



Wheaton Grandview Sketch Plan No. 320150070

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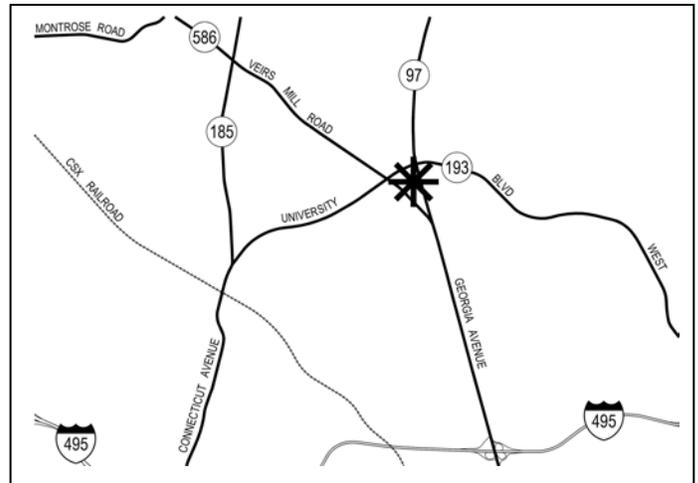


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Completed: 06/26/2015

Description

- Construction of up to 183,974 square feet of development, including up to 177,974 square feet of multi-family residential, with 30% MPDUs or equivalent DHCA-approved units, and up to 6,000 square feet of non-residential uses;
- 32,653 gross square feet zoned CR 6.0, C 5.5, R 5.5, H 200 in the *Wheaton CBD and Vicinity Sector Plan* area;
- Current use: County Parking Lot 13;
- Located on a portion of Montgomery County Parking Lot No. 13 at 11143 Grandview Avenue in the Wheaton Central Business District, abutting Grandview Avenue to the west and Triangle Lane to the East;
- Applicant: SC/BA Wheaton Apartments, LLC, c/o Bozzuto Development Company;
- Filing date: April 15, 2015.



Summary

- Staff recommends approval of the Wheaton Grandview Sketch Plan with conditions.
- 30% of housing units will be affordable to households earning 50% of area median income. Pursuant to Section 59-4.7.3.D.6.a.v, the Project does not have to satisfy any other benefit category under Section 4.5.4.A.2 and Section 4.6.4.A.2 because it provides a minimum of 20% MPDUs or equivalent Department of Housing and Community Affairs (DHCA) approved units.
- Although the applicable CR Zone allows a maximum building height of 200 feet, the project's 236-foot building height is allowed pursuant to Section 59-4.7.3.D.6.c.i for providing more than 12.5% MPDUs.

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SECTION 1: RECOMMENDATION AND CONDITIONS

Staff recommends approval, with the conditions listed below, of the Wheaton Grandview Sketch Plan No. 320150070, for a maximum of 183,974 square feet of development on 32,653 square feet of land zoned CR6, C5.5, R5.5, H200. The following Site development elements shown on the Sketch Plan stamped "Received" by the M-NCPPC on April 15, 2015 are binding under Section 59.7.3.3:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public use space;
4. General location of vehicular access points; and
5. Public benefits.

All other elements of the Sketch Plan are illustrative and subject to refinement at the time of Site Plan.

This approval is subject to the following conditions:

1. Density
The development is limited to 183,974 square feet of total development, including up to 177,974 square feet of residential use, and up to 6,000 square feet of non-residential use. The final amount of non-residential development and residential dwelling units will be determined by subsequent Site Plan.
2. Height
The development is limited to a maximum height of 236 feet.
3. Incentive Density
The development must be constructed with the public benefits listed below, unless modifications are made under Section 59-7.3.3.1 at the time of Site Plan. The requirements of Division 59-4.7.1 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit proposed. Final points will be established at Site Plan approval.
 - a. Transit Proximity, achieved through location within one-quarter mile of the Wheaton Metro Station;
 - b. Moderately Priced Dwelling Units (MPDUs)
The Applicant must provide a minimum of 30% MPDUs or equivalent DHCA-approved affordable housing units in accordance with Chapter 25A.
4. The Applicant must provide five percent of the net lot area as open space.

SECTION 2: SITE DESCRIPTION

Site Vicinity

The subject Site (Site) is located on a portion of Montgomery County Parking Lot No. 13 at 11143 Grandview Avenue in Wheaton (Lot 16, 17 and 18, Block F of the Triangle Park Subdivision). The surrounding area is predominantly commercial and includes a regional retail shopping center, low-density retail, surface parking lots, townhomes, and multi-family developments.

The Site is bounded by Grandview Avenue to the west, Triangle Lane to the east, Reddie Drive to the south, and retail stores to the north (Figure 1). The Mid-County Regional Services Center and the Wheaton Metro Station are currently located along the south side of Reddie Drive.

Lots 13, 14, and 15, located to the immediate south, will be developed with a new government office building that will house the Montgomery County Headquarters for the Maryland-National Capital Park and Planning Commission (M-NCPPC), other County agencies, a town square, and an underground public garage (Mandatory Referral No. MR2015028).

Recent nearby developments built since 2010 are the following:

- The Wheaton Safeway (Site Plan No. 820110010), a mixed-use development located to the east at the intersection of Georgia Avenue and Reddie Drive;
- 10914 Georgia Avenue (Site Plan No. 820110100), a multifamily residential development is located to the south at the intersection of Veirs Mill Road and Georgia Avenue; and
- 11141 Georgia Avenue (Site Plan No. 82012017A), a conversion of an office building with addition of floor area into a multifamily residential building located on Georgia Avenue South of Reddie Drive.

Site Description

The Site comprises 0.75 acres and is zoned CR6.0, C5.5, R5.5, H200. It falls within ¼-mile of the existing Wheaton Metro Station, Westfield Wheaton Mall, and various retail and other non-residential uses along Grandview Avenue and Triangle Lane. It generally slopes down from northeast to southwest. There is a grade change of approximately ten feet from Georgia Avenue west toward Triangle Lane. The Site is currently served by public water and sewer.

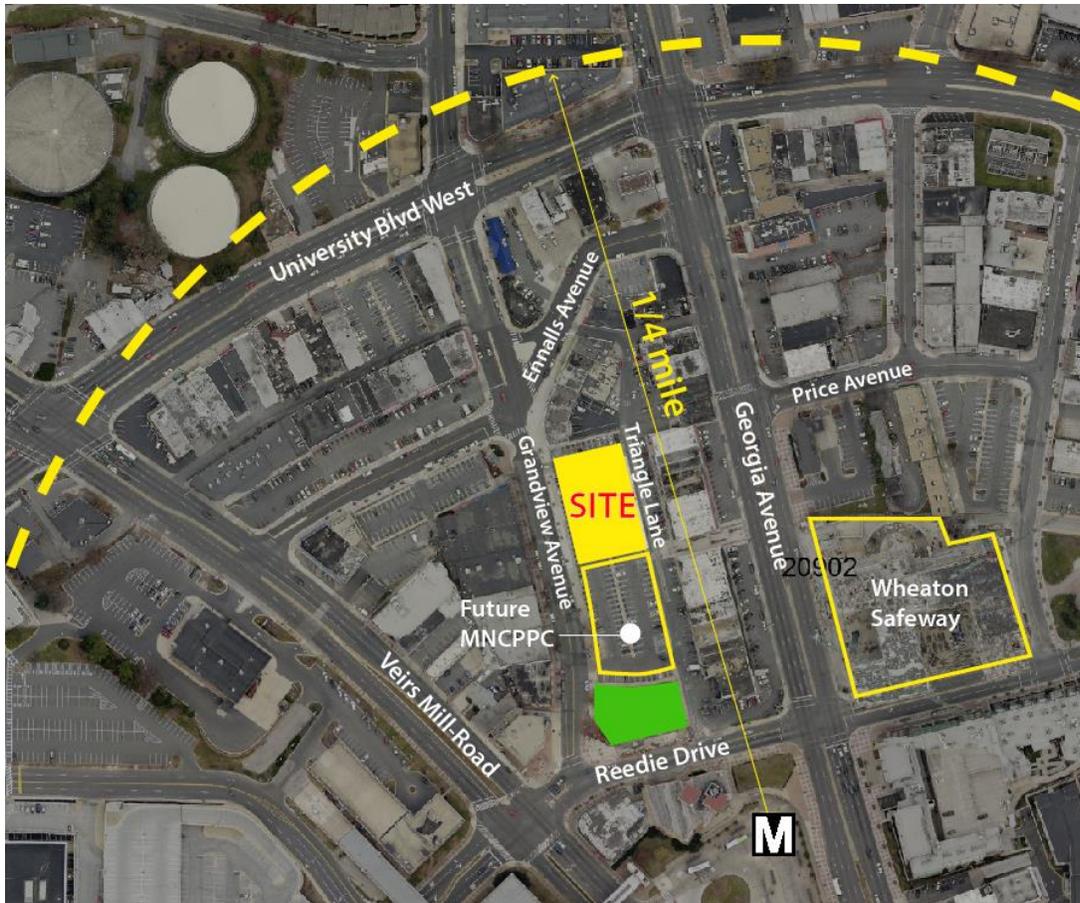


Figure 1 - Vicinity Map

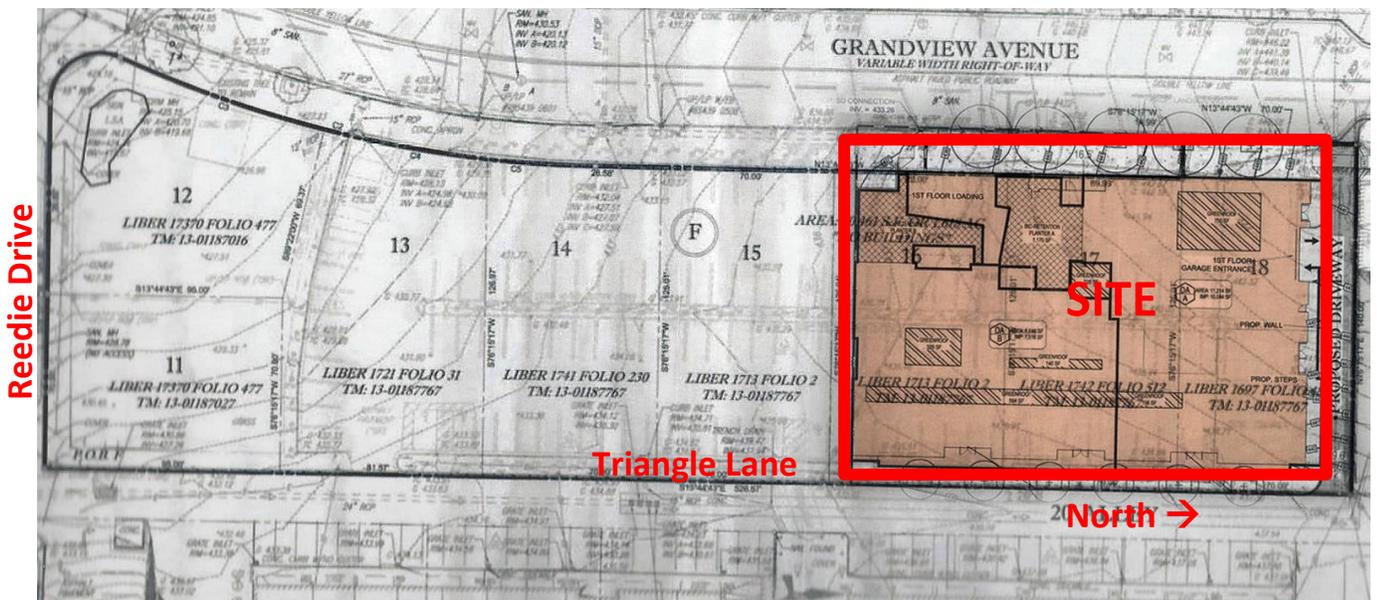


Figure 2 - Site Location Map

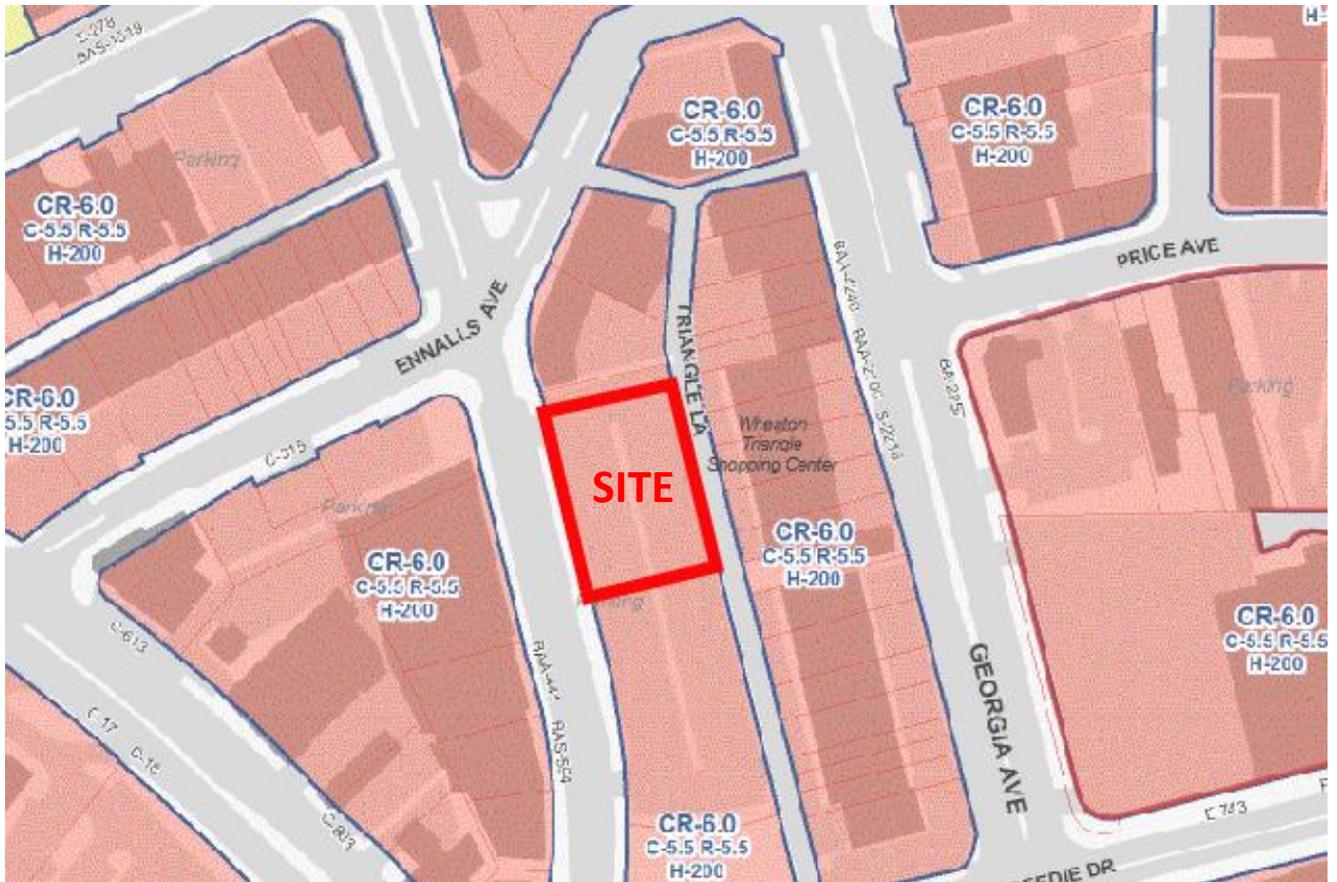


Figure 3 - Current Zoning Map (October 30, 2014)

SECTION 3: PROJECT DESCRIPTION

The proposed Project is one part of a public/private development which also includes a public office building and public open space called the Town Square. As a result of a Request for Proposals issued by the Montgomery County Department of Transportation (MCDOT) in 2013, the Applicant was selected as the private development partner for the Public/Private Project. Pursuant to the terms of a General Development Agreement dated August 22, 2014, the Applicant is pursuing the approval of the Subject Site for the mixed-use residential building. A separate mandatory referral application for the public office building and the Town Square portion for the overall site has been filed and will be reviewed separately.



Figure 4 - Proposed Development Rendering

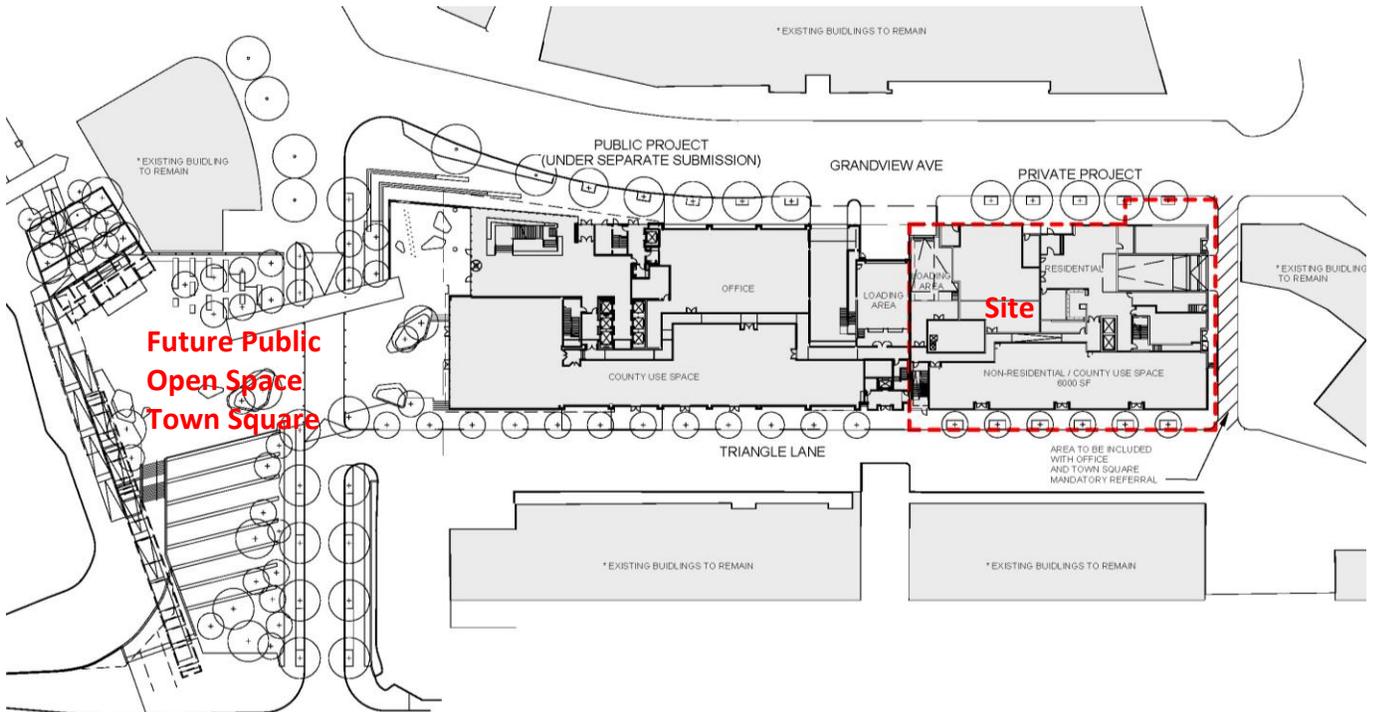


Figure 5 - Proposed overall site plan

Use and Density

The Applicant proposes to redevelop the Property with a mixed-use 17-story, 236-foot high building containing a total of 183,974 square feet, including up to 177,974 square feet of residential uses with approximately 204 multi-family residential units, including 30 percent (62) units affordable to households earning 50% of area median income; approximately 9,000 square feet of residential amenities (included in the 177,974 residential floor area); up to 6,000 square feet of non-residential uses (Table 1); and above-ground structured parking for up to 173 spaces. The final unit count and square footage will be finalized at the time of Site Plan. Although the applicable zone allows for a maximum building height of 200 feet, the project's 236-foot building height is allowed pursuant to Section 59-4.7.3.D.6.c.i for providing more than 12.5% MPDUs.

Building

The massing of the Project's building delineates the different uses in the building. A large area of the ground floor will be transparent and inviting to enhance the interaction between retail uses and the sidewalk. Laminated or engineered wood paneling is proposed on the ground floor as enclosure for building services to create rich texture close to the pedestrians.

The Project's ground floor non-residential uses along Triangle Lane will complement the existing retail uses on Triangle Lane. Building services are located along the new private drive along the northern edge of the site and next to the adjacent proposed public office building on the southern portion of Parking Lot No. 13. Bicycle storage is spread throughout the project's structured parking, and a bicycle repair shop may be considered as a residential amenity. The club room, along with kitchen, high ceiling, large windows, and multiple doors are planned to open to an invitingly landscaped terrace that will provide attractive space for the project's residents.

The massing of the residential portion carves out the courtyard on the fifth floor in an L-shape fronting Grandview Avenue (Figure 4). The residential units and rooftop amenities will be contained in 13 stories above the five-story base, which includes the ground floor with residential lobby, retail and other spaces; and a three-story parking garage containing 173 residential parking spaces.

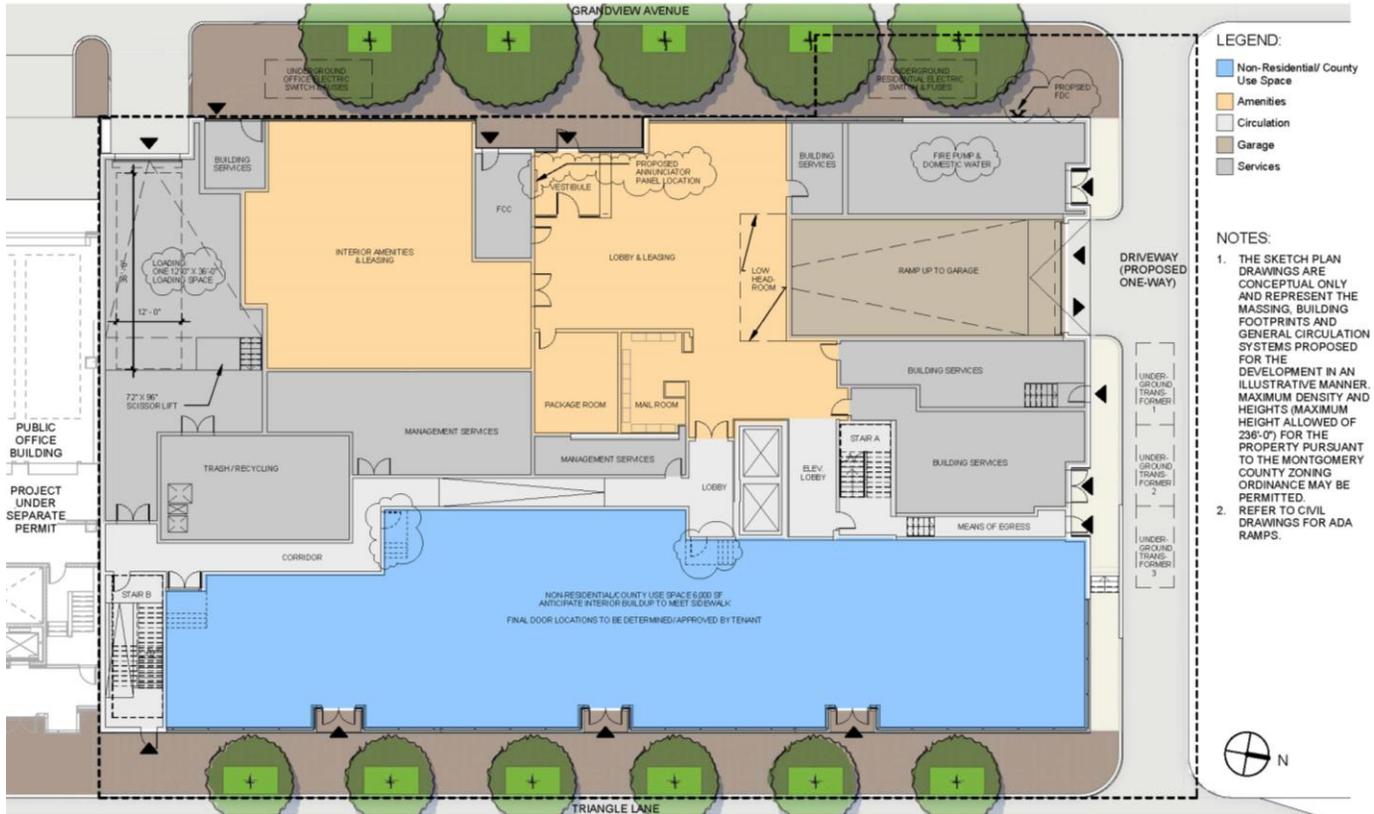


Figure 6 - Ground Floor Plan

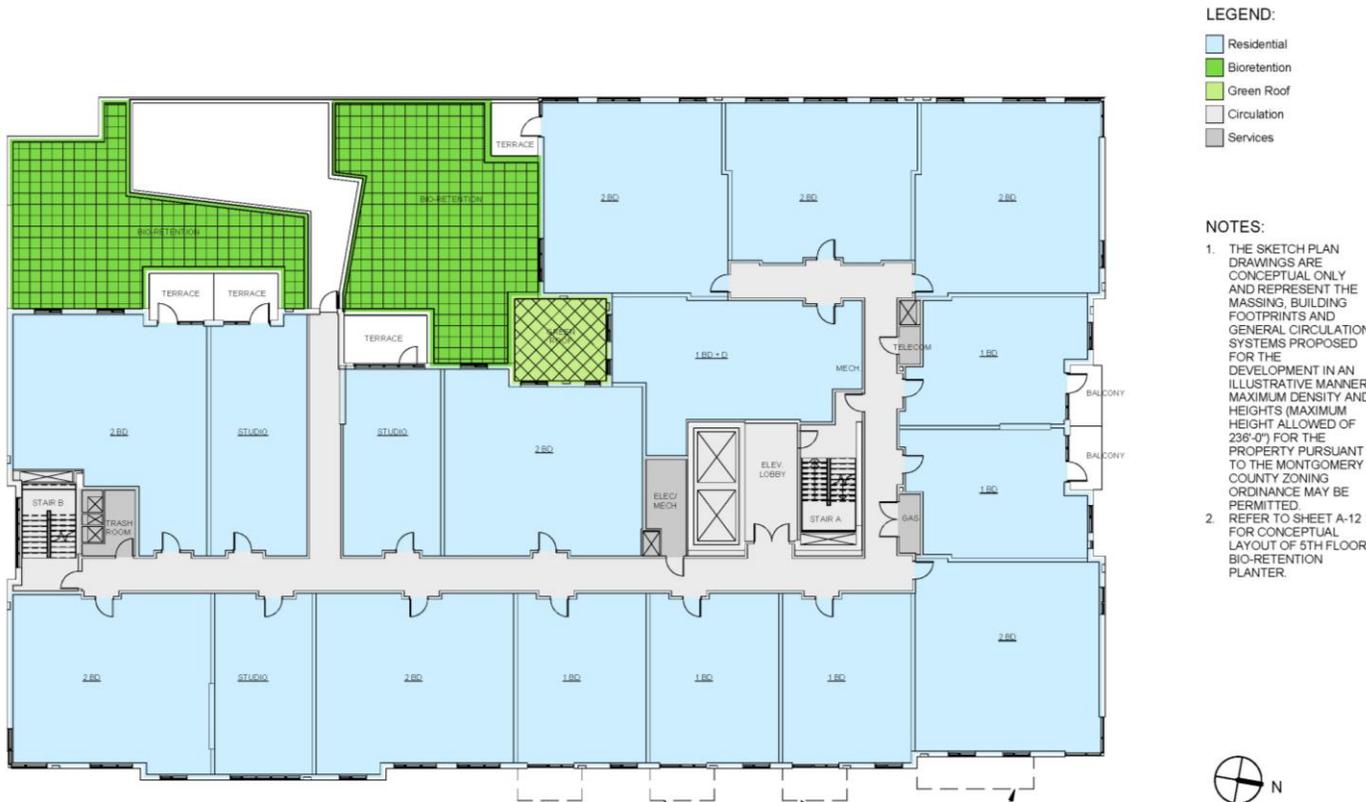
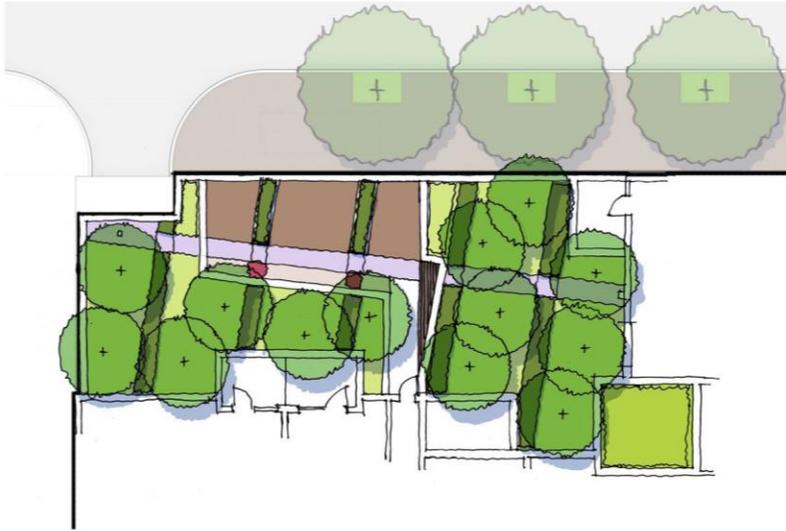


Figure 7 - 5th Level Courtyard Plan



5TH FLOOR BIO-RETENTION LANDSCAPE CONCEPT



ROOF LEVEL OUTDOOR AMENITIES LANDSCAPE CONCEPT

Figure 8 - 5th Floor Courtyard Landscape Plan

Figure 9 - Roof Level Outdoor Amenities

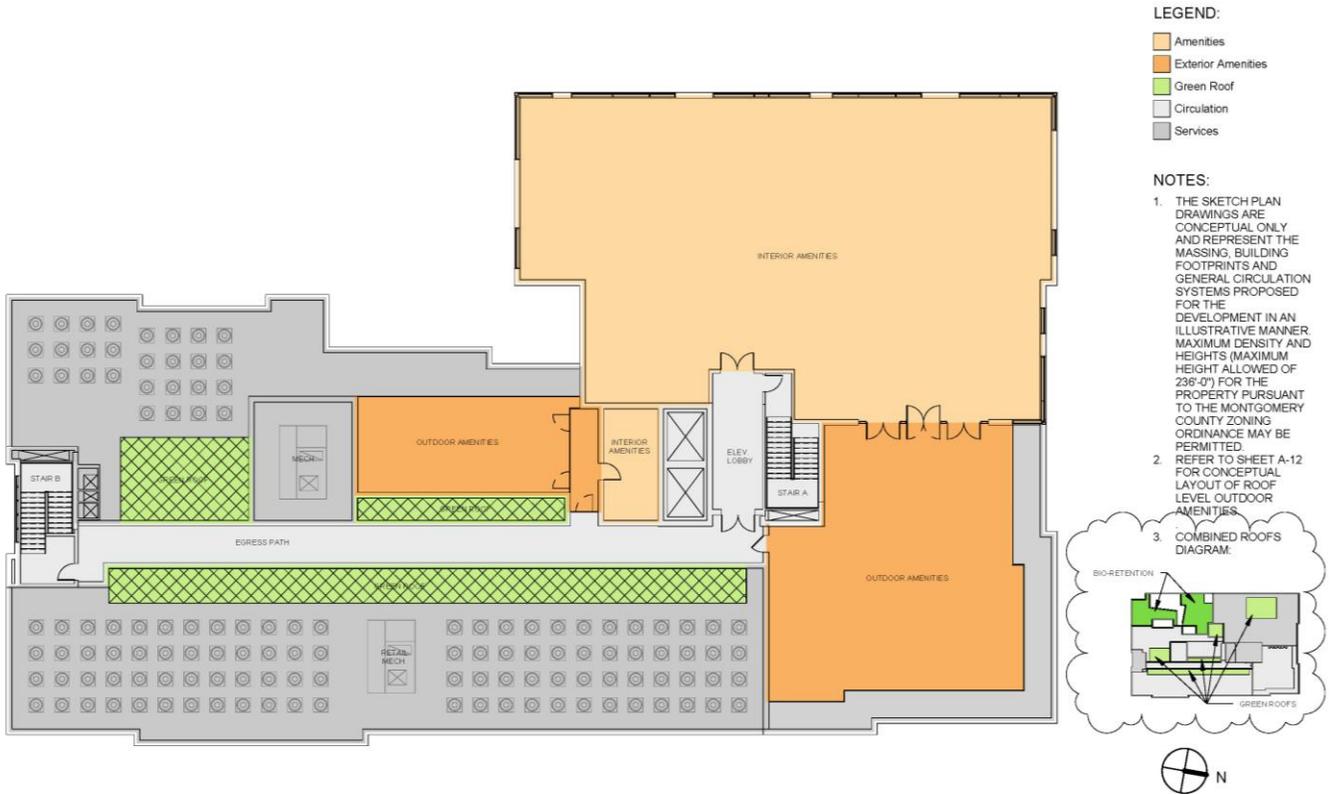


Figure 10 - Roof Level Outdoor Amenities

Open Space and Landscaping

Under Section 59-4.5.4.B.1 of the Zoning Ordinance, development must provide open space based on the lot area and number of frontages. The Property's lot area is less than one acre with two frontages. Therefore it is not required to provide open space. The Applicant, however, is proposing to provide 5% of the lot area as open space, with final amount and design details to be determined at site plan.

The streetscapes along Grandview Avenue and Triangle Lane are intended to provide pedestrian-friendly connections to the adjacent government office building, the Wheaton Metrorail Station, and the surrounding neighborhood. Grandview Avenue and Triangle Lane will feature sidewalks of 16 feet and 12 feet respectively, with clear zones of 10 feet on Grandview Avenue and six feet on Triangle Lane. Street trees will be installed at a regular spacing of 30 to 40 feet on-center.

The sidewalk material and street tree species are envisioned to be the same as those selected for the public components, including the public open space of the Public/Private Project planned to the south. A continuity of landscape and urban design expression along each street pursuant to the Wheaton CBD Streetscape Standards will be maintained.

The resident's courtyard will sit atop the Project's garage level at the fifth floor. This level will include all of the requisite bio-retention facilities, which will be contained in concrete planters with a depth of six feet to meet Environmental Site Design (ESD) standards.

The rooftop garden landscape, trellis, seating and an outdoor kitchen, in association with a possible club room and yoga studio, will be available for all tenants of the proposed residential building.

Environment

Forest Conservation

This Project is subject to the requirements of Chapter 22A, the Montgomery County Forest Conservation Law. However, forest conservation plan approval is not required with sketch plans; it will be reviewed as part of the adjacent Wheaton Public Improvements Project mandatory referral (MR2015028). The Applicant submitted a Preliminary Forest Conservation Plan (PFCP) in conjunction with the mandatory referral which is being reviewed as one PFCP for the proposed Sketch Plan and the Wheaton Public Improvements Project, and must satisfy the requirements of Chapter 22A for both projects.

Noise

A noise analysis will be required at the time of Preliminary Plan to determine whether any mitigation is needed.

Stormwater Management

The Applicant submitted a Stormwater Management Concept Plan to the Montgomery County Department of Permitting Services (MCDPS) on March 25, 2015. Approval of the Stormwater Management Concept Plan is not required at the time of Sketch Plan; further details on the concept and approval will be required at the time of Preliminary Plan.

Transportation

Access and Circulation

Resident's vehicular parking is proposed to be contained within an above-grade garage, and be accessed from the new private driveway along the north face of the proposed project (not included in the project, it is part of the Public Improvements Project). Emergency vehicular access is provided at the northwest corner of the Property and along the existing two-way Grandview Avenue. Loading is also located along Grandview Avenue at the southwestern corner of the Property.

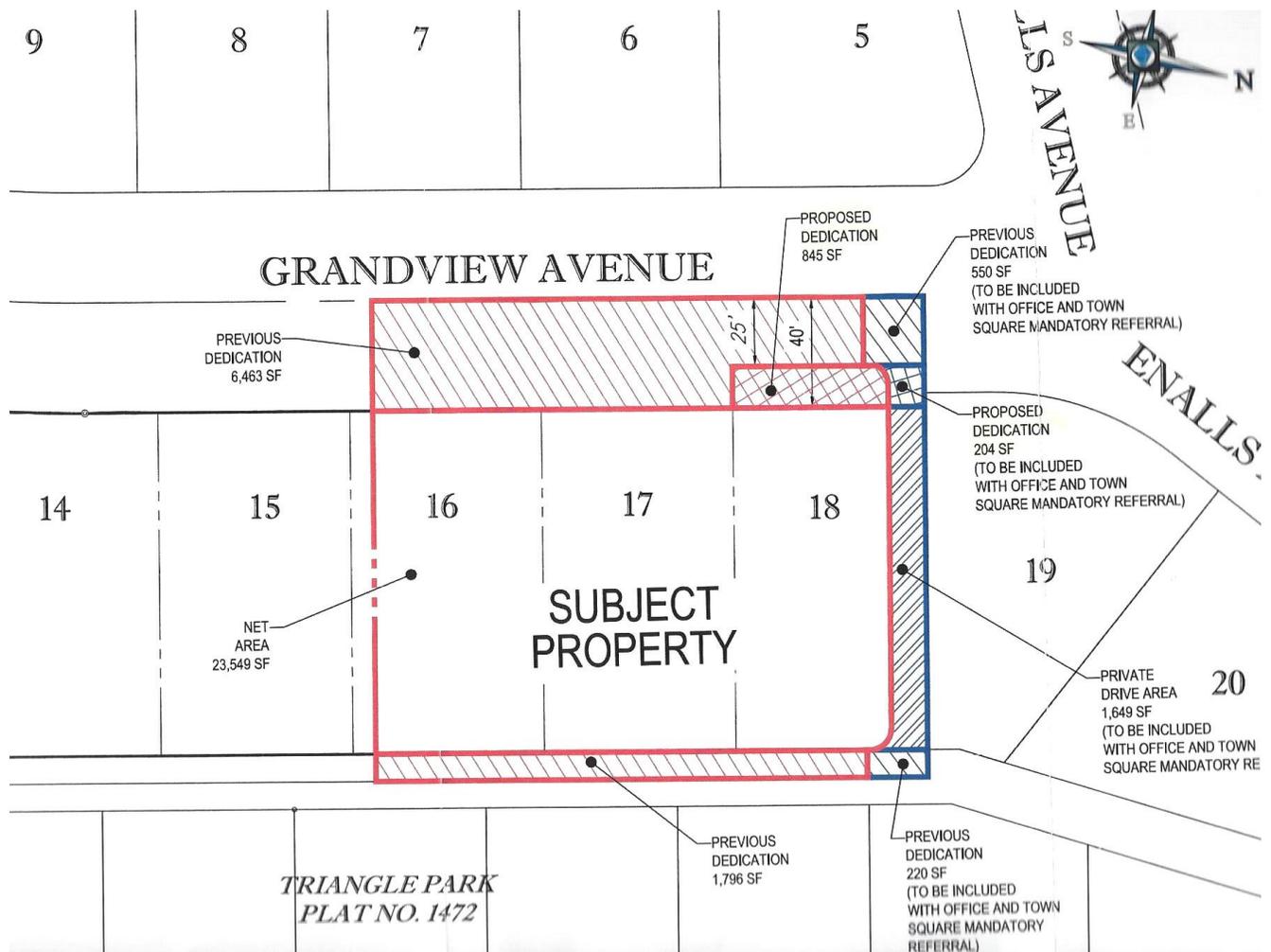


Figure 11 - Proposed areas of dedication

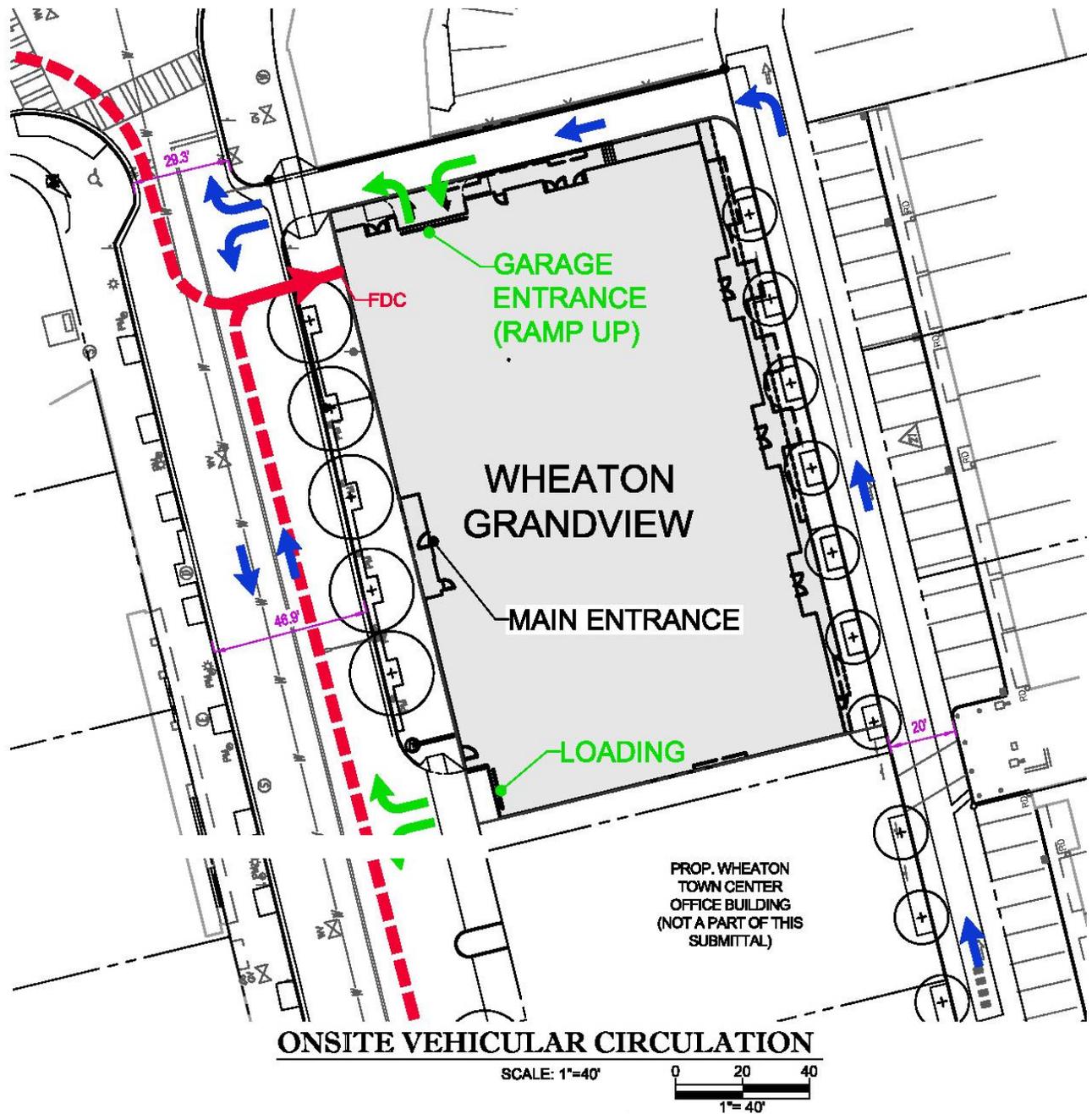


Figure 12 - Site Circulation

Available Transit Service

Although bus service is not available along Grandview Avenue or Triangle Lane, the subject site is located approximately 650 feet north of the Wheaton Metrorail Station. The Wheaton Metrorail Station is served by Ride On routes 7, 8, 9, 31, 34, 37, 38, and 48 and Metrobus routes C2, C4, Q1, Q2, Q4, Q5, Q6, Y5, Y7, Y8, and Y9.

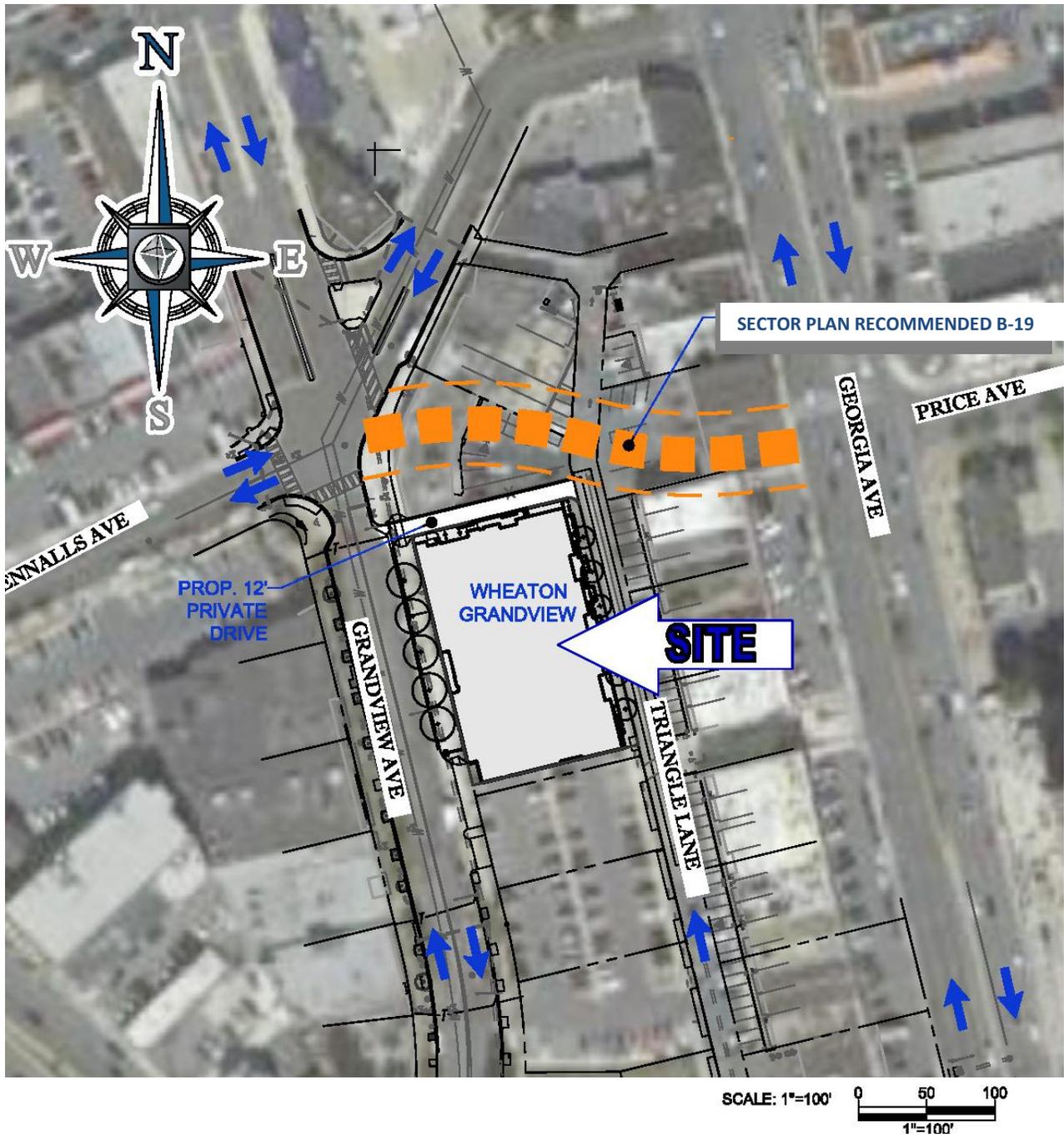


Figure 13 - The new Business District Street B-19

The *Wheaton CBD and Vicinity Sector Plan* recommends a new Business District Street, B-19, as shown in the graphic above, connecting Ennalls Avenue to Georgia Avenue. The proposed project does not impact the alignment of the proposed Street B-19.

Pedestrian and bicycle access to the Property will be provided from Grandview Avenue, the private driveway at the northern edge of the Property, and Triangle Lane. The Project provides a designated bicycle garage entrance for building residents via the private driveway. A signed shared roadway/on-road bike path (Class 3) is proposed for Grandview Avenue. The pedestrian accommodation on the Grandview Avenue frontage will be at least 16 feet from the building face to the curb. A new sidewalk along Triangle Lane will be 12 feet wide between the building face and the curb.

Historic Resources

The site is neither a designated historic resource nor does it contain a historic structure.

Coordination for Future Regulatory Reviews

In addition to other requirements of Chapter 50, Subdivision Regulations, and Chapter 59, Zoning Ordinance, the Applicant must address the following during the Preliminary and Site Plan reviews:

1. Explore opportunities for energy efficiency in building design features.
2. Enhance the building's top to create a more iconic profile in the skyline as a visual marker.
3. The proposed building's western elevation has exhaust louvers that will blow into the pedestrian realm. Relocate the Exhaust Louvers away from Grandview Avenue into the façade facing south.
4. Make the sidewalk along the new private driveway ADA accessible from Grandview Avenue to Triangle Lane.
5. Provide a noise analysis.

SECTION 4: PROJECT ANALYSIS AND FINDINGS

The purpose of a Sketch Plan is to identify general land uses, development intensity, and public benefits for the optional method of development. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, heights and anticipated uses, the locations of open and public use spaces, the general circulation patterns for all modes of transportation, an estimated range of peak hour trips and relationships between existing or proposed adjacent buildings and rights-of-way. Details of the proposed development are determined during Preliminary and Site Plan review.

Section 59-7.3.3.E. Necessary Findings, states: *“To approve a sketch plan, the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at site plan. The sketch plan must:*

1. *meet the objectives, general requirements, and standards of this Chapter;*
 - a. The Sketch Plan meets the objectives, general requirements, and standards of the Zoning Ordinance. Specifically, per Section 4.5.1. Intent Statement, the proposed development will meet the intent of the CR Zone as follows:
 - i. *implement the recommendations of applicable master plans;*

The Project implements the Wheaton Sector Plan’s specific recommendations for the Property, as well as the broader vision for the overall planning area. The Project replaces an auto-oriented use with a mixed-use project near transit, includes substantial amounts of affordable housing, attracts new customers to support many of the surrounding businesses and services, improves connectivity with enhanced streetscape, and activates surrounding streets with ground floor uses to encourage pedestrian activity.

The Project also conforms to the Sector Plan’s recommendation to discourage surface parking lots and *“leveraging the County’s ownership of properties currently used for public parking lots to attract mixed-use development”* (Sector Plan, pg. 72), by creating a high-density mixed-use project on one of the County’s parking lots in Wheaton.

The proposed project is located in the Core District of the Wheaton Sector Plan and is less than 500 feet from the Wheaton Metro Station entrance. It conforms to the overall vision and objectives the Sector Plan, which provides the following Urban Design goals and guidelines for future development in the Wheaton CBD.

Public Use Spaces: Within a compact development pattern, Wheaton will have a system of large and small connected public use spaces, where people can gather, enjoy the outdoors, and conduct business. (Pg. 29)

The Project will provide enhanced connections to current and future open spaces in Wheaton. It is being designed in tandem with the new Public Office Building and Town Square on the remaining portions of Parking Lot No. 13. The Town Square will be a major element of the system of large and small connected public use spaces envisioned in the Sector Plan.

Place highest densities and building heights in the center of the CBD. (Pg. 33)

The Project achieves the maximum density allowed by Zoning in a very prominent location in the Center of the CBD. It proposed a 236-foot building at a central location in the CBD.

Providing improved pedestrian connections within and between the varying land uses aids overall mobility and access while also helping to reinforce the human scale of Wheaton. (Pg. 64)

The project will provide pedestrian connections by improving the existing sidewalks along Grandview Avenue and providing a new sidewalk along Triangle Lane. The adjacent Public Improvement Project will further improve the project's connectivity to the rest of the CBD through a Town Square and improved connections along Reddie Drive, Grandview Avenue, and Triangle Lane.

Wheaton's buildings will continue to be an eclectic mix, and infill redevelopment will create an increasingly compact and street-oriented pattern. (Pg. 29)

The proposed project, along with the abutting Public Improvement Project, will construct a high-density development on a site that is currently a parking lot. This infill project has a compact footprint, and it provides retail along the street frontage where possible.

- ii. *target opportunities for redevelopment of single-use areas and surface parking lots with a mix of uses; (59.4.5.1.A.2)*

The Project proposes redevelopment of a surface parking lot into a high-density mixed-use development. It activates the ground floor with retail, residential amenities, and services to energize surrounding streets.

- iii. *encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street; (59.4.5.1.A.3)*

The proposed Project contains a variety of unit types (studios, one and two-bedrooms); 30% of the units are affordable to households earning 50% of area median income (approximately 62 of the 204 residential units); and it is near Metrorail, bus service, and bicycle routes.

The Project is also located close to Wheaton's many shops, retail, businesses, and services, as well as public amenities including the Mid-County Regional Services Center, and Wheaton Veterans Urban Park. It provides up to 6,000 square feet of ground floor retail. Streetscape improvements included in the Project, such as enhanced sidewalks with street trees, benches, bike racks, and other street furniture, will also enhance pedestrian links throughout the Wheaton CBD. The ground floor retail and residential uses will increase street level pedestrian activity and relate well with existing and future retail along Triangle Lane and Grandview Avenue. There will be no parking between the building and the streets. All parking is provided in an above-grade garage.

- iv. *allow a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods; (59.4.5.1.A.4)*

The Project utilizes the flexibility afforded with CR Zone to provide a mix of residential and non-residential uses best suited to the market, and achieves appropriate levels of density and building height ensuring compatibility with nearby recently completed projects. Consistent with zoning regulations and the Sector Plan, the Project proposes high-density multi-family residential, including affordable housing, in the center of the Wheaton CBD near existing transit services.

- v. *integrate an appropriate balance of employment and housing opportunities; (59.4.5.1.A.5)*

The proposed Project introduces to the core area of Downtown Wheaton a mix of retail and residential uses. It will also provide 30% of housing units affordable to households earning 50% of area median income.

- vi. *standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit;*

The Project will provide the required public benefits from two categories to achieve the desired incentive density above the standard method limit. Pursuant to Section 59-4.7.3.D.6.a.v, the Project does not have to satisfy any other benefit category under Section 4.5.4.A.2 and Section 4.6.4.A.2 because it provides a minimum of 20% MPDUs.

- b. The Sketch Plan meets the general requirements of Section 59-6. GENERAL DEVELOPMENT REQUIREMENTS as follows:

- i. Section 59.6.2.6. - *Bicycle Parking Spaces and Commuter Shower/ Change Facility*

The Project provides the minimum required number of bicycle parking spaces for residents and visitors, which will be further reviewed and finalized at the time of Site Plan.

ii. Section 59.6.2. - *Parking*

The proposed number of parking spaces satisfies the minimum and maximum as outlined in the Section. The final number of parking spaces will be determined at Site Plan(s) based on the number of residential dwelling units, retail and office square footage.

iii. Section 59.6.3. – *Open Space and Recreation*

The Applicant is incorporating 5% of the lot area as open space. The provision of recreation amenities will be determined at Site Plan review.

The Sketch Plan meets the development standards of Section 59-4.5.4, as shown in the Data Table below:

Table 1- Project Data Table

Project Data Table			
Section 59-4.5.4	Development Standard	Permitted/ Required	Proposed
	Gross Tract Area (sf) CR 6.0: C 5.5, R 5.5, H 200	n/a	183,974
45.4.B.2	Maximum Density (sf) CR 6.0, C 5.5, R 5.5, H 200 <i>Maximum Non-residential FAR</i>	5.5 179,591 sf	0.18 6,000 sf
	<i>Maximum Residential FAR</i>	5.5 179,591 sf	5.45 177,974 sf
	TOTAL DENSITY	6.0 FAR 195,918 sf	5.63 FAR 183,974 sf
4.5.4.B.2	Max. Building Height (feet)	200	up to 236 ¹
4.5.4.B.1	Minimum Public Open Space (%) <i>0.51 to 1.0 acres</i> <i>2 Frontages</i>	0% Site is less than 1 acre with two frontages	9.7%
6.2.4.	Parking (spaces) <i>Minimum</i> <i>Maximum</i>	173 222	173 ²
6.3.9.	Recreation Facilities (sf)	Determined at Site Plan based on final unit count.	

¹The additional building height of up to 36 feet over height limit of 200 feet is permitted pursuant to section 59.4.7.3.D.6.c.i of the Zoning Ordinance.

²Final number of parking spaces will be determined at site plan.

- 2. substantially conform with the recommendations of the applicable master plan;*

As discussed on Page 17, the Project conforms to the intent and recommendations of the Wheaton CBD and Vicinity Sector Plan.

- 3. satisfy under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;*

The Property is not subject to a development plan or schematic development plan.

- 4. under Section 7.7.1.B.5, for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment, satisfy any green area requirement in effect on October 29, 2014; any green area under this provision includes and is not in addition to any open space requirement of the property's zoning on October 30, 2014;*

Not applicable; the Property was not zoned as a result of a Local Plan Amendment.

- 5. achieve compatible internal and external relationships between existing and pending nearby development;*

The proposed building is compatible in height and scale with the existing and pending nearby development. The recently built Wheaton Safeway building (Site Plan No. 820110010) located at 11215 Georgia Avenue is 195 feet tall, with residential and commercial uses. 11141 Georgia Avenue (Site Plan No. 82012017A) located on Georgia Avenue South of Reddie Drive and is 145 feet in height. The project will provide a 236-foot high building set within the core district, which is zoned for mixed-use buildings of up to 200' high.

- 6. provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading;*

The proposed Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. It locates pedestrian activities, retail uses, and the main pedestrian entrance to the building along Grandview Avenue and Triangle Lane. It provides for retail uses along Triangle Lane. It also provides for bicycle parking spaces and a possible bicycle repair shop for the building's residents. And it replaces the existing surface parking on the site with a parking garage above the ground floor. The private driveway on the north side of the Property appropriately functions for vehicular access. The Grandview Avenue side will provide access for loading.

7. *propose an outline of public benefits that supports the requested incentive density and is appropriate for the specific community;*

The Application includes public benefits per Section 59-4.7 of the Zoning Ordinance that address the general incentive and density considerations required.

Per Section 59-4.7.1.B, General Public Benefit Considerations, *In approving any incentive FAR based on the provision of public benefits, the Planning Board must consider:*

1. *the recommendations and objectives of the applicable master plan;*
2. *the CR Zone Incentive Density Implementation Guidelines;*
3. *any design guidelines adopted for the applicable master plan area;*
4. *the size and configuration of the site;*
5. *the relationship of the site to adjacent properties;*
6. *the presence or lack of similar public benefits nearby; and*
7. *enhancements beyond the elements listed in an individual public benefit that increase public access to, or enjoyment of, the benefit.*

Table 2 – Public Benefits.

Public Benefits Schedule			
Public Benefits	Max. Required	Requested	Recommended
Transit Proximity	40	40	40
MPDUs¹ Points Calculation	No limit	210	210
Total Required	100	250	250
Points Requested	250+	250	250

¹Pursuant to Section 59.4.7.3.D.6.a.v “A project that provides a minimum of 20% MPDUs does not have to satisfy any other benefit category under Section 4.5.4.A.2 and Section 4.6.4.A.2.

Transit Proximity

The Site is within ¼-mile from the Wheaton Metro Station, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance. Staff recommends the full 40 points as suggested in the *2012 Commercial/Residential Zones Incentive Density Implementation Guidelines* (CR Guidelines).

Diversity of Uses and Activities

Pursuant to Section 59.4.7.3.D.6 “There is no limitation on the number of points for providing more than 12.5% of the residential units as MPDUs as required under Chapter 25A.” This section further states under Section 59-4.7.3.D.6.a.v: “A project that provides a minimum of 20% MPDUs does not have to satisfy any other benefit category under Section 4.5.4.A.2 and Section 4.6.4.A.2.”

The Applicant requests 210 points for providing 30% of the units to be affordable to households earning 50% of area wide median income (approximately 62 of the 204 residential units). These units meet the requirement of providing MPDUs for incentive density. The incentive density points for MPDUs are calculated as a percentage of the total number of dwelling units (204 dwelling units). The Applicant's initial estimate of providing 62 MPDUs yields 210 points. The final number of MPDU units will be determined at Site Plan. Staff supports the Applicant's request for 210 points for providing more than 15% of the units as MPDUs.

8. *establish a feasible and appropriate phasing plan for all structures, uses, right of way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

Not applicable; the Property will be developed in one phase.

Community Outreach

The Applicant has met all signage, noticing, and submission meeting requirements. On March 10, 2015, the Applicant held a pre-submittal public meeting at the Ana G. Mendez University, located at Westfield Wheaton Mall, 11006 Veirs Mill Road, Wheaton, Maryland 20902. The purpose of this meeting was to explain the sketch plan application, and hear the community's comments prior to filing the sketch plan application. The pre-submittal community meeting minutes are included in the application records.

The Applicant met with the Montgomery County Planning Staff on March 10, 2015, to explain the sketch plan application, and hear the planning staff's comments prior to filing the sketch plan application. Staff has not received any written correspondence on this application.

CONCLUSION

The Sketch Plan Application satisfies the findings under Section 59-4.5.4 of the Zoning Ordinance and substantially conforms to the recommendations of the 2012 *Wheaton CBD and Vicinity Sector Plan*. Therefore, Staff recommends approval of the Sketch Plan with the conditions specified at the beginning of this report.

ATTACHMENTS:

1. Agency Letters
2. General Development Agreement Organization Chart
3. DRC Comments and Point by Point Responses for Wheaton Grandview – Sketch Plan



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Al R. Roshdieh
Acting Director

May 15, 2015

Mr. Michael Bello, Planner Coordinator
Area 2 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Sketch Plan No. 320150070
Wheaton Grandview

Michael,
Dear Mr. Bello,

We have completed our review of the April 10, 2015 revised sketch plan for this project. The following comments are tentatively set forth for the subsequent submission of a preliminary plan:

All Planning Board Opinions relating to this plan or any subsequent revision, preliminary or site plans should be submitted to the Montgomery County Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

Significant Comments:

1. At the preliminary plan stage show more context and the developments in the vicinity of Wheaton Grandview Building project. Plan should be revised to orient north direction.
2. Show all existing topographic details (paving, storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways, utilities, rights of way and easements, etc.) on the preliminary plan.
3. Necessary dedication along of Grandview Avenue in accordance with the Wheaton CBD sector plan.
4. The proposed driveway location may create operational issues at the intersection of Ennalls Avenue and Grandview Avenue; we recommend that applicant meet with Mr. Gregory Leck of our Division of Traffic Engineering and Operations to DOT to discuss intersection control alternatives for the driveway. Mr. Leck may be contacted at gregory.leck@montgomerycountymd.gov or at 240-777-2197.

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

5. Provide bump out on the south west side of the proposed driveway on Grandview Avenue intersection to restrict right-only from the proposed driveway.
6. In general, driveways and intersections are to be spaced opposite one another or located at least one hundred feet apart. A design exception package is required if 100' of tangent length cannot be provided.
7. Show the future alignment of the Ennalls Avenue connecting Price Avenue per Wheaton CBD sector plan.
8. Grade establishments for all new public streets. Tentative profiles are to be submitted with the preliminary plan. Demonstrate how the proposed public road alignments and typical sections comply with the approved the approved Wheaton CBD Sector Plan and Executive Regulation No. 31-08AM (Context Sensitive Roadway Design).
9. On Preliminary plan label if the proposed driveway is public or private.
10. Public Access Easement (if proposed driveway is private) will be required for the entire length and the width of the Private Driveway.
11. Storm drainage and/or flood plain studies, with computations. Analyze the capacity of the existing public storm drain system and the impact of the additional runoff. If the proposed subdivision is adjacent to a closed section street, include spread computations in the impact analysis.
12. On the preliminary and site plans, delineate the location and dimensions of the proposed truck loading and dumpster spaces.
13. Provide Traffic Impact Study per LATR and TPAR Guidelines.
14. At the preliminary plan stage, submit a completed, executed MCDOT Sight Distances Evaluation certification form, for all existing and proposed site entrances onto County-maintained roads, for our review and approval.
15. At the preliminary plan stage, submit a truck circulation for review by the M-NCPPC and MCDPS. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed dumpsters. The truck circulation pattern and loading position should be designed for counter-clockwise entry and a left-side backing maneuver. Passenger vehicle travel-ways should be separated from the expected truck circulation patterns and storage areas. The applicant may also need to provide documentation of their proposed delivery schedules.
16. Improvements to the public right of way will be determined at the preliminary plan stage based on a review of the additional information requested earlier in this letter.
17. Coordinate with Mr. Marcelo Cortez, of our Division of Parking Management to coordinate all responses provided for the Wheaton Redevelopment Program (CIP Project No. 150401). Mr. Cortez may be contacted at 240-777-2099.
18. At or before the permit stage, please coordinate with Mr. Khursheed Bilgrami of our Division of Traffic Engineering & Operations to coordinate Traffic Operations and Traffic Impact Study for the capital improvement project (Wheaton Redevelopment CIP Project # 150401). Mr. Bilgrami may be contacted at 240 777-2190.

Standard Comments:

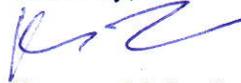
19. Necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
20. We recommend the Planning Board require the applicant to provide a Pedestrian and Bicycle Impact Statement at the preliminary plan stage. The consultant should provide projected pedestrian crossing volumes, as well as a conceptual sign and marking plan of the crossing, for our review.
21. Recorded covenant for the operation and maintenance of private streets, storm drainage systems, and/or open space areas.
22. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
23. At or before the permit stage, please coordinate with Mr. Jeremy Souders, Acting Chief of Management Services and Property Development in Division of Parking Management to coordinate the removal of parking meters in the vicinity of this project and the Divisions parking mitigation plan. Mr. Souders may be contacted at 240 777-8706.
24. Coordinate with Ms. Stacy Coletta; Division of Transit Services to coordinate improvements and rerouting of the RideOn bus facilities in the vicinity of this project. Ms. Coletta may be contacted at 240 777-5800.
25. We recommend that the applicant coordinate Ms. Joana Conklin, the BRT Development Manager for Montgomery County. Ms. Conklin can be reached at joana.conklin@montgomerycountymd.gov or at 240-777-7155.
26. We defer to the M-NCPPC for the design and construction of the proposed private common driveway (including pavement width and material, alignment, profile, drainage, maintenance, etc).
27. Grandview Avenue is classified as SR-20 within the Master Plan of Bikeways. Please coordinate location of the bike path with Ms. Patricia Shepherd of our Division of Transportation Engineering at patricia.shepherd@montgomerycountymd.gov or at 240-777-7231 for Bikeways along Grandview Avenue.
28. Proposed development will alter 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.
29. 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 240-777-5800.
30. Permits and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to the following improvements:
 - A. Improvements to the public right of way will be determined at the preliminary plan stage based on a review of the additional information requested earlier in this letter.

Mr. Michael Bello
Sketch Plan No. 320150070
May 15, 2015
Page 4

- B. Enclosed storm drainage and/or engineered channel in all drainage easements.
- C. Underground utility lines.
- D. Streetscaping.
- E. Street lights.
- F. Street trees in amended soil panels.
- G. Permanent monuments and property line markers

Thank you for the opportunity to review this sketch plan. If you have any questions or comments regarding this letter, please contact Mr. Avinash Dewani, our Development Review Area Engineer for this part of the County, at (240) 777-2132 or aviash.dewani@montgomerycountymd.gov.

Sincerely,



Gregory M. Leck, Manager
Development Review Team



Rebecca Torman
Gov

cc: Hilary Goldfarb; SC/BA Wheaton Apartment, LLC
Robert Dalrymple; Linowes and Blocher, LLP
Phillip Hummel; Linowes and Blocher, LLP
Daniel Duke; Bohler Engineering, P.C.
Joanne Trumbo; Davis, Carter, Scott, ltd
Catherine Conlon; M-NCPPC DRD
Ed Axler; M-NCPPC TPD
Xavius da Silva-Thompson; MCDOT
Marcelo Cortez; MCDOT

cc-e: Gary Erenrich, MCDOT
Fred Lees; MCDOT DTEO
Gregory Leck; MCDOT DTEO
Avinash Dewani; MCDOT DTEO
Khursheed Bilgrami; MCDOT DTEO
Dan Sanayi; MCDOT DTEO
Patricia Shepherd; MCDOT DTS
Stacy Coletta; MCDOT DTS
Beth Dennard; MCDOT DTS
Sandra Brecher; MCDOT DTS
Joana Conklin; MCDOT DTS

From: [Scott Newill](#)
To: [Bello, Michael](#)
Cc: [phummel](#); ["hgoldfarb@bozzuto.com"](mailto:hgoldfarb@bozzuto.com); ["Dalrymple, C Robert - CRD"](#)
Subject: RE: Wheaton Grandview
Date: Monday, June 01, 2015 7:08:15 AM

Mike,

Please allow this email to suffice for SHA's comments for Wheaton Grandview.

Access is from a county roadway. SHA has no objection to approval; however, if a TIS is required by M-NCPPC and SHA intersections are studied, SHA requests inclusion in all TIS review efforts.

Thanks,

Scott

D. Scott Newill

DPRT Team Leader

Access Management Division

Office of Highway Development
Maryland State Highway Administration
707 N. Calvert Street, Mailstop C-302
Baltimore, Maryland 21202

Voice: 410-545-5606, Fax: 410-209-5026

email: snewill@sha.state.md.us

From: Bello, Michael [mailto:Michael.Bello@montgomeryplanning.org]

Sent: Friday, May 29, 2015 10:38 AM

To: Scott Newill

Cc: phummel; 'hgoldfarb@bozzuto.com'; 'Dalrymple, C Robert - CRD'

Subject: Wheaton Grandview

Hi Scott

We are almost complete with agency letter submittals. I just wanted to quickly check that you are/are not submitting a letter. Please let us know at your earliest convenience.

Thank you

Mike Bello, RLA, LEED AP BD+C

Planner Coordinator

Area 2 Planning Division

Maryland-National Capital Park and Planning Commission

8787 Georgia Avenue, Silver Spring MD 20910

301-495-4597

301-495-1303 (fax)

Michael.bello@montgomeryplanning.org

<http://www.MontgomeryPlanning.org>



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DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett
County Executive

Clarence J. Snuggs
Director

May 28, 2015

Mr. Michael Bello
Area 2 Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Wheaton Grandview
Sketch Plan No. 320150070

Dear Mr. Bello:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced Sketch Plan and recommends Approval. The following are advisory comments for future plans:

1. Other affordable dwelling units (such as tax credit units) may be used to satisfy the project's MPDU requirement, but they must be designated as MPDUs and are subject to concurrently running 99 year controls (in other words, the tax credit rules apply during the tax credit compliance period, and the MPDU restrictions apply for the balance of the 99 years). Any additional affordable units that are being provided beyond the MPDU requirement should be labeled "Other Affordable Units."
2. After separately designating the required percentage of MPDUs, please ensure that the MPDU bedroom mix complies with the requirements of Section 25A-5(b)(3) of the County Code; that is in multi-family dwelling unit subdivisions, the number of efficiency and one-bedroom MPDUs each must not exceed the ratio that market-rate efficiency and one-bedroom units respectively bear to the total number of market-rate units in the subdivision.
3. DHCA would appreciate the opportunity to review the unit bedroom mix before plans are submitted to Park and Planning in order to ensure that it is correct.
4. Please note that an MPDU Agreement that is in compliance with Chapter 25A must be executed between the applicant and DHCA prior to the release of any residential building permits.

Division of Housing

Affordable
Housing Program
FAX 240-777-3709

Multifamily Housing
Programs
FAX 240-777-3691

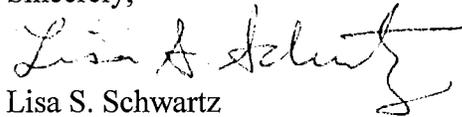
Landlord-Tenant Affairs
FAX 240-777-3691

Licensing & Registration Unit
240-777-3666
FAX 240-777-3699

100 Maryland Avenue, 4th Floor • Rockville, Maryland 20850 • 240-777-0311 • www.montgomerycountymd.gov/dhca



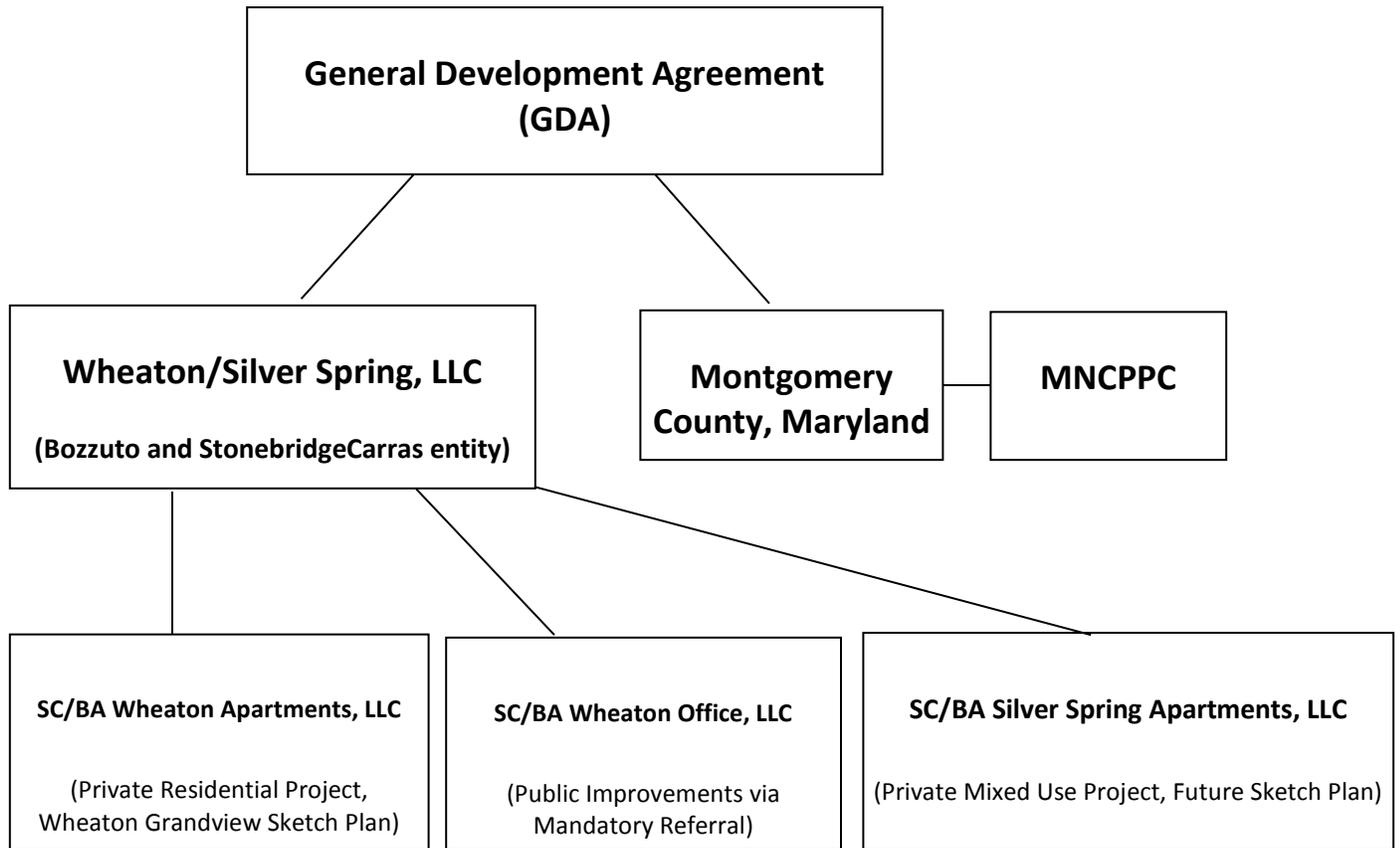
Sincerely,



Lisa S. Schwartz
Senior Planning Specialist

cc: C. Robert Dalrymple, Linowes and Blocher LLP
Phillip Hummel, Linowes and Blocher LLP
Hilary Goldfarb, Bozzuto Development Company
Khalid Afzal, M-NCPPC
Jay Greene, DHCA

WHEATON GRANDVIEW
SUMMARY OF AGENCY AUTHORIZATION TO PURSUE DEVELOPMENT APPLICATIONS



Pursuant to the terms of the GDA, respective portions of the GDA relating to the Wheaton Residential Project (Wheaton Grandview) have been assigned from Wheaton/Silver Spring, LLC to the affiliated entity SC/BA Wheaton Apartments, LLC.

Per a Memorandum of Understanding / Agency Authorization dated August 25, 2014, the County has designated the Developer to pursue certain development approval processes for the Wheaton Project (Wheaton Grandview) including, but not limited to, the filing of sketch plan, preliminary plan of subdivision, and site plan applications (the “Development Applications”) with the Planning Board.

LINOWES
AND | BLOCHER LLP
ATTORNEYS AT LAW

May 18, 2015

C. Robert Dalrymple
bdalrymple@linowes-law.com
301.961.5208

Phillip A. Hummel
phummel@linowes-law.com
301.961.5149

Mr. Michael Bello
Planner Coordinator
Area 2 Planning Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue, Silver Spring MD 20910

Re: DRC Comments and Point by Point Responses for Wheaton Grandview – Sketch Plan
No. 320150070

Dear Mr. Bello,

Thank you for your review and DRC comments on the Wheaton Grandview – Sketch Plan No. 320150070. We have received the comments dated May 11, 2015 and offer the following responses in furtherance of Applicant’s previously submitted Statement of Justification (“SOJ”):

Area Team 2 Comments:

General

Comment 1: Per Section 59.7.3.3.B.i, submit a table of proposed public benefits and the incentive density point’s request for each. Provide maximum points allowable and narrative justifying points achieved.

Response: An updated table of proposed public benefits has been provided with this resubmission.

Comment 2: Include the required parking count (minimum and maximum) for automobiles and bicycles and proposed for the project.

Response: The minimum and maximum required parking count for automobiles and bicycles have been included. The final number of parking spaces

**L&B 4860158v5/12810.0001

Mr. Michael Bello
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Page 2

for each will be determined at site plan based upon the number of residential units and market considerations, among other factors.

Comment 3: Given the availability of parking via the Wheaton Parking Lot District (PLD) state how the proposed design meets the goals of the reduced parking in the CBD.

Response: Given the availability of parking in the Wheaton Parking Lot District, the proposed Sketch Plan project meets the goals of reduced parking in the CBD by accommodating a parking scheme that limits the structured garage to three efficient levels. Presently, this results in a minimum required parking count of 173 vehicular parking spaces for 204 units. The final number of parking spaces will be determined at site plan based upon the number of residential units, market conditions, and other factors (including prevailing PLD tax rate).

Comment 4: Show ADA ramps on A-02. Show the accurate conditions of the adjacent property to the south, along Grandview Avenue on sheet A-02.

Response: ADA sidewalk ramps are shown on the updated Sketch Plan on Civil sheets along with the ADA Accessible Route. The Sketch Plan has also been updated to show the existing condition for the neighboring property to the south.

Design

Comment 1: Provide an illustrative including all components of the public-private partnership project, for context and review coordination.

Response: An illustrative plan, revised Sheet A-01, showing the context of the private component and public component of the Public/Private Project for the Wheaton CBD has been provided with this resubmission.

Comment 2: Note: The application refers to the Sketch Plan achieving compatible internal and external relationships between existing and pending nearby developments (S.O.J., pg. 26, #5), and refers repeatedly to the public-private partnership this project is part of. While this application focuses on

Mr. Michael Bello
Maryland-National Capital Park and Planning Commission
May 18, 2015
Page 3

the residential component only, to properly assess compliance with several goals of the Sector Plan the full context must be reviewed.

Response: **An illustrative plan, revised Sheet A-01, showing the context of the private component and public component of the Public/Private Project has been provided with this resubmission.**

Comment 3: Consider enhancing the building's definition and inclusion to the new Wheaton skyline by creating a more iconic roofline.

Response: **Applicant intends to provide iconic architecture that reflects and enhances the new Wheaton skyline. The sketch plan drawings and massing diagrams are illustrative only. Architectural expression will be further detailed at site plan.**

Comment 4: Note: On page 19, of the S.O.J., the applicant refers to the Project building "upon Wheaton's sense of place while implementing a defined skyline and urban form anticipated by the recommendations and zoning included in the Sector Plan." The proposed building form may offer a more animated dialogue with the skyline.

Response: **Applicant intends to provide architecture that will contribute to the urban environment, and will reflect and enhances the new Wheaton skyline. The sketch plan drawings and massing diagrams are illustrative only. Architectural expression will be further detailed at site plan.**

Sector Plan

Comment 1: Clarify relationship of proposal's north façade to the future extension to Ennalls Avenue (proposed business street B-19 in the Plan's road classification table)

Response: **As reflected in the graphic entitled "Existing/Future (Sector Plan Recommended) Ennalls Avenue – New Street B-19", enclosed with this resubmission, the construction of new Street B-19 connecting Ennalls Avenue to Price Avenue, as recommended in the Wheaton CBD and Vicinity Sector Plan, will not be located on the Subject Property. Rather, in connecting the existing terminus of Ennalls**

Mr. Michael Bello
Maryland-National Capital Park and Planning Commission
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Avenue as it intersects with Grandview Avenue to the west and the existing terminus of Price Avenue as it intersects with Triangle Lane to the east, utilizing applicable road code regulations and best and safe engineering practices, the road will be located to the north of the Subject Property. The Project's north façade will front on the southern edge of the proposed driveway that will connect Grandview Avenue and Triangle Avenue, which driveway is being approved as an integral part of the Mandatory Referral Application for the public components of the Public/Private Project. New Street B-19 will be located north of this driveway. Applicant is reluctant to suggest how the new Street B-19 road connection will occur through property that it does not own or control. Additionally, Applicant does not believe that it is appropriate to suggest how a buffer between the driveway forming the northern edge of the Public/Private Project and the future Street B-19 may be proposed (again because it is property owned and controlled by someone else).

Comment 2: Note: This project will not deliver street B-19, but it will have frontage on it when the road is constructed. This application should discuss how it takes into consideration the future road when considering what uses should be located along the north side of the building. Sector Plan also identifies street B-19 as a priority retail street (Map 6, page 22, Wheaton Sector Plan), and has specific language regarding such streets (page 23).

Response: See previous response.

Comment 3: Clarify how the project substantially conforms with the sector plan's recommended priority retail streets to encourage street level activity (Wheaton Sector Plan, page. 22-23).

Response: See pages 16 and 17 of the SOJ regarding how the Project substantially conforms with the Sector Plan's recommended priority retail streets to encourage street level activity through activating sidewalks and promoting community interaction. [See also pp. 4-5, 7-12, 14-15, 18-19, and 26-29 of the SOJ regarding how the Project activates surrounding streets, enhances walkability, and provides new customers for existing businesses consistent with the goals and objectives of priority retail streets].

Mr. Michael Bello
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Page 5

Importantly, as will be shown and described in the Mandatory Referral application covering the public component of the Public/Private Project, the public components of the overall Project, and in particular along Triangle Lane, advance the Sector Plan's recommendations for priority retail streets. As will be shown and described in the Mandatory Referral application, the Mandatory Referral includes a glass enclosed "jewel box" elevator vestibule at the midpoint of Triangle Lane to encourage pedestrian traffic along the length of the entire block. The elevators will carry potential customers from the underground public parking garage below the public sector office building directly to Triangle Lane, enhancing the activity level and the viability of Triangle Lane as a roadway with retail on both sides of the street, thereby promoting existing retail uses.

Given existing conditions, the current design emphasizes all existing priority retail streets in determining the best way to service and load the Sketch Plan Project (and additional opportunities may be present in the future when the new Street B-19 and surrounding development of other properties are redeveloped and are contributing to the synergy of activity along all of the downtown streets).

Transportation

Comment 1: Refer to the Transportation Comments for the Development Review Committee

Response: Acknowledged.

Comment 2: Why is Grandview Avenue shown on the plans as 80 feet wide when the Sector Plan recommends only 70 feet?

Response: See response below to Comment 4 from MCDOT as to dedication along Grandview Avenue in accordance with the Wheaton CBD and Vicinity Sector Plan.

Comment 3: Submit a traffic study to satisfy the Local Area Transportation Review test at preliminary plan review.

Mr. Michael Bello
Maryland-National Capital Park and Planning Commission
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Page 6

Response: **Acknowledged. See response below to Comment 14 from MCDOT regarding submission of traffic study as a part of preliminary plan review.**

Comment 4: Show on the plans how the Sector Plan business street, B-19, would impact the northeast corner of the site - with its Sector Plan alignment crossing diagonally between Grandview Avenue and Triangle Lane

Response: **See responses above to Comment 1 from Area Team 2 on Sector Plan above as to new Street B-19.**

Comment 5: The Applicant must enter into a Traffic Mitigation Agreement with the Montgomery County Department of Transportation (MCDOT) and the Planning Board when the future Wheaton Transportation Management District (TMD) is established. In the interim, the Applicant should work with MCDOT Commuter Services Section and the future Wheaton Transportation Management Organization (TMO) to assist MCDOT increase the project's transit ridership through their on-going promotional activities.

Response: **See response below to Comment 30 from MCDOT as to entering a Traffic Mitigation Agreement.**

Comment 6: Show on the future preliminary plan and site plans and provide bike parking spaces (number required in the CR zone) with a) inverted-U public bike racks near main entrances located at the main entrances of the apartment building and in front of the retail businesses and b) the bike lockers, as private bike parking, located in a secured area in the parking garage near an elevator or parking garage's access points and in a well-lit area.

Response: **Acknowledged. The final number and design of bicycle parking spaces will be determined at site plan based upon the number of residential units and market considerations, among other factors.**

Comment 7: Provide ADA compliant sidewalks (with no steps) despite the grades especially on along the northern property line.

Mr. Michael Bello
Maryland-National Capital Park and Planning Commission
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Response: The ADA Accessible Route, without removal of stairs, has been added to the revised Civil Sketch Plan.

Comment 8: Provide at-grade crossings or handicap ramps across all driveway curb cuts and special delineation of the long sidewalk segment across the apartment and office buildings loading dock in the southwest corner.

Response: ADA sidewalk ramps are shown on the revised Civil Sketch Plan. Accessibility for the public components of the Public/Private Project will be included in the Mandatory Referral application.

Comment 9: Work with Fire & Rescue regarding whether the proposed one-way East-West public alley needs to be widened more than the proposed 11 feet width.

Response: Acknowledged. Applicant has met with the Fire Marshal to discuss fire access and is working with MCF&R.

Environmental

Comment 1: While the proposals in the Stormwater Management and Environmental Sustainability section will improve serve some aspects of sustainability, they appear on the whole to be rather minimal and unremarkable given advances in green building design over the past decade. The stormwater management approach is largely what is required by law. The building provides some additional benefits due to its location near Metro, but not actually owing to innovative building design and materials. The only real additional sustainability proposal is for possible high efficiency mechanical and plumbing systems – helpful, but really only a start. While some of the details are more site plan oriented, a higher bar should be set at the time of sketch plan to guide development of green building details that address energy efficiency, including passive lighting, heating and ventilation, and other measures that not only demonstrate a real commitment to sustainability, but also recognize that many green building features contribute also to human physical and mental health, and well-being. Energy efficiency measures in particular should also help ensure that the residents of the private section of the building save money on energy. This will be especially helpful to those residents who qualify for lower-cost housing. If measures such as these are already conceived to be

Mr. Michael Bello
Maryland-National Capital Park and Planning Commission
May 18, 2015
Page 8

a part of this project, the Sketch Plan needs to do a better job of documenting them and making a commitment to implementing them through the Site Plan.

Response: **Applicant intends to utilize energy efficient building design and materials, which will be further addressed at site plan. Applicant's proposed Project presently envisions implementing green roof and bioretention technologies to integrate state-of-the-art environmental site design facilities where no stormwater management currently exists. Applicant also anticipates pursuing LEED certification, or an equivalent rating system, for the Project and is considering certain amenities to achieve this rating, such as high efficiency mechanical and plumbing systems. The Project also encourages reduced reliance on automobiles by including desirable bicycle amenities, such as extensive bicycle parking, storage, and repair facilities) and being located near extensive public transit facilities such as Metrorail, Metrobus, and RideOn.**

MCDOT Comments:

Comment 1: MCDOT does not object to the applicant submitting a preliminary plan for this project.

Response: **Acknowledged.**

Comment 2: At the preliminary plan stage show more context and the developments in the vicinity of Wheaton Grandview Building project. Plan should be revised to orient north direction.

Response: **Acknowledged.**

Comment 3: Show all existing topographic details (paving, storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways, utilities, rights of way and easements, etc.) on the preliminary plan.

Response: **Acknowledged.**

Mr. Michael Bello
Maryland-National Capital Park and Planning Commission
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Page 9

Comment 4: Necessary dedication along of Grandview Avenue in accordance with the Wheaton CBD sector plan.

Response: The majority of the existing right-of-way width of Grandview Avenue is 80 feet and the Wheaton CBD and Vicinity Sector Plan recommends 70 feet. Where the right-of-way is less than 70 feet, additional frontage dedication will be made with resubdivision approval (10 feet of additional dedication for Lot 18).

Comment 5: The proposed driveway location may create operational issues at the intersection of Ennalls Avenue and Grandview Avenue. Prior to finalization of the plans we recommend that applicant meet with DOT to discuss intersection control alternatives for the driveway.

Response: Acknowledged. Applicant has been working with MCDOT to discuss the operation of the proposed driveway. A conditional approval letter is anticipated shortly.

Comment 6: In general, driveways and intersections are to be spaced opposite one another or located at least one hundred feet apart. A design exception package is required if 100' of tangent length cannot be provided.

Response: Acknowledged.

Comment 7: Show the future alignment of the Ennalls Avenue connecting Price Avenue per Wheaton CBD sector plan. Grade establishments for all new public streets. Tentative profiles are to be submitted with the preliminary plan. Demonstrate how the proposed public road alignments and typical sections comply with the approved the approved Wheaton CBD Sector Plan and Executive Regulation No. 31-08AM (Context Sensitive Roadway Design).

Response: See responses above to Comments 2 and 3 from Area Team 2 on Sector Plan above as to the future alignment of Ennalls Avenue north of the Subject Property.

Comment 8: On Preliminary plan label if the proposed driveway is public or private.

Mr. Michael Bello
Maryland-National Capital Park and Planning Commission
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Page 10

Response: **The proposed driveway is a component of the Mandatory Referral application for the public component of the Public/Private Project. The proposed driveway will not be dedicated to public use as a public street, but it will be accessible for public use. The details, including future ownership of the proposed driveway, will be determined at the time of preliminary plan approval.**

Comment 9: Proposed driveway is called out as “Area to be included with Office and Town Square Mandatory Referral” Explain why driveway is not part of the sketch plan.

Response: **In order to maintain the critical vehicular movement for the public from Triangle Lane to Grandview Avenue through the current Parking Lot No. 13, the Mandatory Referral application for the public components of the Public/Private Project will formalize the existing circulation patterns by mandating the proposed driveway as a part of the Public/Private Project’s public component. Because the County has been clear all along that the proposed driveway will be an integral part of the Mandatory Referral application, Applicant has been instructed to incorporate the driveway into the design of the private Project and has done so in the Sketch Plan. The Wheaton Grandview Sketch Plan thus seamlessly utilizes the proposed driveway in a logical and efficient manner.**

Comment 10: Public Access Easement (if proposed driveway is private) will be required for the entire length and the width of the Private Driveway.

Response: **Acknowledged.**

Comment 11: Storm drainage and/or flood plain studies, with computations. Analyze the capacity of the existing public storm drain system and the impact of the additional runoff. If the proposed subdivision is adjacent to a closed section street, include spread computations in the impact analysis.

Response: **Acknowledged. These topics will be analyzed later in the development review process.**

Comment 12: On the preliminary and site plans, delineate the location and dimensions of the proposed truck loading and dumpster spaces.

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Response: Proposed locations and dimensions of the truck loading space and proposed location of the trash compactor have been noted on revised Sheet A-02. The Project does not currently include dumpster spaces. Final location and dimensions of truck loading and trash compactor will be determined at site plan. Also note that the Project will be required to incorporate into its design those features of the Mandatory Referral application for the public components of the overall Public/Private Project that might relate to loading and unloading and other service operations occurring between the two projects.

Comment 13: For safe simultaneous movement of vehicles, we recommend a driveway pavement width of no less than fourteen (14) feet.

Response: Although the pavement width will be dictated by the Mandatory Referral application, please note that MCDOT has conditionally approved a pavement width of 12 feet for the proposed driveway. The County will provide requested turn studies to demonstrate the provision of safe, adequate, and efficient movements through the proposed driveway as part of Mandatory Referral and Applicant will supplement these studies as necessary for the Project.

Comment 14: Provide Traffic Impact Study.

Response: Applicant will provide a Traffic Impact Study as a part of preliminary plan review. Note, however, that a TIS will be submitted with the Mandatory Referral application that will also include the Project as background development, and thus the adequacy of the transportation network will be demonstrated for the entire Public/Private Project at the time of Mandatory Referral (and note further that the scope of the study area is smaller for the private Project than it is for the public project). [See also the response above to Comment 12 from MCDOT above relative to the effect of loading, unloading, and other services relative to the public components as per the Mandatory Referral application and the potential resulting effects on this Project.]

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Comment 15: At the preliminary plan stage, submit a completed, executed MCDOT Sight Distances Evaluation certification form, for all existing and proposed site entrances onto County-maintained roads, for our review and approval.

Response: Acknowledged.

Comment 16: At the preliminary plan stage, submit a truck circulation for review by the M-NCPPC and MCDPS. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed dumpsters. The truck circulation pattern and loading position should be designed for counter-clockwise entry and a left-side backing maneuver. Passenger vehicle travel-ways should be separated from the expected truck circulation patterns and storage areas. The applicant may also need to provide documentation of their proposed delivery schedules.

Response: Acknowledged.

Comment 17: Coordinate with Mr. Marcelo Cortez, of our Division of Transportation Engineering/Transportation Planning and Design Section to coordinate transportation improvements for the Wheaton Redevelopment Program (CIP Project No. 150401). Mr. Cortez may be contacted at 240-777-7245.

Response: Acknowledged.

Comment 18: Improvements to the public right of way will be determined at the preliminary plan stage based on a review of the additional information requested earlier in this letter.

Response: Acknowledged.

Comment 19: Necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.

Response: Acknowledged.

Comment 20: We recommend the Planning Board require the applicant to provide a Pedestrian and Bicycle Impact Statement at the preliminary plan stage.

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The consultant should provide projected pedestrian crossing volumes, as well as a conceptual sign and marking plan of the crossing, for our review.

Response: **Acknowledged.**

Comment 21: Recorded covenant for the operation and maintenance of private streets, storm drainage systems, and/or open space areas.

Response: **Acknowledged.**

Comment 22: Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.

Response: **Acknowledged.**

Comment 23: At or before the permit stage, please coordinate with Mr. Benjamin Morgan of our Division of Parking Management to coordinate the parking meters in the vicinity of this project. Mr. Madison may be contacted at 240 777-8704.

Response: **Acknowledged.**

Comment 24: Coordinate with Ms. Stacy Coletta; 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.

Response: **Acknowledged.**

Comment 25: We recommend that the applicant coordinate Ms. Joana Conklin, the BRT Development Manager for Montgomery County. Ms. Conklin can be reached at joana.conklin@montgomerycountymd.gov or at 240-777-7155.

Response: **Acknowledged.**

Comment 26: We defer to the M-NCPPC for the design and construction of the proposed private common driveway (including pavement width and material, alignment, profile, drainage, maintenance, etc).

Response: **Acknowledged.**

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Comment 27: Grandview Avenue is classified as SR-20 within the Master Plan of Bikeways. Please coordinate location of the bike path with Ms. Patricia Shepherd of our Division of Transportation Engineering at patricia.shepherd@montgomerycountymd.gov or at 240-777-7231 for Bikeways along Grandview Avenue.

Response: Acknowledged.

Comment 28: At or before the permit stage, please coordinate with Mr. Kursheed Bilgrami of our Division of Traffic Engineering & Operations to coordinate Traffic Operations and Traffic Impact Study for the capital improvement project (Wheaton Redevelopment CIP Project # 150401). Mr. Bilgrami may be contacted at 240 777-2190.

Response: Acknowledged.

Comment 29: Proposed development will alter 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.

Response: Acknowledged.

Comment 30: 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 240-777-5800.

Response: Under Section 42A-25(a) of the County Code, “[a]ny proposed subdivision or optional method development in a [transportation management] district must be subject to a traffic mitigation agreement if the Planning Board and the Director jointly decide, under standards adopted by the Council for the adequacy of public transportation, that more transportation facilities or transportation demand management measures are necessary to meet any commuting goals set in the Growth Policy.” (emphasis added). Furthermore,

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traffic mitigation agreement templates include a field for stating the specific transportation management district in which a project is located.

As the Subject Property is located outside any transportation management district, Applicant is not required to execute a traffic mitigation agreement.

Comment 31: Permits and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to the following improvements:

- A. Improvements to the public right of way will be determined at the preliminary plan stage based on a review of the additional information requested earlier in this letter.
- B. Enclosed storm drainage and/or engineered channel in all drainage easements.
- C. Underground utility lines.
- D. Streetscaping.
- E. Street lights.
- F. Street trees in amended soil panels.
- G. Permanent monuments and property line markers

Response: Acknowledged.

FRS Comments:

Comment 1: Overlay building footprint with floorplan to confirm main lobby and annunciator location

Response: The proposed locations of the main lobby and annunciator panel are indicated on revised Sheet A-02.

Comment 2: Confirm availability of 15 ft clear and walkable grade around exterior of the building

Response: There is availability of 15 foot clear and walkable grade around exterior of the building. Grandview Avenue includes a +16' sidewalk (including 6' tree pits) with a 47' wide roadway with parking.

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Triangle Lane includes a 12' wide sidewalk (including 5' tree pits) and a 20' wide roadway. The proposed driveway includes a +/-6'-0" sidewalk with stairs and a 12' road width.

Comment 3: Show compliant fire department vehicular access provided within 50ft of main side hinge door access to each ground floor occupancy including retail tenants

Response: Fire department vehicular access will be provided on Grandview Avenue within 50 feet of the main lobby vestibule doors. Ground floor access to the retail tenants is pending final layout of tenant's space, if additional access doors are needed, then they will be provided.

Comment 4: Show fire department water supply

Response: Fire Pump will be located at the northwest corner of the Sketch Plan project. Please refer to Sheet A-02 for clarification.

Comment 5: Identify location of any FDC(s) on the building

Response: The proposed location of the FDC on Grandview Avenue has been indicated on Sheet A-02. Please refer to the civil Existing Site Conditions Map for the locations of the fire hydrants.

DPS-SWM Comments:

Comment 1: No floodplain on site.

Response: Acknowledged.

Comment 2: Concept was denied on April 27, 2015. Address comments and resubmit.

Response: Acknowledged. Applicant will address Concept SWM plan comments directly with DPS.

DEP-WWPG Comments:

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Comment 1: The use of public (community) water service for this project is consistent with the existing W-1 water category designated for this site.

Response: Acknowledged.

Comment 2: The use of public (community) sewer service for this project is consistent with the existing S-1 sewer category designated for this site.

Response: Acknowledged.

WSSC Comments:

Design Review

Water and Sewer

Comment 1: Existing mains should be shown on plan and be labeled with correct pipe size, material and WSSC contract number.

Response: Acknowledged; to be addressed at the time of Site Utility Plan Review.

Comment 2: Add the proposed pipeline alignment(s) with water and sewer house connection(s) to the plan. Additionally, if easements are required their limits and locations must be shown. See WSSC Design Manual C-2.1

Response: Acknowledged; to be addressed at the time of Site Utility Plan Review.

Comment 3: Show right-of-way limits on plan for all existing and proposed water mains.

Response: Acknowledged; to be addressed at the time of Site Utility Plan Review.

Comment 4: Realign any pipeline that conflicts with large storm drains, culverts, deep side ditches, etc. Maintain the required horizontal clearances from other utilities, retaining walls, sediment traps, street lights, paving, etc. See WSSC Design Manual C-3.1

Response: Acknowledged; to be addressed at the time of Site Utility Plan Review.

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Comment 5: There is a large diameter PCCP main in the vicinity of this property; WSSC studies indicate that there is a potential risk of damage from flooding on this property.

Response: Acknowledged; to be addressed at the time of Site Utility Plan Review.

Rights of Way

Comment 6: The minimum horizontal clearance from a building to the outside diameter of a WSSC pipeline is 15-feet. The minimum spacing between adjacent buildings with both water and sewer lines between them must be 40-feet. In some cases where connections, fire hydrants, or deep water/sewer lines are involved, additional easement width is required.

Response: Acknowledged; to be addressed at the time of Site Utility Plan Review.

General

Comment 7: Any grading, change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC right-of-way requires advance approval by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street right-of-way requires WSSC approval directly on the original GEP prior to approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation or abandonment of existing WSSC facilities) is done at the sole expense of the applicant/builder/developer. Contact WSSC Relocations Unit at (301) 206-8672 for review procedures and fee requirements. See WSSC Design Manual, C-5.1 and Part Three, Section 11.

Response: Acknowledged; to be addressed at the time of Site Utility Plan Review.

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Comment 8: Show and label all existing nearby water and/or sewer service connections that may be impacted by the proposed development.

Response: Acknowledged; to be addressed at the time of Site Utility Plan Review.

Comment 9: WSSC facilities/structures cannot be located with a public utility easement (PUE) however WSSC pipelines may cross over a PUE. Revise the plan to relocate any pipeline, valve, fire hydrant, meter vault and any other WSSC facilities/structures outside of the PUE.

Response: Acknowledged; to be addressed at the time of Site Utility Plan Review.

Standard Comments

Comment 10: WSSC comments are made exclusively for this plan review based on existing system conditions at this time. We will reevaluate the design and system conditions at the time of application for water/sewer service.

Response: Acknowledged; to be addressed at the time of Site Utility Plan Review.

Comment 11: Coordination with other buried utilities:

- a. Refer to WSSC Pipeline Design Manual pages G-1 and G-2 for utility coordination requirements.
- b. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC right-of-way unless specifically approved by WSSC.
- c. Longitudinal occupancy of WSSC rights-of-way (by other utilities) is not permitted.
- d. Proposed utility crossings of WSSC pipelines or rights-of-way that do not adhere to WSSC's pipeline crossing and clearance standards will be rejected at design plan review. Refer to WSSC Pipeline Design Manual Part Three, Section 3.
- e. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including, impacts to proposed street, building and utility layouts.
- f. The applicant must provide a separate Utility Plan to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and rights-of-way.

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g. Upon completion of the site construction, utilities that are found to be located within WSSC's rights-of-way (or in conflict with WSSC pipelines) must be removed and relocated at the applicant's expense.

Response: Acknowledged; to be addressed at the time of Site Utility Plan Review.

Hydraulics

Comment 12: Hydraulic Planning Analysis may be requested from WSSC for pre-review of a proposed onsite system to address adequate flow and/or capacity concerns.

Response: A Hydraulic Planning Analysis has been submitted for review: Project Number DA5956Z15.

Comment 13: Site Utility System reviews are required for projects with proposed water connections greater than 2-inch or sewer connections greater than 4-inch. Contact the WSSC Permit Services Unit on (301) 206-4003 for submittal requirements or view our website.

Response: Acknowledged; to be addressed at the time of Site Utility Plan Review.

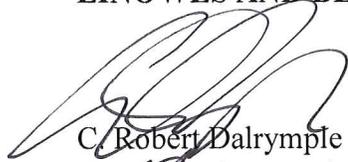
Comment 14: Water main replacement may be required for adequate fire flows to serve the proposed site.

Response: Acknowledged; to be addressed at the time of Site Utility Plan Review.

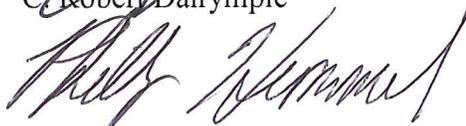
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Sincerely,

LINOWES AND BLOCHER LLP



C. Robert Dalrymple



Phillip A. Hummel

cc: Glenn Kreger
Khalid Afzal
Hilary Goldfarb
Brad Fox
Joanne Trumbo
Chris Kabatt
Dennis Carmichael