



Kingswell, Preliminary Plan, 120110270

Carlton W. Gilbert, Planner Coordinator, Area 2 Division, Carlton.Gilbert@montgomeryplanning.org, 301-495-4576

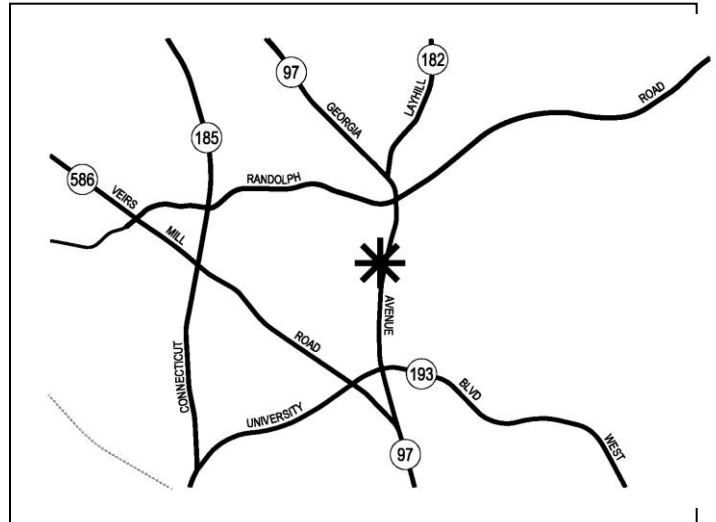
Khalid Afzal, Supervisor, Area 2 Division, Khalid.Afzal@montgomeryplanning.org, 301-495-4650

Glenn Kreger, Chief, Area 2 Division, Glenn.Kreger@montgomeryplanning.org, 301-495-4653

Completed: 05/01/15

Description

- Request to record un-platted Parcel 241 as one lot in order to convert an existing residence into a non-residential medical office, as approved under S-2732;
- 0.42 acres of land;
- Location: 12014 Georgia Avenue, Silver Spring;
- R-60 Zone in the *Master Plan for the Communities of Kensington-Wheaton*;
- Applicant: Dr. Mouhamed Khan;
- Filing Date: June 17, 2011.



Summary

- Staff recommends Approval of Preliminary Plan 120110270 with conditions.
- Consistent with the recommendations of the *Master Plan for the Communities of Kensington-Wheaton*.
- The proposed lot meets the standards of the R-60 Zone.

STAFF RECOMMENDATION: Staff recommends approval of Preliminary Plan 120110270, subject to the following conditions:

- 1) This Preliminary Plan is limited to one lot for up to a 1,760 square-foot medical office, and accessory residence or other permitted used that do not exceed the APF approval.
- 2) The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated December 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 MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 3) Prior to recordation of plat, the Applicants must satisfy provisions for access and improvements as required by MCDOT.
- 4) The Applicant must construct and relocate the existing sidewalk and be buffered with a green panel along the Subject Property's Georgia Avenue frontage, prior to the issuance of any Use and Occupancy Certificate.
- 5) The Applicant must satisfy the Policy Area Transportation Review (PAMR) test by mitigating one new weekday peak-hour trip that must be satisfied by paying \$11,700 towards an off-site ADA-compliant improvement at the nearby Grandview Avenue/Cory Terrace intersection or an equivalent transportation improvement within the Kensington-Wheaton Policy Area. The Applicant must work with the Montgomery County Department of Transportation's (MCDOT) and the Area 2 transportation staff to provide an engineer's cost estimate and a statement from MCDOT of satisfactory completion prior to release of any building permit.
- 6) The Applicant must dedicate, and the record plat must reflect, 9 (nine) feet of additional right-of-way, along the property frontage, for a total of sixty (60) feet from the centerline of Georgia Avenue.
- 7) Record plat must show necessary easements.
- 8) The Applicant must provide ADA compliant internal sidewalks and must provide one inverted-U bike rack, prior to the issuance of any Use and Occupancy Certificate.
- 9) The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Services (MCDPS) – Water Resources Section in its stormwater management concept letter dated December 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.

10) 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 applicable development standards.”

11) The Adequate Public Facilities (APF) review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.

SITE DESCRIPTION

The property is located at 12014 Georgia Avenue, Silver Spring, west side of Georgia Avenue, approximately four hundred feet south of Weisman Road. The property is zoned R-60, contains 18,459 square feet of land and is improved with a brick, two-story residential structure. The property has frontage on Georgia Avenue in the front and Grandview Avenue in the rear. The subject property (P-241), as well as the adjacent (P-242) to the north, are under the same ownership. As a condition of approval of special exception S-1735 on Parcel 242 next door, the Georgia Avenue access can only be used by the Applicant and associates. Patients and employees are required to use the Grandview Avenue access on both Parcels 241 and 242. There is adequate parking provided for the existing medical office (P-242) and has direct driveway access to Grandview Avenue.



Vicinity Aerial Photo

PROJECT DESCRIPTION

Preliminary Plan No. 120110270, is a subdivision application that records and creates a lot that would allow the existing residential structure to be converted into a medical office on the ground floor and residential on the second floor as approved under Special Exception (S-2732, Attachment 2). Other improvements include a concrete walkway from the parking area at the rear of the subject property along the west and north sides of the proposed addition and along the front of the existing structure.

The proposed addition provides eleven (11) parking spaces, as required, along the rear of the addition and a proposed connection of the driveway directly to Grandview Avenue. A proposed six-foot metal picket fencing will be installed along Grandview Avenue and a gate to the parking facility will be added. Landscaping on the proposed subject site will be provided as per the revised landscape plan submitted as part of the approved Special Exception.



Preliminary Plan

ANALYSIS AND FINDINGS – Chapter 50

Conformance to the Master Plan

The Property falls under the land use guidance of the 1989 *Master Plan for the Communities of Kensington-Wheaton* (Kensington-Wheaton Plan). The subject property is specifically recommended in the Plan as suitable for a non-resident professional office special exception (pg. 57). "The Plan designates this property as suitable for a non-resident professional office use as a special exception". Thus, the Preliminary Plan request is in total compliance with the Kensington-Wheaton Plan. An important Master Plan objective for Georgia Avenue is an attractive, functional, and safe sidewalk network that adequately serves the needs of pedestrians and bikers throughout the Kensington-Wheaton area. As part of the Kensington-Wheaton Plan, staff developed a vision for Georgia Avenue as a green corridor and identified the improvement of the sidewalks along Georgia Avenue to be critical in enhancing the green corridor concept as well as the overall mobility of Georgia Avenue.

The existing sidewalk for Georgia Avenue along the subject property is a typical example of a sidewalk that is not safe or attractive for pedestrians. Currently, Georgia Avenue is heavily congested with traffic

that travels at relatively high speeds. The sidewalk along Georgia Avenue at the subject property offers minimal protection from oncoming traffic as the sidewalk is directly against the roadway. Further, pedestrian perception of safety is likely minimal as there are no trees or landscaped panel to buffer the pedestrian from oncoming vehicular traffic. As a result, the Planning Board conditioned approval of the special exception by stating that the applicant improves the sidewalk along the subject property by reconstructing the walkway farther back from the road. This would allow for street trees to be planted between Georgia Avenue and the realigned sidewalk.

TRANSPORTATION

Site Location and Curb Cuts

The site is located on the west side of Georgia Avenue between Weisman Road and Henderson Avenue with curb cuts from Georgia Avenue and Grandview Avenue. From Georgia Avenue, vehicular access is restricted to a one-way entrance only.

The Applicant has worked with the Maryland State Highway Administration (SHA) regarding the status of the existing commercial driveway from Georgia Avenue that is shared with and crosses the common property line of the adjoining non-residential professional office on Parcel 242. An access easement for the shared driveway is not necessary at this time as the Applicant owns the property on both sides of the driveway.

Master-Planned Roadway, Bikeway, and Transit Corridor

In accordance with the 1989 *Master Plan for the Communities of Kensington-Wheaton* and 2005 *Countywide Bikeways Functional Master Plan*, Georgia Avenue (MD 97) is designated as a six-lane divided major highway, M-8, with a 120-foot wide right-of-way and no master-planned bikeway. Additional right-of-way is proposed to be dedicated for a total of 60 feet from the centerline.

In accordance with the 2013 *Countywide Transit Corridors Functional Master Plan*, the recommended Bus Rapid Transit (BRT) Corridor No. 1- Georgia Avenue North is for a 120-foot wide with six travel lanes and a one-lane BRT lane along this segment of Georgia Avenue. The nearest BRT station is recommended to be located at the intersection with Arcola Avenue. The facility planning of the BRT's Corridor 1 is not funded at this time.

Grandview Avenue is *not listed in the Master Plan*, but is classified as a secondary residential street with a 60-foot wide right-of-way as currently existing. The *Countywide Bikeways Functional Master Plan* recommends a signed shared roadway, SR-20, along Grandview Avenue.

Available Transit Service

Transit service is available along Georgia Avenue with following three bus routes:

1. Ride On route 33 operates with 30-minute headways between the Medical Center Metrorail Station and the Glenmont Metrorail Station.
2. Metrobus routes Y7 and Y8 operate with 20-minute headways between the Silver Spring Metrorail Station and the Medstar Montgomery Medical Center in Olney.

Bus stops are located along the property’s Georgia Avenue frontage at the intersections with Weisman Road (350 feet to the north of the site) and Henderson Avenue (300 feet to the south of the site). Transit service is not available along Grandview Avenue.

Pedestrian and Bicycle Facilities

The Applicant must provide the following pedestrian and bicycle facilities:

- Relocate the existing sidewalk at the curb along Georgia Avenue to be buffered by a green panel in accordance with the Road Code.
- Provide ADA compliant internal sidewalks where steps are proposed on the lead-in sidewalk from Georgia Avenue.
- Provide one inverted-U bike rack near the main entrance as shown on the plan.

Local Area Transportation Review

A traffic statement was submitted to satisfy the Local Area Transportation Review (LATR) test. The table below shows the number of peak-hour trips generated by the existing and proposed land uses during the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.):

Land Use	Number of Units or Square Footage	Weekday Peak Hour	
		Morning	Evening
Existing Single-Family Residence	One	1	1
Proposed Medical Office	1,760	4	8
Total		5	9

A traffic study is not required to satisfy the LATR test because the proposed land uses generate fewer than 30 peak-hour trips within the weekday morning and evening peak hours.

Policy Area Review

Because the plan was submitted on or before March 30, 2013, *or* 30 days after the Planning Board adopts the *LATR & TPAR Guidelines*, the Applicant may choose to satisfy the “policy area review” test by either the Policy Area Mobility Review (PAMR) test or the Transportation Policy Area Review (TPAR) test. The Applicant selected PAMR over TPAR where the PAMR mitigation is 10% of the new weekday peak-hour trips in the Kensington/Wheaton Policy Area. The submitted traffic statement for the PAMR test showed that 10% of 8 new peak-hour trips equals to (and rounded-up to) one new peak-hour trip that is required to be mitigated. The Applicant must satisfy the PAMR test and mitigate the one new trip by paying \$11,700 towards the construction of the missing off-site handicapped ramp in the northwest quadrant of the nearby Grandview Avenue/Cory Terrace intersection that is not located along the property’s frontage or an equivalent transportation improvement within the Kensington/Wheaton Policy Area.

Other Public Facilities and Services

All other public facilities and services including electric, telecommunication, police and health services are available and adequate to support and serve the proposed medical office and existing residential uses. The Property is located in the W-1 and S-1 water and sewer service categories which permit public water and sewer connection.

The Application has been reviewed by the Montgomery County Department of Fire and Rescue Service which determined that the Property has adequate access for fire and rescue vehicles by transmittal dated February 8, 2013 (Attachment 3).

ENVIRONMENT

Environmental Guidelines

Staff approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD #42011057E) on January 9, 2011. There is no forest, streams, wetlands, floodplains, or environmental buffers on the site. The site lies in the Josephs Branch subwatershed of the Rock Creek watershed and is outside of any Special Protection Areas. The proposed project is in compliance with the *Environmental Guidelines*.

Forest Conservation

The proposed project is subject to the Montgomery County Forest Conservation law (Chapter 22A of the Code) but has received an exemption from Article II from the requirements of preparing a forest conservation plan under 22A-5(s)(2). This exemption covers an activity conducted on a tract of land less than 1.0 acres that will not result in the clearing of more than 30,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet. The proposed project meets the terms of the exemption because the tract area is 0.424 acres and there is no existing forest to be cleared or reforested. However, the site does have an existing specimen tree (#4 30" mulberry) that is proposed for removal therefore the site is subject to 22A-6(b), which requires a tree save plan. A tree save plan has been submitted for approval as part of this Preliminary Plan. The tree save plan shows the removal of four trees and tree protection measures for all other on and off-site trees.

Stormwater Management

MCDPS approved a stormwater management concept on December 12, 2014 (Attachment 4). The concept proposes to meet the required stormwater management goals via the installation of two dry wells, the use of permeable pavement and installation of a landscaped infiltration facility.

COMPLIANCE WITH THE SUBDIVISION REGULATIONS AND ZONING ORDINANCE

The Application has been reviewed for compliance with the Subdivision Regulations and satisfies all applicable sections. The proposed lot meets all the dimensional requirements for area, frontage, width, and setbacks in the R-60 Zone. A summary of this review is included in the Table below. The Application has been reviewed by other applicable County agencies, all of whom have recommended approval of the plan.

Preliminary Plan Data Table

Plan Data	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan
Minimum Lot Area	6,000 sq. ft.	18,459 sq. ft.
Lot Width @ building line	60 ft. min.	60 ft.
Lot Frontage	25 ft. min.	55 ft.
Setbacks		
Front	25 ft. min.	75 ft.
Side	*8 ft. min. / 18 ft. total	8 ft. / 25 ft.
Rear	20 ft. min.	125 ft.
Maximum Building Height	35 ft.	28 ft.
Maximum Building Coverage	35%	10%
Off-Street Parking	11 spaces	11 spaces
Site Plan Required	No	NA

*Currently, the existing residence on the subject property does not meet the 8-foot side yard setback required in the R-60 Zone. However, the Applicant is proposing to remove a 2-foot portion of the house to bring the proposed residence/medical office into compliance with the required setback.

Citizen Correspondence and Issues

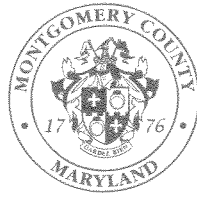
This Application was submitted and noticed in accordance with all required procedures. Signs referencing the Application were posted at the Property’s frontage along Georgia Avenue and Grandview Avenue. Staff has not received any community inquiries or correspondence regarding the Application.

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms to the recommendations in *the Master Plan for the Communities of Kensington-Wheaton*. Access and existing public facilities will be adequate to serve the proposed lot, and the Application has been reviewed by other applicable County agencies, all of whom have recommended approval of the plan. Therefore, staff recommends approval of the Application with the conditions specified at the beginning of this report.

ATTACHMENTS

- Attachment 1 – MCDOT letter
- Attachment 2 – Board of Appeals Opinion letter
- Attachment 3 – Fire and Rescue Service letter
- Attachment 4 – MCDPS SWM concept letter
- Attachment 5 – Sight Distance letter
- Attachment 6 – Transportation Planning Memo



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

December 12, 2014

Mr. Carlton W. Gilbert, 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. 120110270
Kingswell

Carlton
Dear Mr. Gilbert:

We have completed our review of the preliminary plan dated December 2009. This plan was reviewed by the Development Review Committee at its meeting on July 25, 2011. At that time, we found the preliminary plan package to be incomplete due to issues with the downstream storm drain capacity and post-development impact analyses. The applicant's consultant submitted the final materials necessary to address those concerns on December 3, 2014, and we have now completed our review. In preparing the following review comments, we have also considered the proposed level of development. As a result, we now recommend Planning Board approval of the plan subject to:

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. Necessary dedication for future widening of Georgia Avenue (MD97) in accordance with the master plan.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. Access and improvements along Georgia Avenue (MD 97) as required by the Maryland State Highway Administration.
4. If the existing driveway at Georgia Avenue (MD97) remains open, the record plat will need to reflect a reciprocal access and public utilities easement to serve the lots using that private common driveway.
5. Record plat to delineate and provide recording information for the existing storm drain easement which crosses the property between Georgia Avenue (MD97) and Grandview Avenue.

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@montgomerycountymd.gov

Mr. Carlton W. Gilbert
Preliminary Plan No. 120110270
December 11, 2014
Page 2

6. Based on a review of the applicant's December 3, 2014 storm drain study and further staff analysis, we will not require this applicant to improve the downstream public storm drain system under Grandview Avenue.
7. The applicant will need to mitigate one (1) trip for Policy Area Mobility Review based on the April 22, 2011 Traffic Statement and discussion at the Development Review Committee meeting.
8. The sight distances study for the proposed driveway on Grandview Avenue has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
9. The parking layout plan will be reviewed by the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, handicap parking spaces and access facilities, and sidewalks. The applicant may wish to contact Mr. Sam Farhadi of that Department at (240) 777-6333 to discuss the parking lot design.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at greg.leck@montgomerycountymd.gov or (240) 777-2190.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

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Enclosure

- cc: Dr. Mohamamed Khan Khan; applicant
Stanley Abrams; Abrams & West, & Storm, PC
John R. Witmer; Witmer Associates, LLC
Birame Kandji; NOA Consulting Group, LLC
Glenn Kreger; M-NCPPC Area 2
Khalid Afzal; M-NCPPC Area 2
Edward Axler; M-NCPPC Area 2
Scott Newill; MSHA AMD
Preliminary Plan folder
Preliminary Plan letters notebook
- cc-e: Arthur Holmes, Jr.; MCDOT DO
Diane Schwartz Jones; MCDPS DO
Mark Etheridge; MCDPS WRM
Mike Geier; MCDPS WRM
Atiq Panjshiri; MCDPS RWPR
Sam Farhadi; MCDPS RWPR
Emil Wolanin; MCDOT DTEO
Deepak Somarajan; MCDOT DTEO

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850

www.montgomerycountymd.gov/content/council/boa/index.asp

(240) 777-6600

Case No. S-2732

PETITION OF M. WAJEED KHAN, M.D.

OPINION OF THE BOARD

(Opinion Adopted May 20, 2009)

(Effective Date of Opinion: May 29, 2009)

Case No. S-2732 is an application for a special exception, pursuant to Section 59-G-2.38 of the Zoning Ordinance, to permit a nonresident professional office. The Hearing Examiner for Montgomery County held a hearing on the application on September 22, 2008 and January 27, 2009 and issued a Report and Recommendation for approval of the special exception on April 27, 2009.

The subject property is Tax Parcel P241, located at 12014 Georgia Avenue, Wheaton, Maryland, 20902, in the R-60 Zone.

Decision of the Board: Special Exception **Granted** Subject
To Conditions Enumerated Below.

The Board of Appeals considered the Hearing Examiner's Report and Recommendation at its Worksession on May 20, 2009. After careful consideration and review of the record, the Board adopts the Report and Recommendation, with a revision to proposed Condition 1(i) and deletion of proposed Condition 4, and grants the special exception subject to the following conditions:

1. Petitioner shall be bound by his testimony and exhibits filed on his behalf during these proceedings, as well as the representations of his counsel and the testimony of his site-planner witness to the extent that their representations and testimony are identified in the Hearing Examiner's Report and Recommendation and in the Opinion of the Board. In particular:
 - a. No more than two physicians shall be on site at a time.
 - b. No more than two medical assistants shall be on site at a time.

- c. Office hours shall be restricted to the following times: 9:00 a.m. to 5 p.m. Mondays, Wednesdays, and Fridays; 9:00 a.m. to 7:00 p.m. Tuesdays and Thursdays; 10 a.m. to 2:00 p.m. Saturdays.
 - d. Medical-office use shall be limited to the first floor of the building and basement use shall be limited to storage.
 - e. No more than one exterior sign, no larger than two square feet, is permitted. The sign shall be mounted on the building at the first-floor level. The sign shall have no illumination.
 - f. Petitioner shall implement and maintain the landscape plan depicted in exhibit 40(b), including erection of a six-foot high board-on-board fence along the southern property line.
 - g. Petitioner shall construct a handicapped-usable ramp for movement across Grandview Avenue at its intersection with Cory Avenue as depicted on exhibit 40(a).
 - h. Construction of the building and other on-site improvements must conform to exhibits 29(b) and 40(a).
 - i. Lighting for the parking lot shall conform to the lighting plan, ex. 42. The parking lot light will be lit only between dusk and half an hour after office hours, *i.e.*, until 7:30 p.m. on Tuesdays and Thursdays and 5:30 p.m. on other weekdays.
 - j. No more than four outdoor building lights shall be lit at any time later than half an hour after office hours. This condition does not preclude additional lighting when triggered by motion detectors. Light fixtures on the southern side of the building must be calibrated not to emanate more than 0.1 foot candles along the side and rear lot lines.
2. The co-owner of the property, Bebe Z. Khan, shall file a declaration with the Board agreeing to be bound by all conditions imposed by the Board.
 3. Petitioner shall obtain approval of a preliminary plan of subdivision.
 4. The final sediment control plan must be consistent with the limits of disturbance as shown on the approved forest conservation exemption dated August 20, 2008.
 5. Petitioner must obtain and satisfy the requirements of all licenses, permits, and approvals necessary to implement the special exception as granted, including but not limited to building permits, use and occupancy permits, and permits necessary to construct the Grandview Avenue ramp.
 6. Petitioner shall at all times ensure that the special exception use and facility comply with all applicable codes (including but not limited to building, life, safety, and handicap accessibility requirements), regulations, directives, and other governmental requirements.

On a motion by David K. Perdue, Vice-Chair, seconded by Carolyn J. Shawaker, with Walter S. Booth, Stanley B. Boyd, in agreement, and with Catherine G. Titus, Chair, in opposition, the Board adopted the following Resolution:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the opinion stated above is adopted as the Resolution required by law as its decision on the above-entitled petition.

Catherine G. Titus
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
this 29th day of May, 2009.

Katherine Freeman
Executive Director

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

See Section 59-A-4.53 of the Zoning Ordinance regarding the twenty-four months' period within which the special exception granted by the Board must be exercised.



FIRE MARSHAL COMMENTS

DATE: 08-Feb-13
TO: Birame Kandji - bkandji@noa-group.com
NOA Consulting Group, LLC
FROM: Marie LaBaw
RE: Kingswell - Lot 6, Block M (Khan's Office)
120110270

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **08-Feb-13** .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.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

December 12, 2014

Mr. Birame Kandji
NOA Consulting Group, LLC
23110 Yellowwood Drive
Clarksburg, Maryland 20871

Re: Stormwater Management **CONCEPT** Request
for Kingswell
Preliminary Plan #: 120110270
SM File #: 237156
Tract Size/Zone: .42 Ac. / R-60
Total Concept Area: .42 Ac.
Lots/Block: Proposed Lot 6
Parcel: 241
Watershed: Lower Rock Creek

Dear Mr. Kandji:

Based on a review by the Department of Permitting Services (DPS), the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via the installation of 2 drywells, the use of permeable pavement and installation of a landscaped infiltration facility.

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

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review. The proposed stormwater management measures and associated design computations must be in accordance with the latest DPS design guidelines.
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. This approval of the stormwater management concept is contingent on approval from MCDOT for the capacity analysis for the existing public storm drain system. Based on the December 12, 2014 MCDOT preliminary plan review comment letter, it is our understanding that they have determined that the capacity is acceptable.

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

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

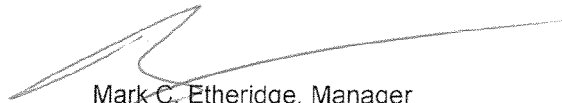
Mr. Birame Kandji
December 12, 2014
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Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.

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.

If you have any questions regarding these actions, please feel free to contact Mike Geier at 240-777-6342.

Sincerely,



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

MCE: me CN237156 Kingswell.mjg.doc

cc: C. Conlon
SM File # 237156

ESD Acres: 1
STRUCTURAL Acres: 0
WAIVED Acres: 0



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

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: PROPOSED LOT G, BLOCK M KINGSWELL Preliminary Plan Number: 1-20110270

Street Name: GRANDVIEW AVENUE Master Plan Road Classification: SECONDARY

Posted Speed Limit: 25 (NONE POSTED) mph

Street/Driveway #1 (PROPOSED DRIVE) Street/Driveway #2 (_____)

Sight Distance (feet) OK? ✓
 Right 458' ✓
 Left 328' ✓

Sight Distance (feet) OK?
 Right _____
 Left _____

Comments: _____

Comments: _____

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

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)

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

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

John Richard Witmer Signature Date 12/28/2009

10668
 PLS/P.E. MD Reg.



Montgomery County Review:

Approved
 Disapproved:

By: gmleib
 Date: 12/12/14



April 21, 2015

MEMORANDUM

TO: Carlton Gilbert, Planner Coordinator
Area 2 Planning Division

VIA: Khalid Afzal, Supervisor
Area 2 Planning Division

FROM: Ed Axler, Transportation Planner Coordinator
Area 2 Planning Division

SUBJECT: Kingswell
Preliminary Plan No. 120110270
Kensington Wheaton Policy Area

This memorandum is Area 2 transportation planning staff's review of the subject Preliminary Plan to add medical office space to the existing single-family detached unit that was granted in 2009 as Special Exception Case No. S-2732.

RECOMMENDATIONS

Area 2 transportation planning staff recommends the following conditions related to the Adequate Public Facilities (APF) test of the transportation requirements for the subject Preliminary Plan:

1. The Preliminary Plan must be limited to a single-family residence and a 1,760-square-foot medical office or other permitted uses in the zone that is within the maximum traffic impact of this transportation APF approval.
2. The Applicant must satisfy the Policy Area Transportation Review (PAMR) test by mitigating one new weekday peak-hour trip that must be satisfied by paying \$11,700 towards an off-site ADA-compliant improvement at the nearby Grandview Avenue/Cory Terrace intersection or an equivalent transportation improvement within the Kensington Wheaton Policy Area. The Applicant must work with the Montgomery County Department of Transportation's (MCDOT) Gary Erenrich and the Area 2 transportation staff to provide an engineer's cost estimate and a statement from MCDOT of satisfactory completion prior to release of any building permit.
3. The Applicant must dedicate 9 more feet of right-of-way along the property frontage for a total of 60 feet from the centerline of Georgia Avenue (MD 97).
6. The Applicant must relocate the existing sidewalk at the curb along Georgia Avenue to be buffered by a green panel in accordance with the Road Code prior to issuance of any Use and Occupancy Certificate.

7. The Applicant must provide ADA compliant internal sidewalks.
8. The Applicant must provide one inverted-U bike rack near the main entrance prior to issuance of any Use and Occupancy Certificate.

DISCUSSION

Site Location and Curb Cuts

The site is located on the west side of Georgia Avenue between Weisman Road and Henderson Avenue with curb cuts from Georgia Avenue and Grandview Avenue. From Georgia Avenue, vehicular access is restricted to a one-way entrance only.

The Applicant had worked with the Maryland State Highway Administration (SHA) regarding the status of the existing commercial driveway from Georgia Avenue that is shared with and crosses the common property line of the adjoining non-residential professional office on Parcel 242. An access easement for the shared driveway is not necessary at this time as the Applicant owns the property on both sides of the driveway.

Master-Planned Roadway, Bikeway, and Transit Corridor

In accordance with the 1989 *Master Plan for the Communities of Kensington-Wheaton* and 2005 *Countywide Bikeways Functional Master Plan*, Georgia Avenue (MD 97) is designated as a six-lane divided major highway, M-8, with a 120-foot wide right-of-way and no master-planned bikeway. Additional right-of-way is proposed to be dedicated for a total of 60 feet from the centerline.

In accordance with the 2013 *Countywide Transit Corridors Functional Master Plan*, the recommended Bus Rapid Transit (BRT) Corridor No. 1- Georgia Avenue North is for a 120-foot wide with six travel lanes and a one-lane BRT lane along this segment of Georgia Avenue. The nearest BRT station is recommended to be located at the intersection with Arcola Avenue. The facility planning of the BRT's Corridor 1 is not funded at this time.

Grandview Avenue is *not listed in the Master Plan*, but is classified as a secondary residential street with a 60-foot wide right-of-way as currently existing. The *Countywide Bikeways Functional Master Plan* recommends a signed shared roadway, SR-20, along Grandview Avenue.

Available Transit Service

Transit service is available along Georgia Avenue with following three bus routes:

1. Ride-On route 33 operates with 30-minute headways between the Medical Center Metrorail Station and the Glenmont Metrorail Station.
2. Metrobus routes Y7 and Y8 operate with 20-minute headways between the Silver Spring Metrorail Station and the Medstar Montgomery Medical Center in Olney.

Bus stops are located along the property’s Georgia Avenue frontage at the intersections with Weisman Road (350 feet to the north of the site) and Henderson Avenue (300 feet to the south of the site). Transit service is not available along Grandview Avenue.

Pedestrian and Bicycle Facilities

The Applicant must provide the following pedestrian and bicycle facilities:

2. Relocate the existing sidewalk at the curb along Georgia Avenue to be buffered by a green panel in accordance with the Road Code.
3. Provide ADA compliant internal sidewalks where steps are proposed on the lead-in sidewalk from Georgia Avenue.
4. Provide one inverted-U bike rack near the main entrance as shown on the plan.

Local Area Transportation Review

A traffic statement was submitted to satisfy the Local Area Transportation Review (LATR) test. The table below shows the number of peak-hour trips generated by the existing and proposed land uses during the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.):

Land Use	Number of Units or Square Footage	Weekday Peak Hour	
		Morning	Evening
Existing Single-Family Residence	One	1	1
Proposed Medical Office	1,760	4	8
Total		4	9

A traffic study is not required to satisfy the LATR test because the proposed land uses generate fewer than 30 peak-hour trips within the weekday morning and evening peak hours.

Policy Area Review

Because the plan was submitted on or before March 30, 2013, *or* 30 days after the Planning Board adopts the *LATR & TPAR Guidelines*, the Applicant may choose to satisfy the “policy area review” test by either the Policy Area Mobility Review (PAMR) test or the Transportation Policy Area Review (TPAR) test. Applicant selected PAMR over TPAR where the PAMR mitigation is 10% of the new weekday peak-hour trips in the Kensington/Wheaton Policy Area. The submitted traffic statement for the PAMR test showed that 10% of 8 new peak-hour trips equals to (and rounded-up to) one new peak-hour trip that is required to be mitigated. The Applicant must satisfy the PAMR test and mitigate the one new trip by paying \$11,700 towards the construction of the missing off-site handicapped ramp in the northwest quadrant of the nearby Grandview Avenue/Cory Terrace intersection that is not located along the property’s frontage or an equivalent transportation improvement within the Kensington Wheaton Policy Area.

EA
 cc: Gary Erenrich
 Pam Dunn