposed development will alter any existing street lights, 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.
11. 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 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.
12. Prior to approval of the record plat by MCDPS, the applicant will need to enter into a Traffic Mitigation Agreement with the Planning Board and this Department. Within MCDOT, the applicant should coordinate with Ms. Sandra Brecher, Chief of the Division of Transit Services/Commuter Services Section. Ms. Brecher may be contacted at 240-777-8380.
13. At or before the permit stage, please coordinate with Mr. Joseph Madison of our Division of Parking Management to coordinate the parking meters in the vicinity of this project. Mr. Madison may be contacted at 240 777-8740.
14. At or before the permit stage, please coordinate with Ms. Stacy Coletta of our Division of Transit Services to coordinate improvements to the RideOn bus facilities in the vicinity of this project. Ms. Coletta may be contacted at 240 777-5800.

Ms. Kathleen Reilly
Preliminary Plan No. 120150050
October 30, 2014
Page 3

15. Permit and bond will be required as a prerequisite to DPS approval of the record plat to construct Bethesda CBD streetscaping along all site frontages.

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 Area Engineer for this project at deepak.somarajan@montgomerycountymd.gov or (240) 777-2190.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

M:\corres\FY15\Traffic\Active\120150050, Lot 667 Woodmont, MCDOT FINAL plan review comments.doc

Enclosure

cc: Leonard Greenberg White Flint Express Realty
Caroline Latimer Johnson Bernat Associates, Inc.
Andrew Bradshaw Johnson Bernat Associates, Inc.
Todd Brown Linowes and Blocher, LLP
Preliminary Plan folder
Preliminary Plan letters notebook

cc-e: Matthew Folden M-NCPPC Area 1
Atiq Panjshiri MCDPS RWPR
Sandra Brecher MCDOT DTS
Dan Sanayi MCDOT DTEO
Bruce Mangum MCDOT DTEO



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Woodmont Lot 667 Preliminary Plan Number: 1-20150050

Street Name: Fairmont Avenue Master Plan Road Classification: Business

Posted Speed Limit: 30 mph

Street/Driveway #1 (South) Street/Driveway #2 (_____)

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>500'</u>	<u>yes</u>	Right _____	_____
Left <u>120'</u>	<u>yes</u>	Left _____	_____

Comments: _____
The left side is an
intersection with
Norfolk Ave.

Comments: _____

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*	Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)
Tertiary - 25 mph	150'	
Secondary - 30	200'	
Business - 30	200'	
Primary - 35	250'	
Arterial - 40	325'	
(45)	400'	
Major - 50	475'	
(55)	550'	

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

[Signature]
 Signature

10/23/14
 Date



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.
 Licence No.: 35287
 Expiration Date.: 01-07-16

Montgomery County Review:	
<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved:
By:	<u>[Signature]</u>
Date:	<u>10/30/2014</u>



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Woodmont Lot 667 Preliminary Plan Number: 1-20150050

Street Name: St. Elmo Avenue Master Plan Road Classification: Business

Posted Speed Limit: 30 mph

Street/Driveway #1 (North) Street/Driveway #2 (_____)

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>250'</u>	<u>yes</u>	Right _____	_____
Left <u>500'</u>	<u>yes</u>	Left _____	_____

Comments: _____
The right side is a 'T'
intersection with
Norfolk Ave.

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*	Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)
Tertiary - 25 mph	150'	
Secondary - 30	200'	
Business - 30	200'	
Primary - 35	250'	
Arterial - 40	325'	
(45)	400'	
Major - 50	475'	
(55)	550'	

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Andrew M. Bradshaw
 Signature

10/23/14
 Date



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.

Licence No.: 35287
 Expiration Date.: 01-07-16

Montgomery County Review:

Approved
 Disapproved:

By: [Signature]
 Date: 10/30/2014



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

August 11, 2014

Leonard Greenberg
White Flint Express Realty Group LTD Partnership
4901 Fairmont Ave. Suite 200
Bethesda, MD 20814

RE: Forest Conservation Existing Conditions Exemption Request # 42015031E
Plan Name: Lot 667 Woodmont
Action Taken: Existing Conditions Plan Approved, Exemption Request Confirmed

Dear Leonard Greenberg:

On August 7, 2014, the Montgomery County Planning Department's Development Applications and Regulatory Coordination staff received an existing conditions, Chapter 22A-5(s)(2) forest conservation exemption request for a development activity at Lot 667 Woodmont. The exemption request is part of a Preliminary Plan review.

The review of the forest conservation exemption request is complete. The proposed activity is within a tract of land less than 1.0 acres in size. There are no forest, no specimen trees and no champion trees within the tract area. The afforestation requirement for the project would not exceed 10,000 square feet.

The Forest Conservation Exemption Request for Lot 667 Woodmont is confirmed. The submitted Existing Conditions Plan for Lot 667 Woodmont is approved. The approved Existing Conditions Plan number and confirmed Exemption Request number is 42015031E.

Any changes from the approved plan may constitute grounds to rescind or amend any approval actions taken. If there are any subsequent modifications planned to the approved plan, a separate amendment may be required for Montgomery County Planning Department for review and approval.

Sincerely,

A handwritten signature in black ink that reads "Stephen Peck".

Stephen Peck
Senior Planner
Development Applications and Regulatory Coordination
M-NCPPC- Montgomery County Planning Department

CC: Caroline Latimer, Johnson Bernat Associates, Inc.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

November 12, 2014

Mr. Andrew Bradshaw
Johnson Bernat Associates
205 N. Frederick Ave., S 100
Gaithersburg, MD 20877

Re: Stormwater Management **CONCEPT** Request
for Woodmont Lot 667
Preliminary Plan #: 120150050
SM File #: 267615
Tract Size/Zone: 11 acres/CBD-2
Total Concept Area: .11 acres
Lots/Block: 667
Parcel(s): NA
Watershed: Lower Rock Creek

Dear Mr. Bradshaw:

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 Micro biofilter/planter box.

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

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Landscaping shown on the approved Landscape Plan as part of the approved Site Plan are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.
5. A detailed plan showing the downspout and roof runoff will be required at detailed plan stage.

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

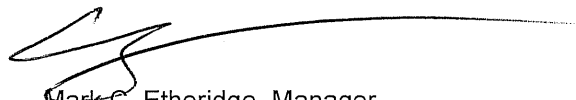
255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTY
www.montgomerycountymd.gov

Mr. Andrew Bradshaw
November 12, 2014
Page 2

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 William Campbell at 240-777-6345.

Sincerely,



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

MCE: wrc

cc: C. Conlon
SM File # 267615

ESD Acres:	.11
STRUCTURAL Acres:	0
WAIVED Acres:	0



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

May 1, 2015

Mr. Andrew Bradshaw
Johnson, Bernat Associates
205 N. Frederick Ave., Suite 100
Gaithersburg, MD 20877

Re: Stormwater Management
CONCEPT RECONFIRMATION
Woodmont Lot 667
SWM Concept #: 267615

Dear Mr. Bradshaw:

Your request for a stormwater management reconfirmation for the above site has been evaluated. The original approved SWM concept dated November 12, 2014 is hereby reconfirmed. Please adhere to all conditions required as part of that approval.

If you have any questions regarding these actions, please feel free to contact William Campbell at 240-777-6345.

Sincerely,



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

Cc: SM File #: 267615



FIRE MARSHAL COMMENTS

DATE: 19-Nov-14
TO: Andrew Bradshaw - abradshaw@jba-inc.net
Johnson Bernat Associates
FROM: Marie LaBaw
RE: Woodmont Lot 667
120150050

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **19-Nov-14**. 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.

***** Performance based design *****

***** 3/24/15 Building layout revisions approved *****