

NOV 5 2010



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 10-149  
Site Plan No. 820110010  
Project Name: Wheaton Safeway  
Date of Hearing: October 28, 2010

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION**

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is vested with the authority to review site plan applications; and

WHEREAS, on July 13, 2010, 11215 Georgia Ave LLC ("Applicant"), filed an application for approval of a Site Plan for a 195-foot tall, 17-story building with 486 residential dwelling units (including 12.5% MPDUs) and 59,500 square foot of commercial uses ("Site Plan" or "Plan") on 1.92 acres of CBD-3-zoned land, located on the northeast quadrant of the intersection of Georgia Avenue and Reddie Drive ("Property" or "Subject Property"); and

WHEREAS, Applicant's Site Plan application was designated Site Plan No. 820110010, Wheaton Safeway (the "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated October 14, 2010, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Staff and the staff of other governmental agencies, on October 28, 2010, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on October 28, 2010, the Planning Board approved the Application subject to conditions on the motion of Commissioner Dreyfuss; seconded by Commissioner Presley; with a vote of 5-0, Commissioners Alfandre, Carrier, Dreyfuss, Presley, and Wells-Harley voting in favor.

Approved as to  
Legal Sufficiency:

8787 Georgia Avenue, NDCPPC Legal Department 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

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NOW, THEREFORE, BE IT RESOLVED, that pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 820110010 for 195-foot tall, 17-story building with 486 residential dwelling units (including 12.5% MPDUs) and 59,500 square foot of commercial uses, on 1.92 gross acres in the CBD-3 zone, subject to the following conditions:

### **Conformance with Previous Approvals**

1. Project Plan Conformance

The development must comply with the conditions of approval for Project Plan 920100020 as listed in the Planning Board Resolution MCPB No. 10-55 dated May 19, 2010, unless amended.

2. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan 120100120 as listed in the Planning Board Resolution MCPB No. 10-45 dated May 19, 2010 unless amended. This includes but is not limited to all references to density, rights-of-way, dedications, easements, transportation conditions, DOT conditions, and DPS stormwater conditions.

### **Environment**

3. Forest Conservation & Tree Save

The development must comply with the conditions of the Final Forest Conservation Plan recommended by the Environmental Planning Division in their letter dated October 7, 2010, and revised on October 20, 2010 (attached hereto as Appendix A). The Applicant must satisfy all conditions prior to the recording of a plat(s) or to the issuance of sediment and erosions control permits by the Montgomery County Department of Permitting Services.

- a) Approval of a revised Final Forest Conservation Plan (FFCP) consistent with all final FCP regulatory requirements of Section 109B – Forest Conservation Regulations (COMCOR 22A.00.0109B) prior to any clearing, grading or demolition on the site.
- b) Inspections must occur consistent with Section 110 of the Forest Conservation Regulations.
- c) Submission of financial security for portion of forest planting requirement to be satisfied by fee-in-lieu.

4. Noise Attenuation

- a) Prior to release of the first building permit, the details for and location of noise mitigation techniques to attenuate current noise levels to no more than 65

dBA Ldn for areas of common outdoor activity in the Level 5 Terraces must be approved by Staff.

- b) Prior to release of the first building permit, the Applicant must provide certification from an acoustical engineer that the building shell has been designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. The builder commits to construct the units in accord with these design specifications, with any changes that may affect acoustical performance approved by the acoustical engineer in advance of installation.
- c) Prior to issuance of the final use and occupancy permit, the Applicant must certify that interior noise levels do not exceed 45 dBA Ldn.

5. Stormwater Management

The development is subject to Stormwater Management Concept approval conditions dated June 18, 2010 (attached as Appendix B), unless amended and approved by the Montgomery County Department of Permitting Services.

6. LEED Certification

The Applicant must achieve a LEED (Leadership in Energy and Environmental Design) Certified Rating Certification at a minimum. The Applicant must make good faith efforts to achieve a LEED Silver rating. Before the issuance of any use and occupancy certificate, the Applicant must inform Staff of the LEED Certification Level for which they are applying. If this level is less than a Silver rating, before the issuance of the final use and occupancy certificate, the Applicant must provide to Staff a written report from the Applicant's LEED consultant that analyzes the feasibility of achieving a LEED-Silver rating, and that includes an affidavit from a LEED-Accredited Professional identifying the minimum additional improvements and associated costs required to achieve the LEED Silver rating. Submission of this report, which is for public-record purposes only, constitutes compliance with this condition.

**Open Space & Recreation**

7. Recreation Facilities

- a) The Applicant shall meet the square footage requirements for all of the applicable recreational elements and demonstrate that each element is in conformance with the approved Maryland-National Capital Park and Planning Commission ("M-NCPPC") Recreation Guidelines.
- b) The Applicant shall provide the following recreation facilities onsite for the residents of the residential building: a swimming pool, an indoor fitness facility, an indoor community space, an indoor tot play room; and the following for the general public: two picnic/seating areas and a pedestrian system.

8. Maintenance of Amenities

The Applicant is responsible for maintaining, including repairs to all amenities including, but not limited to, a swimming pool, an indoor fitness facility, an indoor community space, an indoor tot play room, two picnic/seating areas and a pedestrian system, artwork, commemorative plaque, terraced plaza, and site furniture.

### **Transportation & Circulation**

#### **9. Transportation**

The Applicant must comply with the conditions of the M-NCPPC Transportation Division in the memorandum dated October 8, 2010 (attached as Appendix C).

#### **10. Reedie Median**

The Applicant must include the final design for the Reedie Drive median on the certified site plan, including adequate soil depth, plant materials, post and cable system, as applicable and curb treatment, subject to final approval by Montgomery County Department of Transportation ("MCDOT") and Montgomery County Department of Permitting Services ("MCDPS").

### **Housing**

#### **11. Moderately Priced Dwelling Units (MPDUs)**

- a) The Applicant must comply with the conditions of the Montgomery County Department of Housing and Community Affairs ("DHCA") in the letter dated September 29, 2010 (attached as Appendix D).
- b) The development must provide a minimum of 12.5% of the overall density as MPDUs onsite, consistent with the requirements of Montgomery County Code, Chapter 25A.
- c) The MPDU agreement to build shall be executed prior to the release of any building permits.
- d) All of the required MPDUs shall be provided on-site.

### **Site Plan**

#### **12. Site Design**

- a) Revise paving pattern and materials for the upper plaza area along Georgia Avenue (all outside the R.O.W.), to add variety and interest and to highlight different zones of pedestrian activity, such as stairs and building entries.
- b) Minimize linear feet of fencing on the terraces of Level 5 while conforming to the swimming pool (health) code and regulations.
- c) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheet A4.0 of the architectural drawings submitted to M-NCPPC on September 10,

2010, as determined by M-NCPPC Development Review and Urban Design Staff.

- d) Provide transparent material on the left wall of the grocery store main entrance.

### 13. Landscaping

- a) Provide a second row of trees on Georgia Avenue that will match the species on the Georgia Avenue right-of-way.
- b) Enlarge open lawn area on the terrace of Level 5 by eliminating the scored concrete walk between the planter and the open lawn.

### 14. Lighting

- a) The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for residential development.
- b) All onsite down-light fixtures must be full cut-off fixtures.
- c) House shields shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- d) The Applicant will install house shields on the light fixtures at the terrace level so that lighting does not trespass into residential units confronting the site.
- e) The height of the light poles for the ornamental light fixtures shall not exceed 12 feet including the mounting base.

### 15. Public Use Space and Amenities

- a) The Applicant must provide a minimum of 7,615 square feet for on-site public use space (9.9% of the net lot area).
- b) In-lieu-of providing as on-site public use space the remaining 7,731 square feet (10.1%) of the required 20% of the net lot area, the Applicant must contribute \$861,940 to M-NCPPC Public Use Space and Amenity Fund for enhancement of future amenity space in connection with any redevelopment of Montgomery County Parking Lot 13, in the Wheaton CBD. The contribution must be submitted to M-NCPPC prior to the release of the first building permit for deposit into a special escrow account specifically earmarked for Lot 13.
- c) Montgomery County or M-NCPPC will initiate a County Improvement Project (CIP) for the public use area for the redevelopment of Parking Lot 13, in the Wheaton CBD, which must be planned within 5 years of the accepted contribution and constructed within 10 years.
- d) If the redevelopment of Parking Lot 13 does not occur within the proposed phasing timeline, the Planning Board may extend the timeline or approve an alternate amenity site, as recommended by Staff, to satisfy the Applicant's public use space requirement. The alternate site must be in the public interest and consistent with the Amenity Fund Guidelines and Sector Plan

recommendations. Planning Board approval of this alternative site would not require an amendment to the Project Plan or Site Plan.

- e) As a public amenity, the Applicant must provide streetscape improvements per the Wheaton CBD Streetscape standards, or as amended, including the undergrounding of public utilities, along the property's frontage on Georgia Avenue, Reddie Drive, and Fern Street as illustrated in the Certified Site Plan, a total of approximately 13,800 square feet, or 18% of the net lot area.

#### 16. Public Art

- a) Provide for and install the public art concept designed by artist Judy Moore as presented to the Planning Department's Art Review Panel on September 21, 2010, and as illustrated in the Certified Site Plan.
- b) The Applicant must provide public art on-site, along the Georgia Avenue and Reddie Drive frontages, which is integrated into the overall site design. The artist Judy Moore, or someone designated in writing by her, must oversee design, fabrication, and installation of the art pieces.
- c) The Applicant must address the following comments from the Art Review Panel prior to certification of the Site Plan:
  - i. Avoid depicting art as a commercial expression of Safeway life. Consider activities that are more universally accessible and that engage to some extent in the steep nature of their mounting on poles.
  - ii. Provide an additional "teaser" piece along Reddie Drive which will draw people to find the other pieces.
  - iii. Relate the art pieces to one another as if telling a narrative and consider varying their placement within the landscape to create interest and add to sense of discovery.
- d) The public art design, including the material, location and details, must be provided on the Certified Site Plan. Location of art pieces may be adjusted at the time of installation to ensure maximum visibility.

#### 17. Wheaton CBD Streetscape Standards

The following minor modifications to the current Wheaton CBD Streetscape standards may be applied to the Project however will require formal approval from the Wheaton Urban District at the time of permitting:

- a) Module Pattern on Reddie Drive: extend the square paving pattern (8'x8' modules) from curb to building face. The module will start at the curb with only one row of buff pavers.
- b) Corners: extend the module pattern on the sidewalks to the corners as a grid, subject to final adjustments by the State Highway Administration ("SHA").
- c) Tree species: replace tree species along Georgia Ave., Reddie Dr., and Fern St. with willow oaks. If an alternative to the willow oak is required for Reddie Dr., it should be either London Plane or Ginkgo.

- d) Tree pits: enlarge the tree pits along Georgia Ave. and Reddie Dr. to 5'-6" x 13' which ensures better survivability of the street trees proposed and does not conflict with pedestrian circulation. Tree pits along Georgia Ave. and Reddie Dr. will be planted with groundcover (i.e. lirioppe) instead of having tree grates. The tree pit on Fern Street will not be enlarged and will keep the tree grate due to the narrowness of the sidewalk at this location.
- e) Maintenance Agreement: the Applicant will enter into a Maintenance Agreement with the Wheaton Urban District to for the maintenance of public rights-of-way and public use space associated with this project.

18. Landscape Surety

The Applicant shall provide a performance bond(s) in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a) The amount of the surety shall include plant material, on-site lighting, recreational facilities, site furniture, and artwork for the development. Surety to be posted prior to issuance of the first residential building permit for the development and shall be tied to the development program.
- b) Provide a cost estimate of the materials and facilities, which, upon Staff approval, will establish the initial bond amount.
- c) Completion of plantings for the development, to be followed by inspection and bond reduction. Inspection approval starts the 1 year maintenance period and bond release occurs at the expiration of the one year maintenance period.
- d) Provide a Site Plan Surety and Maintenance Agreement that outlines the responsibilities of the Applicant and incorporates the cost estimate. Agreement to be executed prior to issuance of the first residential building permit.

19. Development Program

The Applicant must construct the development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a) Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan ("FFCP"), Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices. Demolition of the existing building may occur upon approval of the FFCP and Sediment Control Plan.
- b) Street lamps and sidewalks must be installed within six months after street construction is completed. Street tree planting may wait until the next growing season.

- c) Streetscape improvements in the right-of-way to conform with the Wheaton CBD streetscape standards (or as amended) and must be completed prior to the release of any building occupancy permit for the residential units. Street tree planting may wait until the next growing season.
- d) The development program must provide phasing for installation of on-site landscaping and lighting.
- e) On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities must be installed prior to release of any building occupancy permit for the residential units.
- f) Recreation facilities, including a swimming pool, an indoor fitness facility, an indoor community space, an indoor tot play room, two picnic/seating areas and a pedestrian system, must be completed 6 months after the issuance of the final use and occupancy permit for the residential units.
- g) Artwork and associated uplight fixtures must be installed concurrently with the landscaping in the planters.
- h) The development program must provide phasing of dedications, stormwater management, sediment and erosion control, afforestation, trip mitigation, and other features.

**20. Certified Site Plan**

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the FFCP approval, stormwater management concept approval, development program, inspection schedule, and Site Plan Resolution on the approval or cover sheet.
- b) Add a note to the Site Plan stating that "M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading".
- c) Modify data table to reflect development standards enumerated in the Staff Report.
- d) Label the plant species and provide details of all materials on the terrace of Level 5.
- e) Provide the revised streetscape standards and median treatment in Reddie Drive on the certified site plan, subject to approval by MCDOT and MCDPS.
- f) Coordinate changes to trees species on both the FFCP and the landscape plan.
- g) Label the square footage of all applicable recreation facilities on the plans.

**BE IT FURTHER RESOLVED**, that all site development elements as shown on Wheaton Safeway drawings stamped by the M-NCPPC on September 10, 2010 and September 27, 2010 for the Level 5 landscape and lighting plans, shall be required, except as modified by the above conditions of approval; and



BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as presented at the Hearing and as set forth in the Staff Report (as revised at the Hearing), which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, and is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.*

The Site Plan is consistent with the approved Project Plan No. 920100020, except as expressly modified herein. The number of multi-family residential dwelling units has been reduced from the 500 to 486; and the building height has been reduced from 200 feet to 195 feet. These changes are consistent with the Project Plan approval since they are below the maximum standards approved with the Project Plan.

2. *The Site Plan meets all of the requirements of the CBD-3 zone, Optional Method of Development.*

The Subject Property is zoned CBD-3, which is governed by the development standards in Section 59-C-6.23 of the Montgomery County Zoning Ordinance. Based on the data table included in the Staff Report, which lists the Zoning Ordinance required development standards and the developments standards approved for this Project, and other evidence and testimony of record, the Board finds that the Application meets all of the applicable requirements of the CBD-3 Zone. The minimum lot size of 18,000 square feet for optional method projects is met. There is no maximum building coverage for optional method projects, but there is a requirement for the provision of a minimum of 20% of the net lot area as public use space, which this Project satisfies by providing plaza areas and an in-lieu payment to the amenity fund. Third, the maximum density for optional method projects in the CBD-3 Zone is 8.0; the Project's density is 5.29 FAR. The building height for a CBD-3 optional method project is normally limited to 143 feet but may be increased to 200 feet under Section 59-C-6.235(b) of the Montgomery County Zoning Ordinance "[if] approved by the Planning Board in the process of site plan ... as not adversely affecting surrounding properties." The height of 195 feet is appropriate for this most densely-zoned area of the Wheaton CBD and does not adversely affect the surrounding properties in any detrimental way given the urban context. Because this Project is within the Wheaton Parking Lot District, parking spaces are not required to be provided on

site, however, the project is subject to the Parking District Tax. The development expects to provide 28% fewer parking spaces than would be required by code, which is appropriate given the Project's proximity to Metro.

The following data table sets forth the development standards approved by the Planning Board and binding on the Applicant.

Data Table  
CBD-3 Zone, Optional Method of Development

Development Standard	Approved by the Planning Board and binding on the Applicant
<b>Site Area (square feet)</b>	
Gross Tract Area (including original prescriptive R/W for Georgia Ave)	108,557
Prior dedication	(-) 24,708
Existing lot area	83,849
New dedication	(-) 7,120
Net Tract Area	76,729
<b>Max. Density</b>	
Floor Area Ratio (FAR)	
- Total	5.29
- Non-residential FAR	0.55
Gross Floor Area (GFA)	
- Non-residential GFA <sup>(a)</sup>	59,500
- Residential GFA	<u>515,000</u>
- Total GFA	574,500
Max. No. of Dwelling Units	
- Market rate	425
- MPDUs	+ 61 (12.5%)
- Total d.u.s	486
<b>Min. Public Use Space (% of net lot)</b>	
On-Site Public Use Space	9.9 (7,615 sq ft)
On-Site Public Use Space provided via contribution to Amenity Fund	10.1 (7,731 sq ft)
Contribution to Amenity Fund	\$861,940
- 10.1% of assessed land value	
- 7,731 sf @ \$35/sf	
Off-Site Amenity Space	18.0 (13,800 sq ft)
Total Public Use & Amenity Space	38% (29,165 sq ft)

<b>Max. Building Height (feet)</b>	195 <sup>(b)</sup>
<b>Min. Setbacks (feet)</b>	
Georgia Ave	19
Reedie Drive	2
Fern Street	0
Alley	0
North Property Line	0
<b>Vehicular Parking</b>	
<b>Residential</b> - Efficiency units (114) - MPDU efficiency (16) - One-bedroom units (166) - MPDU one-bedroom units (24) - Two-bedroom units (145) - MPDU two-bedroom units (21) <b>Less 15% metro/CBD credit</b> <b>Total residential spaces</b>	Up to 411
<b>Non-residential</b> - Retail <b>Less 15% metro/CBD credit</b> <b>Total non-residential spaces</b>	Up to 140
<b>Total Parking</b>	Up to 551 <sup>(c)</sup>
<b>Min. Parking Mix</b>	
<b>Residential</b> - Accessible spaces - Motorcycle spaces - Bicycle spaces - Loading	9 11 20 2
<b>Non-Residential</b> - Accessible spaces - Motorcycle spaces - Bicycle spaces - Loading	6 3 22 2

<sup>(a)</sup> Per Section 59-C-6.234(b)(iii), the maximum permitted non-residential FAR not to exceed 62.5 percent of the gross floor area.

<sup>(b)</sup> As measured from a datum point of 446.18 on Georgia Avenue.

<sup>(c)</sup> The site is within the Wheaton Parking District, and therefore, no onsite parking is required; however, the project is subject to the Parking District Tax.

3. *The locations of the buildings and structures, the open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

a) Buildings and Structures

The location of the building and associated structures is adequate and efficient, while meeting the aesthetic concerns of the area, and does not pose any safety concerns on the site. The Site Plan replaces the existing Safeway store and associated parking structure with a 17-story high-rise residential building with 486 dwelling units (including 12.5% MPDUs) and 59,500 square feet of street-level commercial uses, including a grocery store and a separate retail space of 908 square feet.

The footprint of the building will take up most of the site, except for an area of public use space along Georgia Avenue. The 'building base' at street level consists of a grocery store, a separate retail space and a lobby area for the residential units. Below the base is a level of retail parking with 140 spaces and loading areas for the residential and commercial uses. Above the grocery store are 3 levels of residential parking with a combined total of 411 spaces. These levels of above ground structured parking will have a similar architectural treatment in terms of fenestration and materials as the rest of the building. The 17-story high-rise building of 195-feet features 3 separate towers of residential units above the building base that break up its massing. The towers overlook a green roof on the Terrace facing Georgia Avenue, and an amenity courtyard on the Terrace facing Reddie Drive. The architecture is modern and in keeping with the style of the recently developed residential buildings to the south.

At street level especially along Georgia Avenue and Reddie Drive, the architecture and design of the building are articulated to emphasize the pedestrian scale and activation of the streetscape environment. The building elevations include large amounts of glass surfaces and see-through storefronts. On Reddie Drive, the architecture highlights a secondary entrance to the grocery store with an elevator lobby at street level. The building elevations along Reddie Drive and Fern Street will include art graphics screened onto portions of window glass to activate these facades and to counter-balance the visual impact of the loading and vehicular entrances along Fern Street.

b) Open Spaces

The open spaces adequately and efficiently address the needs of the use and the recommendations of the Master Plan, while providing a safe and comfortable environment.

The development provides 7,615 square feet of on-site public use space (9.9% of the net lot area) and 13,800 square feet of off-site public *amenity* space (18% of the net lot area). The onsite public use space consists primarily of a terraced plaza area with seating and landscaped planters along the Georgia Avenue sidewalk. Public art was integrated into this area to provide increased visual interest for the pedestrian and to further activate the terraced plaza. The concept of the public art is to entice and engage the public by celebrating everyday life in Wheaton. The public art consists of a series of bronze stylized human figures engaged in common activities of urban life. The bronze figures vary in size from 14" to 28" tall and will be welded to a stainless steel pole, mounted slightly above the mature plant height in the planters. They will float, as it were, above the flowers, grasses, and shrubs in the planters.

The small public use space at the corner of Reddie Drive and Fern Street will have a commemorative plaque describing either a historical event occurring in Wheaton or the evolution of this particular site as a Safeway Store.

The balance of the required on-site public use space (10.1% of the net lot area, or 7,731 sf.) will be met via a contribution to the Amenity Fund, which will be used to enhance amenity space provided for in connection with the redevelopment of Montgomery County Parking Lot 13 in the Wheaton CBD. Parking Lot 13 is the appropriate location for the project's amenity fund contribution since Parking Lot 13 has been recommended as a major civic open space at numerous community discussions and visioning sessions conducted by the County as well as the Planning Department. Parking Lot 13 is also recommended as the possible location of a key civic open space for Wheaton in the Public Hearing draft of the Wheaton Sector Plan Update. The total contribution to the Amenity Fund has been reduced to \$861,940 from \$961,161 approved at Project Plan to reflect the most recent (and lower) assessed land value as determined by the Maryland State Department of Assessment and Taxation [Appendix E].

The off-site public *amenity* space includes the right-of-way areas abutting the site which will be upgraded to comply with the Wheaton CBD Streetscape standards, revised 2002, or as amended.

c) Landscaping and Lighting

The landscaping is adequate, safe, and efficient for the urban context in which this site is located. Street trees on all street frontages add scale to the pedestrian realm and soften the urban environment. On Georgia Avenue, the double row of street trees will better articulate the space between the street and the building

face and will better complement the massing of the building. The second row of trees along Georgia Avenue will be set in planters, which will provide a transition between the sidewalk and the public use space against the building. These planters with low-growing shrubs, perennials, groundcover and the bronze art pieces described above will add visual interest to the Georgia Avenue streetscape and public use space. Other landscaped areas highlight the residential entrance to the building and the corner of Reddie Drive and Fern Street. On the Reddie Drive Terrace located on Level 5, landscaped planters with ornamental trees, shrubs and grasses have been strategically placed to define spaces and amenity areas for the residents. The Georgia Avenue Terrace will be covered with a green roof with a variety of sedum species, which will make this area inaccessible except for maintenance needs. Additional green roofs will be placed on the top floor of the building and on the roof of the residential parking ramp. According to the stormwater concept approval, green roofs will cover at least 70% of the roof area.

All lighting fixtures in the public right-of-way will be in full compliance with the Wheaton CBD Streetscape Standards, revised 2002, or as amended. This includes a vehicular (tall) light of approximately 33.5 feet in height along Georgia Avenue, and a pedestrian (short) light of approximately 11 feet in height along Reddie Drive and Fern Street. Additional ornamental light fixtures with a pole height of approximately 12 feet will be located on the private public use space on Georgia Avenue next to the planters and will provide pedestrian lighting for the sidewalk and public use space on Georgia Avenue. Landscape up-light fixtures will be placed after the art pieces are installed to maximize visibility and intent of the artwork. The terrace on Level 5 will include the same 12-foot tall ornamental light fixtures on the pool terrace and 42-inch tall bollard lights elsewhere. The lighting provides safe, adequate and efficient illumination.

d) Recreation Facilities

The Site Plan satisfies the *1992 M-NCPPC Recreation Guidelines* by providing onsite amenities including a swimming pool, an indoor fitness facility, an indoor community space, an indoor tot play room, two picnic/seating areas and a pedestrian system, combined with offsite credit for proximity to the facilities at the Wheaton Forest Park and Wheaton Veteran's Park. The majority of the onsite amenities are located on the 5<sup>th</sup> floor of the building both indoors and outdoors on the Reddie Drive Terrace. The terrace has been designed to include a raised swimming pool and pool deck area, a hardscaped area with seating and a fireplace, and a small open lawn area. The indoor community space credit consists of a conference room and lounge on the 5<sup>th</sup> floor and a party room/multi-purpose room on the 17<sup>th</sup> floor. The facilities adequately and efficiently meet the

recreation requirements of this development, while providing safe and accessible opportunities for recreation.

e) Vehicular and Pedestrian Circulation

The Site Plan improves vehicular circulation on Georgia Avenue by reducing the number of curb cuts. The development provides one right-in/right-out vehicular entrance to the underground retail parking from Georgia Avenue. No vehicular access is provided off Reedie Drive. The remaining access and loading will take place off Fern Street. This includes separate full-movement access points for the residential and retail parking garages, and separate residential and retail loading areas. The vehicular circulation design efficiently directs traffic into and through the site with minimal impacts to pedestrian circulation.

Pedestrian circulation is directed around the perimeter of the building where the building fronts onto public streets, through the public art, landscaping, hardscaping, and installation of the Wheaton CBD Streetscape standards (or as amended as per the Conditions of this Resolution). Pedestrian access to the building along Georgia Avenue includes entrances to the residential building, grocery store and separate retail space. Along Reedie Drive, there will be a secondary entrance to the grocery store and residential egress. All access points to the ground-floor retail uses are crucial to activating the streetscape.

Pedestrian safety on Reedie Drive will be enhanced by the provision of a non-traversable median, which will discourage if not prevent mid-block pedestrian crossings and jay-walking. The design and treatment of this median will meet the non-traversable criteria while achieving environmental and retail visibility goals. The vehicular and pedestrian circulation systems are safe, adequate and efficient.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The mixed-use building is compatible with both existing and potential development in the general neighborhood and does not adversely affect the surrounding properties. The site is located in an area of highest intensity in the CBD (CBD-3) with allowable densities of up to 8.0 FAR, and maximum building heights of 200 feet, for optional method of development projects. The 17-story high rise of 195 feet is higher than the 4-5 story residential development to the south, and considerably higher than the primarily 1-story development to the north and west. However, because this development will be the first optional method project in Wheaton, it will in part set the stage for the future redevelopment of Wheaton where potential densities and building heights as

envisioned by the Master Plan are much higher than the existing fabric. In terms of urban design, the Site Plan maintains a similar building line as the existing residential buildings to the south, but adds pedestrian activation of the sidewalk along the property. The architecture will minimize the impacts of a fairly large building upon the surrounding community by breaking-up the massing into 3 towers above the residential parking level. The architecture continues the contemporary character of other recent renovations in this area of the CBD.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

A Natural Resource Inventory Forest Stand Delineation (NRI/FSD) #420100020 for the site was approved on July 13, 2009. A preliminary Forest Conservation Plan (PFCP) was approved by the Planning Board on April 15, 2010. This site has an afforestation requirement of 0.36 acres. The requirement will be met with a combination of on-site tree planting credit, and an in-lieu fee payment for the remainder.

As a condition of Preliminary Plan, noise mitigation techniques will be provided to attenuate current noise levels to no more than 65 dBA Ldn for areas for common outdoor activity in the Level 5 Terraces, and no more than 45 dBA Ldn for interior spaces as determined through a shell analysis.

The stormwater management concept consists of providing stormwater management control via Environmental Site Design to the Maximum Extent Practicable (ESD/MEP) with the use of a green roof. This is supplemented with five MCDPS approved proprietary structural filters. Recharge is waived since the majority of the site is covered by sidewalks, a building, and a garage.

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Planning Board and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this Resolution is NOV 5 2010 (which is the date that this Resolution is mailed to all parties of record); and

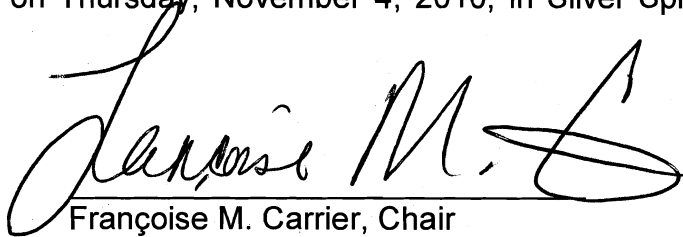


BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

\* \* \* \* \*

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Dreyfuss, seconded by Commissioner Presley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Dreyfuss and Presley voting in favor of the motion, and with Commissioner Alfandre absent, at its regular meeting held on Thursday, November 4, 2010, in Silver Spring, Maryland.



Françoise M. Carrier, Chair  
Montgomery County Planning Board

## Appendix A



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**TO:** Sandra Pereira, Senior Planner, Development Review  
**VIA:** Mark Pfefferle, Acting Chief, Environmental Planning *MP*  
**FROM:** Mary Jo Kishter, Senior Planner, Environmental Planning *MJK*  
**SUBJECT:** Site Plan and Final Forest Conservation Plan #820110010  
Wheaton Safeway at 11215 Georgia Avenue  
**DATE:** ~~October 7, 2010~~ Revised October 20, 2010

---

Environmental Planning staff has reviewed the above referenced Site Plan and Final Forest Conservation Plan #820110010, and recommends **approval** subject to the following conditions:

1. The proposed development shall comply with the conditions of the Final Forest Conservation Plan (FFCP) recommended by Environmental Planning (attached).
2. Prior to signature set, the details for and location of noise mitigation techniques to attenuate current noise levels to no more than 65 dBA Ldn for areas of common outdoor activity must be approved by staff.
3. Certification from an acoustical engineer that the building shell has been designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn prior to building permit. The builder commits to construct the units in accord with these design specifications, with any changes that may affect acoustical performance approved by the acoustical engineer in advance of installation.
4. The builder certifies that interior noise levels, after construction is complete, and before home occupancy that the interior noise levels do not exceed 45 dBA Ldn.

**BACKGROUND**

The site is located at the northeast quadrant of the Georgia Avenue/Reedie Drive intersection in Wheaton. The site also has frontage on the west side of Fern Street. The property totals 1.92 acres and is zoned CBD-3. The proposal is for redevelopment of the Safeway site for a mixed use development including first floor retail space and an 17-story high-rise, 486-unit residential building with structured parking. The site has frontage on Georgia Avenue and traffic-generated noise impacts are anticipated.

## **Environmental Guidelines**

There are no streams, wetlands, floodplains, or sensitive features on-site, nor any forest or significant and specimen trees. The site is located in the Sligo Creek watershed, a Use I designation. The site is predominantly flat and drains to the Georgia Avenue/Reedie Drive and Reedie Drive/Fern Street intersections. A Natural Resource Inventory Forest Stand Delineation (NRI/FSD) #420100020 is associated with the site and was approved on July 13, 2009.

## **Forest Conservation**

The site is subject to Section 22A of the County code. A preliminary Forest Conservation Plan (PFCP) was approved by the Planning Board on April 15, 2010. A final Forest Conservation Plan was submitted along with the Site Plan application. The forest conservation worksheet shows the gross tract area of 2.41 acres as the result of the incorporation of proposed off-site disturbance for improvements in the adjacent rights-of-way. There is no forest, significant and specimen trees on-site, nor any offsite trees which are affected by this development.

A revised FFCP was received by staff on ~~September 10, 2010~~ October 6, 2010. This site has an afforestation requirement of 0.36 acres. The requirement is proposed to be met with a combination of on-site tree planting credit, and an in-lieu fee payment for the remainder. Revisions are required to the FFCP as stipulated in the attached letter to the Applicant, with a recommendation of approval of the plan. ~~The applicant still has not fully complied with the preliminary forest conservation conditions that requires documentation that the tree pits have adequate soil area and volume to allow the individual trees to achieve their full and sustainable potential in this urban setting. If the applicant is unable to document this information the onsite credit will be reduced.~~

## **Noise**

Georgia Avenue is an urban major highway and given its proximity to the site, motor vehicle traffic-generated noise impacts are anticipated. The mixed use development proposal includes residential units above retail space.

Per condition of approval of the preliminary plan, a noise analysis was submitted to M-NCPPC staff on September 10, 2010. A noise analysis is necessary to determine the projected interior and exterior noise levels requiring mitigation for residential units facing Georgia Avenue, as well as the noise impacts to open space areas along Georgia Avenue. Conditions relating to the noise analysis are part of this recommended approval including that the noise analysis must provide further details for and location of noise mitigation techniques to attenuate current noise levels to no more than 65 dBA Ldn for areas proposed for common outdoor activity. Options for creating quieter areas within the exterior open space should be considered to enhance its value and usage, except for any type of structural noise mitigation that would visually screen the public-use areas. The conditions also require the applicant to verify that interior noise levels will not exceed 45 dBA Ldn through a shell analysis and that they commit to construct the building to achieve this interior noise level.

## **Stormwater Management**

The site has a Stormwater Management Concept Plan found to be acceptable with conditions by DPS on June 18, 2010. This concept includes on-site water quality control via a green roof, volume-based filters, and proprietary flow thru filters. The percentage of green roof will be a minimum of 70%. On-site recharge is not required since the majority of the site is covered by sidewalks, a building and a garage.

## **RECOMMENDATION**

Environmental Planning staff recommends approval of Site Plan #820110010 for the Wheaton Safeway site subject to conditions.

### **Attachment:**

1. Staff memo to applicant recommending Planning Board approval of the final forest conservation plan with conditions.



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

October 7, 2010 Revised October 20, 2010

Leith Wain  
11215 Georgia Avenue LLC  
11300 Rockville Pike, Suite 615  
Rockville, Maryland 20852

Re: Final Forest Conservation Plan  
Property Name: Wheaton Safeway  
Plan Number: 820110010  
Tract size/Net Tract Size: 1.92 acres/2.41 acres  
Zone/Land use Category: CBD-3/CIA


Dear Mr. Wain:

Based on the review by Environmental Planning staff of the Maryland National Capital Park and Planning Commission, the Final Forest Conservation Plan submitted to M-NCPPC on ~~September 10~~ October 6, 2010 for the plan identified above, is *conditionally approved* pending Planning Board actions with the following conditions:

1. Approval of a revised Final Forest Conservation Plan (FFCP) consistent with all final FCP regulatory requirements of Section 109B – Forest Conservation Regulations (COMCOR 22A.00.0109B) prior to any clearing, grading or demolition on the site. ~~The revised FFCP shall adequately address Environmental Planning staff's September 23, 2010 comments.~~
2. ~~Revise the FFCP to eliminate forest conservation credit for non-native tree species (Ginkgo). Only native tree species may receive credits toward the forest conservation planting requirement.~~
3. ~~Revise the FFCP to eliminate forest conservation credit for two of the honeylocust trees where the surface area and soil volume is inadequate to allow the trees to thrive and achieve canopy spread for which credit is proposed. Forest conservation credit is based on the expected 20-year canopy spread of individual trees and planting conditions must be sufficient for this to occur.~~
4. Inspections must occur consistent with Section 110 of the Forest Conservation Regulations.
5. Submission of financial security for portion of forest planting requirement to be satisfied by fee-in-lieu.

If you have any questions regarding these actions, please feel free to contact me at (301) 495-4701.

Sincerely,

  
Mary Jo Kishter  
Senior Planner  
Environmental Planning Division

Cc: FCP File 820110010  
Renee Montgomery, Safeway Eastern Division  
Meredith Byer, VIKA

## Appendix B



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Carla Reid  
Director

June 18, 2010

Jason Evans  
Vika, Inc.  
20251 Century Boulevard, Suite 400  
Germantown, MD 20874

Re: Stormwater Management **CONCEPT** Request  
for Wheaton Safeway  
Preliminary Plan #: 120100120  
SM File #: 236718  
Tract Size/Zone: 1.92 Ac./CBD-3  
Total Concept Area: 1.92 Ac.  
Lots/Block: 1-13/C  
Parcel(s): A & B  
Watershed: Sligo Creek

Dear Mr. Evans:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of providing stormwater management control via ESD to the MEP with the use of a green roof. This is supplemented with five MCDPS approved proprietary structural filters. Recharge is waived since the majority of the site is covered by sidewalks, a building, and a garage.

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

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Two of the proprietary filters will be volume-based and three will be flow-based.
6. The percentage of green roof is to be a minimum of 70%. At the design stage, try to provide as much green roof as possible.
7. All covered parking and loading docks are to drain to the WSSC sewer system.
8. Provide mechanical drawings that show the roof drains and any surface drains directing runoff to stormwater structures. Also demonstrate that all garage drains going to the WSSC system.
9. The green roof must be designed by a qualified professional.



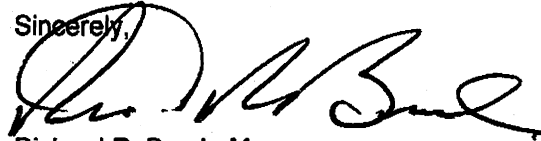
This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332.

Sincerely,



Richard R. Brush, Manager  
Water Resources Section  
Division of Land Development Services

RRB:dm CN236718 Wheaton Safeway REVISED.DWK

cc: C. Conlon  
M. Pfefferle  
SM File # 236718

QN -Onsite; Acres: 1.92  
QL - Onsite; Acres: 1.92  
Recharge is not provided

## Appendix C



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MEMORANDUM**

DATE: October 8, 2010

TO: Sandra Pereira, Planner/Coordinator  
Development Review Division

VIA: Shahriar Etemadi, Supervisor  
Move/Transportation Planning Division

FROM: Cherian Eapen, Planner/Coordinator  
Move/Transportation Planning Division  
301-495-4525

SUBJECT: Site Plan No.820010010  
Project Plan No. 920100020  
Preliminary Plan No. 1120100120  
Proposed Wheaton Safeway Development  
11215 Georgia Avenue, Wheaton  
Northeast corner of Georgia Avenue and Reddie Drive  
Wheaton Forest Subdivision:  
Part of Parcel A and Lots 1-13, Block C  
Part of previously abandoned Alley  
Part of Parcel B  
11215 Georgia Avenue LLC ("Applicant") and Safeway, Inc.  
Wheaton CBD and Vicinity Sector Plan  
Wheaton CBD Policy Area

OCT 8 2010

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This memorandum summarizes Transportation Planning staff's review of the site plan for the proposed Wheaton Safeway development in Wheaton and the preliminary plan requirement on the Applicant to finalize the Policy Area Mobility Review (PAMR) trip mitigation proposal for the subject development 60 days prior to any Planning Board site plan hearing for the development.

The preliminary plan approval condition required the Applicant to satisfy the PAMR requirement of the APF test by mitigating twenty-nine (29) "new" site-generated peak-hour trips. It also required identification of a PAMR measure from the mitigation measures listed below for implementation by the Applicant:

- a. Installation of two (2) real-time transit information signs at the Wheaton Metrobus Station, or
- b. Improvements to Reddie Drive between Georgia Avenue and Fern Street within existing curbs to enhance operational efficiency and safety of vehicular and pedestrian movements along Reddie Drive.

Based on the above requirement, the Applicant is proposing to implement improvements to Reddie Drive between Georgia Avenue and Fern Street (i.e., Option b. above) and has worked with Planning Department and DOT staff to finalize the design for Reddie Drive. As a result, this section of Reddie Drive will include 14-foot wide through travel lanes in each direction, 11-foot wide left-turn lanes at Georgia Avenue and at Fern Street, and an 8-foot wide mounded, landscaped median throughout. The cross-section as above, with a wide through travel lane, provides comfort for on-road bicyclists. Additionally, with a goal to enhance pedestrian safety and discourage mid-block pedestrian crossing and jay-walking, the median along Reddie Drive was designed to be as non-traversable and aesthetically pleasing as possible.

The Applicant thus satisfies the PAMR requirement conditioned as part of the APF approval for the preliminary plan.

The DOT letter confirming proposed improvements along Reddie Drive to satisfy the PAMR improvements is attached to this memo.

SE:CE:tc  
Attachment

cc: Justin Clarke  
Greg Leck  
Sarah Navid  
Will Haynes  
Gary Erenrich  
Corren Giles  
Wes Guckert

mno to sp on Wheaton Safeway Site Plan.docx



DEPARTMENT OF TRANSPORTATION

Isiah Leggett  
County Executive

September 3, 2010

Arthur Holmes, Jr.  
Director

Mr. Shahriar Etemadi, Planning Supervisor  
Transportation Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 120100120  
Wheaton Safeway  
Policy Area Mobility Review (PAMR)

*Shahriar*  
Dear Mr. Etemadi:

There have been multiple discussions and meetings with the representatives for the applicant and the M-NCPPC regarding the Policy Area Mobility Review (PAMR) mitigation requirement for the site. This letter is to formally advise you that MCDOT accepts the proposed improvements along Reddie Drive to satisfy the PAMR requirement; specifically those improvements will include construction of an eight (8) foot wide, non-traversable median on Reddie Drive between Georgia Avenue (MD 97) and Fern Street. The median must be designed to function as a pedestrian buffer and provide left turn storage lanes at the intersections with Georgia Avenue (MD 97) and Fern Street. Geometric details and landscaping treatment for the median must be conceptually approved by the MSHA (at the Georgia Avenue intersection), MCDOT, and MCDPS during the site plan stage.

If you have any questions or comments regarding this letter, please contact Ms. Dewa Salihi, our Development Review Area Engineer for this vicinity, at (240) 777-2197 or [dewa.salihi@montgomerycountymd.gov](mailto:dewa.salihi@montgomerycountymd.gov).

Sincerely,

Gregory M. Leck, P.E., Manager  
Development Review Team

M:\subdivision\SM\111001\_PIS\Wheaton Safeway\Wheaton Safeway PAMR.gml revs.doc

cc: Glenn Cook, The Traffic Group  
Jagdish Mandavia, VIK A  
Steve Robins, Lerch Early & Brewer

cc-e: Cherian Eapen, MNCPPC-TPD  
Corren Giles, MSHA EAPD  
Sarah Navid, MCDPS RWPPR  
Gary Erenrich, MCDOT DO  
Brett Linkletter, MCDOT DHS  
Fred Lees, MCDOT DTEO  
Bruce Mangum, MCDOT DTEO  
William Haynes, MCDOT DTEO  
Dewa Salihi, MCDOT DTEO

**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](mailto:trafficops@montgomerycountymd.gov)

## Appendix D



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett  
County Executive

Richard Y. Nelson, Jr.  
Director

September 29, 2010

Ms. Sandra Pereira  
Development Review Division  
M-NCPPC  
8787 Georgia Ave.  
Silver Spring, MD 20910

RE: Wheaton Safeway Site Plan Application No. 820110010

Dear Ms. Pereira:

The Department of Housing and Community Affairs (DHCA) has reviewed the applicant's revisions to the above-referenced site plan application. Please note the following comments:

- The number and bedroom proportions of the MPDUs are correct.
- The maximum percentage of MPDUs on any given floor is twenty-two percent (22%), which is an acceptable distribution.
- With the exception of the 758 net square foot two-bedroom MPDUs (Unit 2A-4), the applicant's submitted architectural plans show that all unit types that include MPDUs also include market rate units. The applicant has agreed to provide three (3) more 793 net square foot two-bedroom (Unit 2A-3) MPDUs, and to convert three of the 758 net square foot two-bedroom MPDUs (Unit 2A-4) to market rate units. Although the MPDU unit sizes are technically smaller than the MPDU minimum specifications, these unit sizes are acceptable to DHCA because the building includes market rate units that are the same size.

Please note that DHCA will need to review any amendment to this site plan that changes the number, size, and/or bedroom distribution of the market rate units and MPDUs. DHCA will also expect that any such amendment will include market rate units that are the same size and unit type as the MPDUs.

**Division of Housing and Code Enforcement**

Code Enforcement	Moderately Priced	Housing Development	Landlord-Tenant Affairs
FAX 240-777-3701	Dwelling Unit	and Loan Programs	FAX 240-777-3691
	FAX 240-777-3709	FAX 240-777-3691	

If you have any questions, please call Lisa Schwartz at 240-777-3786.

Sincerely,



Christopher J. Anderson  
Manager, Single Family Housing Programs

CJA:lss

cc: Steven A. Robins, Lerch, Early & Brewer  
M. Terry Green, Patriot Realty  
Jerry T. Ricciardi, Patriot Realty  
Joseph T. Giloley, DHCA  
Lawrence C. Cager, DHCA

S:\Files\FY2011\Housing\MPDULisa Schwartz\Wheaton Safeway Letter 9-29-10.doc



## Appendix E

**Account Identifier:** District - 13 Account Number - 01268751

Owner Information			
<b>Owner Name:</b>	SAFEWAY INC	<b>Use:</b>	COMMERCIAL
		<b>Principal Residence:</b>	NO
<b>Mailing Address:</b>	C/O CPTS #4964 1371 OAKLAND BLVD STE 200 WALNUT CREEK CA 94596-4357	<b>Deed Reference:</b>	1) /17927/ 434 2)

Location & Structure Information									
<b>Premises Address</b>					<b>Legal Description</b>				
11215 GEORGIA AVE SILVER SPRING 20902					PT PAR A & LT 1 THRU 13 WHEATON FOREST				
<b>Map</b>	<b>Grid</b>	<b>Parcel</b>	<b>Sub District</b>	<b>Subdivision</b>	<b>Section</b>	<b>Block</b>	<b>Lot</b>	<b>Assessment Area</b>	<b>Plat No:</b>
JQ11				80		C		1	
					<b>Town</b>				
<b>Special Tax Areas</b>					<b>Ad Valorem</b>				
					<b>Tax Class</b> 82				
<b>Primary Structure Built</b>			<b>Enclosed Area</b>		<b>Property Land Area</b>		<b>County Use</b>		
1968			22,979 SF		65,056.00 SF		541		
<b>Stories</b>	<b>Basement</b>	<b>Type</b>	<b>Exterior</b>						

Value Information				
	Base Value	Value	Phase-in Assessments	
			As Of	As Of
			01/01/2010	07/01/2010
<b>Land</b>	5,855,000	5,855,000		07/01/2011
<b>Improvements:</b>	1,252,400	1,252,400		
<b>Total:</b>	7,107,400	7,107,400	7,107,400	7,107,400
<b>Preferential Land:</b>	0	0	0	0

Transfer Information			
<b>Seller:</b>	METROPOLITAN LIFE INS CO	<b>Date:</b>	03/08/2000
<b>Type:</b>	MULT ACCTS ARMS-LENGTH	<b>Deed1:</b>	/17927/ 434
<b>Price:</b>		<b>Deed2:</b>	
<b>Price:</b>	\$5,000,000	<b>Deed2:</b>	
<b>Seller:</b>		<b>Date:</b>	
<b>Type:</b>		<b>Deed1:</b>	
<b>Price:</b>		<b>Deed2:</b>	
<b>Price:</b>		<b>Deed2:</b>	

Exemption Information			
<b>Partial Exempt Assessments</b>	<b>Class</b>	07/01/2010	07/01/2011
<b>County</b>	000	0	0
<b>State</b>	000	0	0
<b>Municipal</b>	000	0	0
<b>Tax Exempt:</b>	NO	<b>Special Tax Recapture:</b>	
<b>Exempt Class:</b>		* NONE *	