



ATTACHMENT 6.b.

DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Al R. Roshdich
Acting Director

April 24, 2015

Ms. Lori Shirley, Planner Coordinator
Area 2 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 11999033A
Decoverly Hall South

AMENDMENT LETTER

Lori
Dear Ms. Shirley:

This letter is in follow-up to our April 17, 2015 joint meeting with Ms. Nancy Regelin, her client, and other members of the private development team for this amended preliminary plan. As discussed during our meeting, this letter is to document the verbal agreements to our March 17, 2015 preliminary plan and April 3, 2015 traffic signal warrant analysis letters. During last Friday's meeting, the development team indicated they intend to pursue issuance of the first medical space Use & Occupancy certificate as soon as the day after the Planning Board hearing – so the parties were compelled to reconsider a number of the deadlines in our letters.

NOTE: All previous comments in our March 17, 2015 preliminary plan remain applicable unless modified below. This letter also replaces our April 3, 2015 traffic signal warrant analysis letter.

March 17, 2015 preliminary plan review comments letter

- Comment no. 3: Upon further review of record plat no. 21199, an existing three (3) foot wide Public Improvements Easement and WSSC right-of-way [as well as a partially overlapping thirteen (13) foot wide Public Utilities Easement] already exists along the north side of the project's Blackwell Road site frontage – so comment no. 3 has already been satisfied. We apologize for this oversight; comment no. 3 is hereby deleted.
- Comment no. 8 is hereby revised to read:

The property is located within the boundaries of the Greater Shady Grove Transportation Management District. Within ninety (90) days of issuance of Planning Board Approval for Medical Clinic use in the existing building, the applicant must enter into a Traffic Mitigation Agreement (TMAG) with the Planning Board and MCDOT to participate in the Greater Shady Grove Transportation Management District to achieve the Great Seneca Science Corridor Master Plan's Stage 2 goal of 18% non-auto drive mode share.

Division of Traffic Engineering and Operations

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The TMAg must be fully executed prior to issuance of the final Use and Occupancy permit. Within MCDOT, please coordinate with Ms. Sande Brecher, Chief of our Division of Transit Services' Commuter Services Section. Ms. Brecher may be contacted at 240-777-5800.

- Comment no. 5: The review of the signal warrant analysis study has been completed and we have concur that traffic signal warrants are satisfied with full build-out of this property. Incorporating the comments from our April 3, 2015 traffic signal conditional approval letter and the discussion at last week's meeting, the new traffic signal will be designed, bonded, permitted, and constructed under the terms:
 - Within six (6) months after Planning Board approval of the pending plan: provide a bond to MCDOT for the full cost to design, permit, and construct the traffic signal. The Engineer's Estimate for these costs will need to include contingencies and be approved by the MCDOT Division of Traffic Engineering and Operations prior to issuance of the bond.
 - Within twelve (12) months after Planning Board approval of the pending plan: obtain MCDOT Division of Traffic Engineering and Operations' approval of the design plans to install the new traffic signal. These plans should include the proposed signal phasing including pedestrian phasing, geometry/lane use, crosswalks and pedestrian ramps, lighting and signing, etc.
 - Within thirty (30) months after Planning Board approval of the pending plan: install and activate the new traffic signal.
 - Wellblack 1, LLC, should coordinate with the City of Rockville and the developer of the Falls Grove property on the east side of Shady Grove road. The Falls Grove developer has an agreement with the City to contribute \$25,000 to the installation of the future traffic signal at Blackwell Road and Shady Grove Road. The remainder of the traffic signal costs will be Wellblack 1, LLC's responsibility.
 - Ms. Regelin requested MCDOT support for the formation of a private Road Club with the adjoining and confronting property owners on Blackwell Road (Parcels "T1" and "T2" on record plat no. 19637, Lot 2/9600 Blackwell Road on record plat no. 21199) at such time as those properties pursue any future Planning Board approvals. On further review, while MCDOT does not oppose the proposal, we believe this decision is best left for the Planning Board. We defer to the Planning Board for direction on this proposal.
 - Ms. Regelin requested MCDOT confirm that the installation of the traffic signal and all appurtenances will be located within the existing dedicated right-of-way, due to existing site constraints. We agree with this request.
- Comment no. 11: We accept the applicant's response that there are no existing RideOn facilities in the vicinity of this project. Comment no. 11 is hereby deleted.
- Comment no. 12: We defer to the M-NCPPC for determining the location of the proposed on-site bike racks and the alignment of the temporary shared use path in the Blackwell Road right-of-way (east to Medical Center Drive). Comment no. 12 is hereby deleted.
- Comment no. 14: We defer to the M-NCPPC to determine the timing of permits to construct the temporary shared use path in the Blackwell Road right-of-way (east to Medical Center Drive). Comment no. 14 is hereby deleted.

Ms. Lori Shirley
Preliminary Plan No. 11999033A
April 24, 2015
Page 3

We request that these terms and schedule be reflected in the Site Plan Development Program.

Thank you for the opportunity to review this amended preliminary plan and provide further clarifications with these comments. If you have any questions or comments regarding our letters for this project, please contact Mr. William (Billy) Whelan at 240-777-2173 or at [william.whelan@montgomerycountymd.gov](mailto:whelan@montgomerycountymd.gov).

Sincerely,

Gregory M. Leck, Manager
Development Review Team

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