

ATTACHMENT 15



Isiah Leggett
County
Executive

DEPARTMENT OF TRANSPORTATION

Al R. Roshdieh
Director

May 2, 2017

Mr. Patrick Butler, Regulatory Acting Supervisor
Area 2 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 120160290
Design Exception Package
WMAL Property

Patrick
Dear Mr. Butler:

We have completed our review of the preliminary plan dated April 25, 2017. A previous version of this plan was reviewed by the Development Review Committee at its meeting on July 11, 2016. We recommend approval of the plan subject to the following comments:

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

Design Exception Request

- Public Street "B," Renita Lane extension (current terminus to Greentree Road) - The applicant proposes three modified sections along the length of the Renita Lane extension Greentree Road.

West end, between Greentree Road and Private Street "3" - The applicant proposes to modify MC-2002.02 to result in a twenty-eight (28) foot wide closed pavement section within a sixty (60) foot wide right-of-way; therefore, the paving section is being reduced by one and one-half (1.5) feet. The applicant is proposing a wider tree panel to accommodate stormwater management in the right-of-way for the road. No parallel parking is proposed in this section of the road. At street intersections, the paving section will be reduced to twenty (20) feet to provide traffic calming per the Department of Permitting Services guidelines.

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178

FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

Response: As this residential street is not envisioned to be a primary access route for the future school and due to the stormwater management directly adjacent to the northside curb, MCDOT **recommends the paving section be reduced to twenty (20) feet wide**. Parallel parking is not being proposed along this section of roadway since people will not have a place to step when getting out curb side. The applicant should also provide a continuous crowned roadway between Greentree Road and Private Street "1". The preliminary plan details on sheet eleven (11) of seventeen (17) will need to be amended to reflect the reduced paving section prior to certified preliminary plan.

Middle Section (between Private Street "3" and Private Street "1") – The applicant proposes to again modify county standard MC-2002.02. This modification will provide a twenty-nine (29) feet four (4) inch right-of-way. This will be accompanied by a twelve (12) foot Public Improvement Easement (PIE) on both sides of the right-of-way. The PIE will accommodate the proposed a six (6) foot wide tree panel, five (5) foot wide concrete sidewalk and a one (1) foot wide maintenance strip. At street intersections, the paving section will be reduced to twenty (20) feet to provide traffic calming. In addition, the applicant proposes to crown the road in the middle (fourteen [14] feet) of the road.

This request also requires a waiver from the Planning Board per Bill 34-16, Ordinance no. 18-19. *"The Board may approve a narrower than standard road right-of-way if it meets minimum fire access requirements and the Board finds that a narrower right-of-way is environmentally preferable...."* The applicant is requesting the narrower right-of-way due to environmental concerns.

Response: MCDOT **approves** the request to modify the roadway standard to allow for a six (6) foot wide tree panel and a five (5) wide concrete sidewalk. In addition, MCDOT **recommends the Planning Board approve** the request to narrow this portion of Renita Lane. The reduction will allow for more existing forested lands to be retained.

MCDOT **does not approve** the crown as shown on preliminary plan detail sheet eleven (11) of seventeen (17). The applicant should provide a continuous crowned roadway from Greentree Road to Private Street "1". The preliminary plan detail sheet will need to amended to reflect this change prior to certified preliminary plan.

East End (between Private Street "1" and the Existing Renita Lane) – The applicant proposes to modify the proposed Renita Lane right-of-way for a secondary residential street (MC-2002.02). They are requesting a twenty-seven (27) feet four (4) inch wide right-of-way with a twenty-six (26) foot wide paving section. This will be accompanied by a seven (7) foot Public Improvement Easement (PIE) on both sides of the right-of-way. The PIE will allow for the planting of street trees. A sidewalk is not being proposed on this section of Renita, since there are not any sidewalks in the existing neighborhood. The reduction for the right-of-way is requested to retain more forested area. At street intersections, the paving section will be reduced to twenty (20) feet to provide traffic calming per the Department of Permitting Services guidelines.

Response: MCDOT **approves** the request to modify the County Standard MC-2002.02 (to not provide for sidewalk). In addition, MCDOT **recommends the Planning Board approve** the request to narrow this portion of Renita Lane.

Plan Review Comments

1. Full width dedication of Greyswood Road in accordance with the master plan.
2. Full width dedication and construction of all interior public streets.
3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
4. Grade establishments for all new public streets and/or pedestrian paths must be approved prior to submission of the record plat.
5. The proposal for private streets as shown on the preliminary plan dated April 25, 2017, (and documented in an April 7, 2017, Statement of Justification document) is acceptable to this Department. The proposed private streets are not in the master plan and are not needed for general circulation. The proposed private street design elements are not consistent with those that might be allowed under a Right-of-Way construction permit with an accompanying Maintenance and Liability Agreement. We support Planning Board approval of the private streets request subject to execution and recordation of a Declaration of Restrictive Covenants (for Private Roads). The deed reference for this document is to be identified on the record plat.

Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan.

6. The analysis (for capacity and impact of the project on the County maintained storm drain systems) has been reviewed and is acceptable to MCDOT. The applicant will be required to upgrade two concrete pipes (fifteen [15] and eighteen [18] inch pipes) in the Greentree Road right-of-way (one running across the road, the other flowing north to a downstream inlet) for the Montgomery County storm drain system (Study point #3), as discussed in the October 27, 2016, "WMAL Bethesda, Public Storm Drain Analysis" letter.

We defer to Maryland State Highway Administration for any improvements to the State maintained storm drain system.

7. Size storm drain easement(s) prior to record plat. No fences will be allowed within the storm drain easement(s) without a revocable permit from the Department of Permitting Services and a recorded Maintenance and Liability Agreement.
8. We support stormwater management in the County right-of-way for the public streets. Details of the stormwater management to be finalized at the permit stage.
9. The sight distance study has been accepted. A copy of the accepted Sight Distance Evaluation certification form is enclosed for your information and reference.
10. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots

accessed by each common driveway.

11. Waiver from the Montgomery County Planning Board to delete sidewalks on the eastern portion of the proposed Renita Lane as shown on the preliminary plan, a secondary classification roadway.

In accordance with Section 49-33(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision. Sidewalks are to be provided on both sides of the proposed public streets.

12. Dedication or reservation of park and/or school sites as required by the Montgomery County Planning Board or the Montgomery County Board of Education.
13. Provide a ten (10) foot wide Public Utility Easement (PUE) along all existing and proposed street frontages. Where a Public Improvement Easements (PIE) are being proposed, the PUE will need to be increased by the width of the PIE.
14. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.
15. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
16. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
17. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.
18. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - a. Street grading, paving, curbs and gutters, sidewalks and handicap ramps, storm drainage and appurtenances, and street trees along Greentree Road and Greyswood Road extended in accordance with Montgomery County (standard MC-2003.11) and Renita Lane extended per the comments in this letter for the proposed Design Exception.

NOTE: the Public Utilities Easement is to be graded on a side slope not to exceed 4:1.

- b. Upgrade the proposed Montgomery County maintained storm drain system within the Greentree Road right-of-way as per comment no. 6 in this letter.
- c. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.

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- d. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- e. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- f. Developer shall ensure final and proper completion and installation of all utility lines underground, for all new road construction.
- g. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Ms. Rebecca Torma, our Development Review Senior Planning Specialist for this project at rebecca.torma-kim@montgomerycountymd.gov or (240) 777-2118.

Sincerely,



Gregory M. Leck, Manager
Development Review Team
Office of Transportation Policy

Sharepoint/DOT/directors office/development review/rebecca/developments/north Bethesda/WMAL/12060290 WMAL DOT
prelim plan ltr.docx

Enclosure

cc:	Tom Mateya	DC Radio Assets LLC/Toll Brothers, Inc.
	Gary Unterberg	Rodgers Consulting, Inc.
	Frank Bossong	Rodgers Consulting, Inc.
	Patricia Harris	Lerch, Early & Brewer
	Khalid Afzal	M-NCPPC Area 2
	Ed Axler	M-NCPPC Area 2
	Daniel Janousek	M-NCPPC Area 2
	Preliminary Plan folder	
	Preliminary Plan letters notebook	

cc-e:	Chris Conklin	MCDOT DO	Kyle Liang	MCDOT DTEO
	Atiq Panjshiri	MCDPS RWPR	Rebecca Torma	MCDOT OTP
	Sam Farhadi	MCDPS RWPR		
	Dan Sanayi	MCDOT DTEO		

Form Reformatted:
March, 2000



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

May 1, 2017

Mr. Uri Pasternak, P.E.
Rodgers Consulting, Inc.
19847 Century Blvd., Suite 200
Germantown, MD 20874

Re: **STORMWATER MANAGEMENT CONCEPT**
Request for WMAL Bethesda
Preliminary Plan #: 120160290
SM File #: 281986
Tract Size/Zone: 74.83 Ac. / R-90
Total Concept Area: 74.83
Parcel(s): N495
Watershed: Cabin John Creek

Dear Mr. Pasternak:

Based on a review by the Department of Permitting Services Review Staff, the Stormwater Management Concept for the above mentioned site is **acceptable**. The Stormwater Management Concept proposes to meet required stormwater management goals via ESD to the MEP by the use of micro-bioretenention structures. Additional fifty-year control is provided at drainage are 2 due to an existing pond below the property. This pond provides stormwater management for an adjacent property and was designed for a 50-year storm.

The following items will need to be addressed prior to Site Plan approval stage:

1. Submission and approval of a **Site Development Stormwater Management Plan** is required prior to Site Plan approval. If the project will be submitted in phases, each phase must be clearly indicated in the submission by clearly showing the phasing limits on the plan and by giving each phase a unique name (i.e. Phase 1, Phase 2, etc.). Also at this time, we will take a second look at the underground storage with regards to grading and layout.
2. Provide large scale plan views showing all proposed grading of lots, HOA property, roads and all stormwater management structures.
3. A detailed review of the stormwater management computations will occur at the time of detailed plan review.

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

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



DEPARTMENT OF PERMITTING SERVICES

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Director

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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,


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

MCE: me CN281986 WMAL Bethesda.DWK

cc: C. Conlon
SM File # 281986

ESD Acres:	60.36
STRUCTURAL Acres:	27.5
WAIVED Acres:	0.00



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 11-Apr-17
TO: Frank Bossong - fbossong@rodgers.com
Rodgers Consulting, Inc.
FROM: Marie LaBaw
RE: WMAL Bethesda
120160290

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **11-Apr-17** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** Draft parking restrictions to be submitted at time of site plan *****

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

December 8, 2016

Mr. Koby Snow
Phoenix Noise & Vibration, LLC
5216 Chairmans Court, Suite 107
Fredrick, MD 21703

Dear Mr. Snow:

Thank you for the opportunity to review the Phase 1 Noise Analysis for the proposed **WMAL Property North Bethesda development – SHA Tracking No.:16APMO023XX** in Montgomery County. The State Highway Administration (SHA) has reviewed the analysis and is pleased to respond.

The SHA concurs with the report findings for this project as currently proposed. However, an access permit will be required for all construction within the SHA right of way. Please submit one (1) set of the proposed improvement plans (including a set of hydraulic plans and computations) and a CD containing the plans and all supporting documentation to Mr. Brian Young at 9300 Kenilworth Avenue, Greenbelt, MD 20770, attention of Mr. Kwesi Woodroffe. Please reference the SHA tracking number on any future submissions. Please keep in mind that you can view the reviewer and project status via SHA Access Management Division web page at <http://www.roads.maryland.gov/pages/amd.aspx>. Please note, if this project has not obtained an SHA access permit and begun construction of the required improvements within five (5) years of this approval, extension of the permit shall be subject to the submission of updated analysis in order for SHA to determine whether the proposed improvements remain valid or if additional improvements will be required of the development.

My telephone number/toll-free number is 410-545-0400 or 1-800-206-0770
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

Mr. Koby Snow
SHA Tracking No.:16APMO023XX
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If you have any questions, or require additional information, please contact Mr. Kwesi Woodroffe at 301-513-7347, by using our toll free number (in Maryland only) at 1-800-749-0737 (x7325), or via email at pchoudhury@sha.state.md.us.

Sincerely,



Brian W. Young
District Engineer

BWY/nk

cc: Mr. Kwesi Woodroffe, SHA District 3, Regional Engineer
Mr. Kenneth Polcak, SHA OPPE- EPLD, Team Leader