



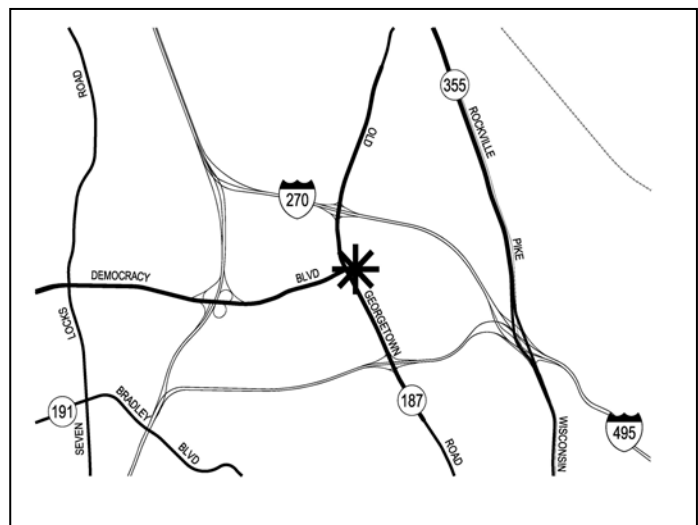
Wildwood Manor Shopping Center, Limited Site Plan Amendment 82004016B

- ☐ LS Lori Shirley, Planner Coordinator, Area 2 Division, Lori.Shirley@montgomeryplanning.org, 301-495-4557
- ☐ PB Patrick Butler, Acting Supervisor, Area 2 Division, Patrick.Butler@montgomeryplanning.org, 301-495-4561
- ☐ Khalid Afzal, Acting Chief, Area 2 Division, Khalid.Afzal@montgomeryplanning.org, 301-495-4650

Completed: 9/1/17

Description

- Request to amend an approved Site Plan for a 4,971-square-foot building addition, realign vehicular access, improve landscaping, stormwater management, parking lot circulation and additional parking spaces;
- Location: 10233 Old Georgetown Road (MD 187) in the northeast quadrant of the Cheshire Drive intersection, Bethesda;
- Size: 11.6 acres;
- Split-zoned: CRT-0.75, C-0.75, R-0.25, H-35, NR-0.75, H-45 and R-90;
- 1992 *North Bethesda/Garrett Park Master Plan*;
- Applicant: Federal Realty Investment Trust;
- Accepted: 9/25/14.



Summary

- Staff recommends approval of Limited Site Plan Amendment 82004016B, with conditions.
- The area inside the Amendment's scope of work is exempt from Chapter 22A, Forest Conservation (exemption issued on September 26, 2016).
- Per the grandfathering provisions of Section 59.7.7.1.B.1., of the current Zoning Ordinance, the project is reviewed under the Zoning Ordinance in effect on October 29, 2014. Off-street parking standards are reviewed per the current Zoning Ordinance Section 59.7.7.1.B.3.b.
- E-mail correspondence has been received from one noticed party as of the date of this Staff Report.

SITE PLAN AMENDMENT RECOMMENDATION AND CONDITIONS

Staff recommends approval of Limited Site Plan Amendment No. 82004016B for an additional 3,720 square feet for a total of 88,430 square feet of retail, and associated landscape, stormwater management, and access improvements in parking lots. All site development elements shown on the latest version of Site Plan drawings submitted via ePlans to the M-NCPPC as of the date of this Staff Report are required, except as modified by the following conditions:

1. Site Plan Conformance
The development must comply with the conditions of approval for Site Plans 820040160 and 82004016A.
2. Special Exception Conformance
The development must comply with the conditions of approval of Special Exception CBA-357 dated January 30, 1956.
3. Transportation
The overall development on the site is limited to a total of 88,430 square feet of general retail space with a grocery store. Any change of use must be reevaluated for compliance with the APF regulations.
4. The Adequate Public Facility (APF) review for the addition of 3,720 square feet of general retail space with a grocery store will remain valid for sixty-one (61) months from the date of the mailing of this Planning Board's Resolution.
5. Prior to issuance of the final Use and Occupancy Certificate, the Applicant must upgrade the meandering pedestrian connection from the Cheshire Drive/Grosvenor Lane intersection, as shown on the Certified Site Plan.
6. Prior to issuance of the final Use and Occupancy certificate, the Applicant must provide two inverted-U bike racks, or equivalent, as approved by staff located near the entrance of the proposed addition and shown on the Certified Site Plan.
7. Environment
The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept letter dated May 18, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the stormwater management easements and facilities.
8. Landscape Plan
Prior to the end of the first planting season after issuance of the final Use and Occupancy Certificate, all landscape plant materials must be installed.

9. The existing overgrown landscaping along the Site's frontage of Cheshire Drive must be trimmed and maintained. The Applicant must create an enhanced landscaping screen, where several gaps in this landscape area exist, through native species plants approved by the Staff and as shown on the Certified Site Plan and extend the existing wood fence in relation to Cheshire Drive to the southwest edge of the realigned driveway aisle to block headlight glare.

10. Lighting Plan

- a) Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance -MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting installation must be in accordance with these recommendations.
- b) All onsite down-lights must have full cut-off fixtures.
- c) Deflectors will be installed on all proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from onsite lighting must not exceed 0.5 footcandles at any property line abutting residentially developed properties.
- e) Pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f) On the rooftop of the building, any light pole height must not exceed the height illustrated on the Certified Site Plan.

11. Site Plan Surety and Maintenance Agreement

Prior to the issuance of any building permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to, bike racks, plant material, on-site lighting, sidewalks, site furniture, trash enclosures, retaining walls, fences, railings, paths and associated improvements of development, including storm drainage facilities, street trees and lighting.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon the inspector recommendation and that the remaining surety is sufficient to cover completion of the remaining work.
- d) The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.

12. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

13. Certified Site Plan

The Certified Site Plan must include the following revisions subject to Staff review and approval:

- a) Stormwater management concept approval letter, development program, and Site Plan Resolution (and other applicable resolutions) on the approval or cover sheet(s).
- b) A note stating that "M-NCPPC Staff must inspect protection devices before clearing and grading."
- c) A note stating that "minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- d) Modified data table to reflect development standards approved by the Planning Board.
- e) Consistency of all details and layout between the approved limits of Site and Landscape plans.
- f) Signage details and its location in relation to the ADA-compliant path.
- g) Address review comments from the DPS Right-of-Way Section as in their conditions of approval memo dated May 23, 2017 as follows:
 1. For the existing driveway to remain:
 - a. Provide actual sight distance analysis;
 - b. Label the curb radii for and provide truck turning for all movements.
 2. Along the County frontage on Cheshire Drive:
 - a. Ensure the sidewalks are a minimum 5 feet wide and ADA-compliant;
 - b. Close the unused curb cut to the north of the existing driveway;
 - c. Plant minor species trees where needed (30' apart);
 - d. Provide and label the Public Utility Easement (PUE) along the Site's frontage.

SECTION 1: SITE DESCRIPTION, BACKGROUND AND PROPOSAL

Site Vicinity and Context

The 11.61-acre Property (outlined in red in Figure 1) is split-zoned: CRT-0.75, C-0.75, R-0.25, H-35; NR-0.75, H-45; and R-90. The front portion of the shopping center on Old Georgetown Road is zoned NR-0.75, H-45 (Neighborhood Retail); the 5.2-acre portion along the rear is zoned R-90 (Residential, one-family); and the gas station along Old Georgetown Road is zoned CRT (Commercial Residential Town). The existing Exxon Gas Station is located at the northwest corner of the Site. The Site is in the 1992 *North Bethesda/Garrett Park Master Plan* area.

Other sites in the vicinity include: the Aubinoe Property, developed with medical offices and off-street parking to the north; the Wildwood Manor subdivision (single-family detached) to the east and southeast; and Saint Luke's Episcopal Church to the southwest between Old Georgetown Road and Grosvenor Lane. Two other churches and a cemetery across Old Georgetown Road are located to the southwest; the Marymount subdivision (single-family detached) is to the west; and the Georgetown Square Shopping Center is to the northwest across Old Georgetown Road.

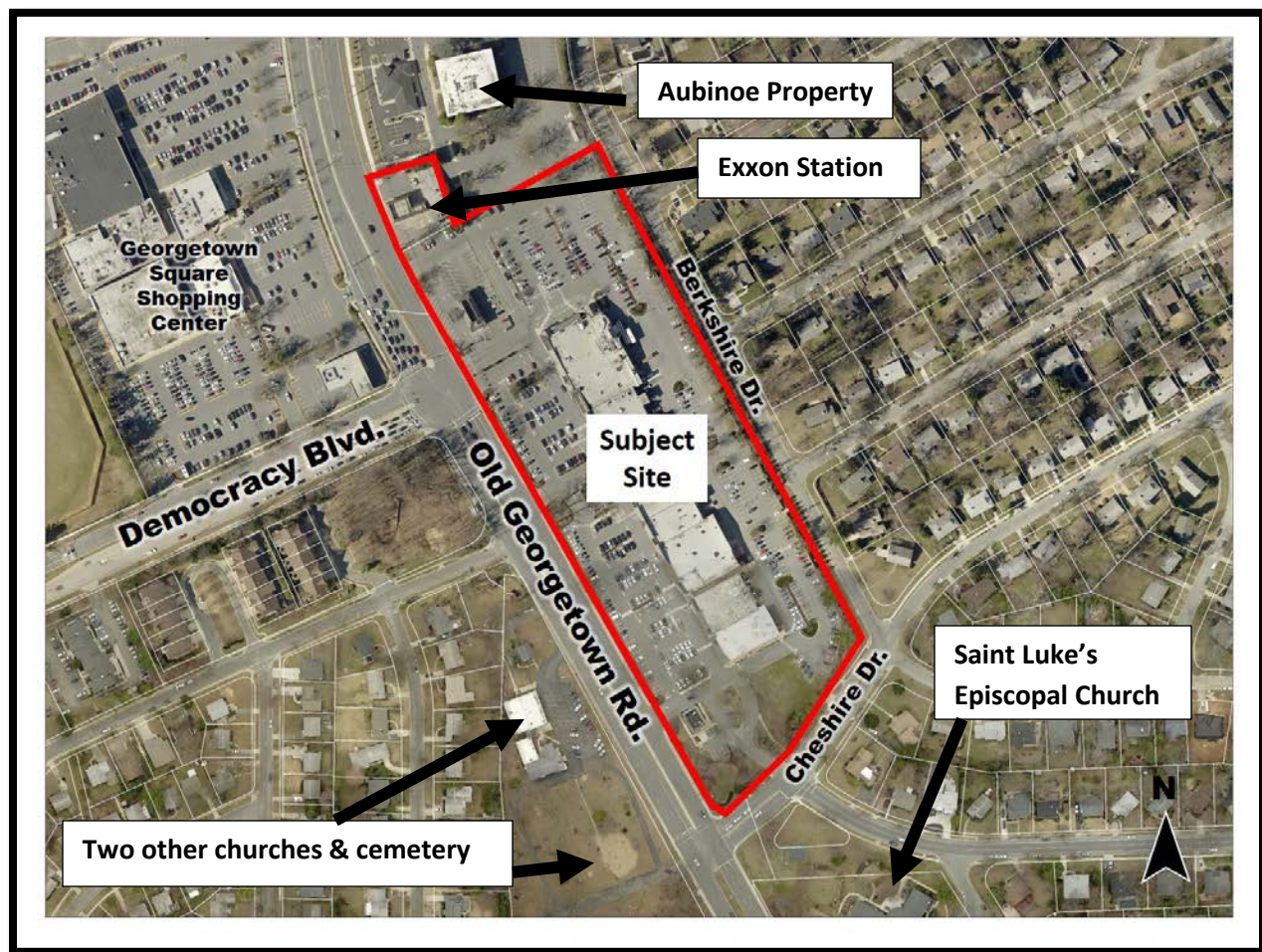


Figure 1: Vicinity Map/Aerial Photo

Site Description

The shopping center was developed in 1958 under C-1 Zone standards. Parking behind the shopping center located on the five-acre R-90-zoned portion is allowed by Special Exception. By 2007, the Site had a total of 84,101 square feet of leasable commercial retail space.

The Site has frontage on the east side of Old Georgetown Road with four access points for the shopping center, and two for the gas station at the northern end of the site. The main vehicular entrance is at the Old Georgetown Road intersection with Democracy Boulevard. The Site's frontage on Cheshire Drive to the south has one vehicular access drive that aligns with Grosvenor Lane across Cheshire Drive. Both the Old Georgetown Road and Cheshire Drive frontages have four-foot-wide concrete sidewalks. The Site is bounded by Berkshire Drive to the east, which does not have vehicular access into the Site; however, there is an existing concrete pedestrian path to the shopping center's rear parking lot.

The Site has a mix of commercial retail uses including three bank pad sites, Balducci's Italian Food Lovers' Market, shops, restaurants, and an Exxon Gas Station at the northwest corner. The parking lots have mature trees, some of which are large enough to meet the specimen tree designation, and provide tree canopy shade. The shopping center has 620 existing parking spaces. There is an existing wood fence along the full length of Berkshire Drive, and a portion of Cheshire Drive near the southeast corner of the site.

Previous Approvals

Special Exception

On January 30, 1956, the Montgomery County Board of Appeals approved Special Exception No. CBA-357 for off-street parking in the R-90 Zone. Subsequent modifications to CBA-357 were granted in 1978, 1979, 1981, and 1985 to allow for various minor improvements and repairs to the parking facilities in the R-90-zoned portion.

Site Plans

The Property has two previous Site Plan approvals: 820040160 and 82004016A. The Planning Board approved Site Plan No. 820040160 on January 9, 2004, (Attachment 1), for 122,422-gross square feet of retail/office space, including a 609-square-foot addition for a total of 84,710 square feet.

The Planning Board approved Site Plan Amendment 82004016A on April 3, 2007, (Resolution MCPB No. 07-23) for an additional 28 square feet to increase one of the banks for an ATM and associated walkways/pedestrian access (Attachment 1).

2014 Zoning Ordinance Rewrite

In 2014, the County-wide Zoning Ordinance Rewrite initiative rezoned the front portion of the shopping center from C-1 to NR-0.75, H-45. The Exxon Gas Station was rezoned to CRT-0.75, C-0.75, R-0.25, H-35. The R-90-zoned portion of the Site was retained (Figure 2).



Figure 2: Zoning Map

Proposal

The Applicant proposes a 4,971-square-foot addition at the south end of the shopping center for a sit-down restaurant (Attachment 2). The entrance will be located at the southwest corner of the addition with outdoor seating for patrons located on the west and south sides of the addition with umbrellas (see Figure 3 the floor plan and Figures 4 and 5). The outdoor seating on the south side will be separated from vehicle parking by a brick retaining wall of approximately four-feet, six-inches high). The Applicant will integrate the proposed addition into the existing façade and add a tower at the corner as an architectural feature (see Figures 4 and 5). Architectural elevations show the height of the addition will be 27 feet, eight-inches (Attachment 3).

The proposal also includes realignment of the existing vehicular access driveway on Cheshire Drive, improved landscaping, stormwater management facilities, redesigned parking lot circulation, an ADA-compliant meandering sidewalk from Cheshire Drive to the south side of the proposed addition and 63 additional parking spaces (see Figures 6 and 7). In order to meet minimum ADA standards, the lead-in sidewalk must meander to make up the elevation difference between Cheshire Drive and the proposed addition. The lead-in sidewalk has also been carefully designed to retain as many of the existing mature trees as possible near the intersection of the entrance drive and Cheshire Drive (see Figure 6). The existing access/curb cut located to the south of the main entrance at Old Georgetown Road will be eliminated (see Figure 7). The Applicant's Landscape Plan shows new plantings where two trees (non-specimen-size) will be replaced (Attachment 4). An exhibit prepared by the Applicant proposed approximately 17 percent green area at the Site (Attachment 5).

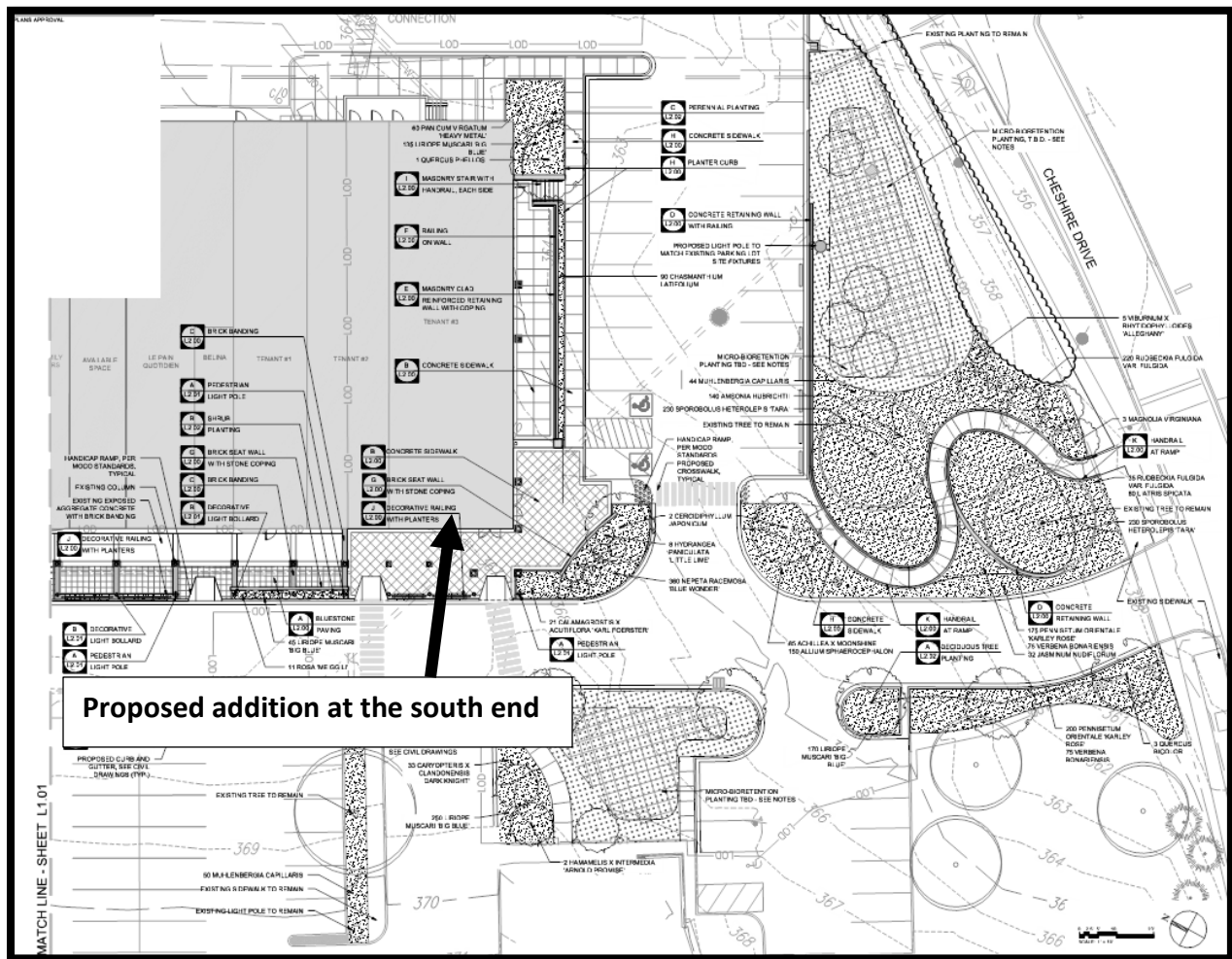


Figure 3: Proposed Addition's Floor Plan



Figure 4: Architectural Rendering of the shopping center with the proposed addition



Figure 5: Architectural Rendering of the front facade

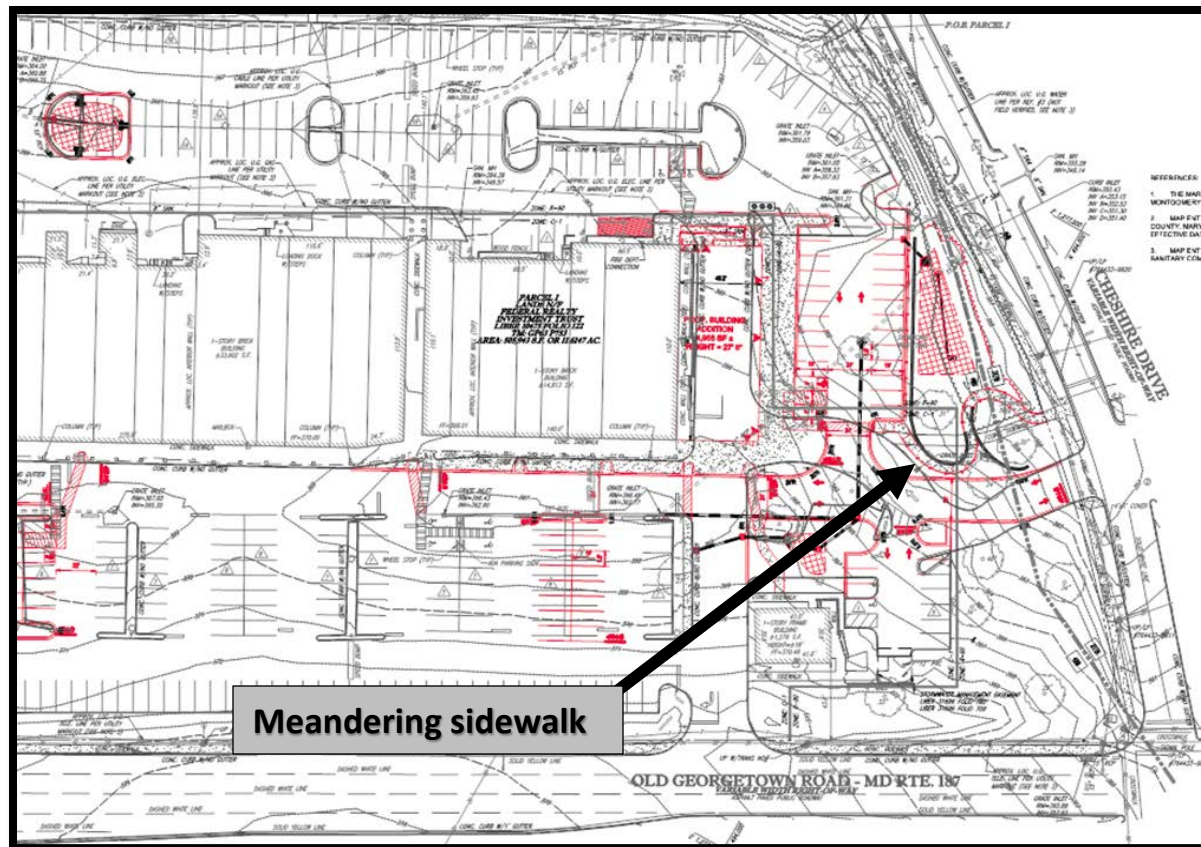


Figure 6: Meandering ADA-accessible sidewalk from Cheshire Drive

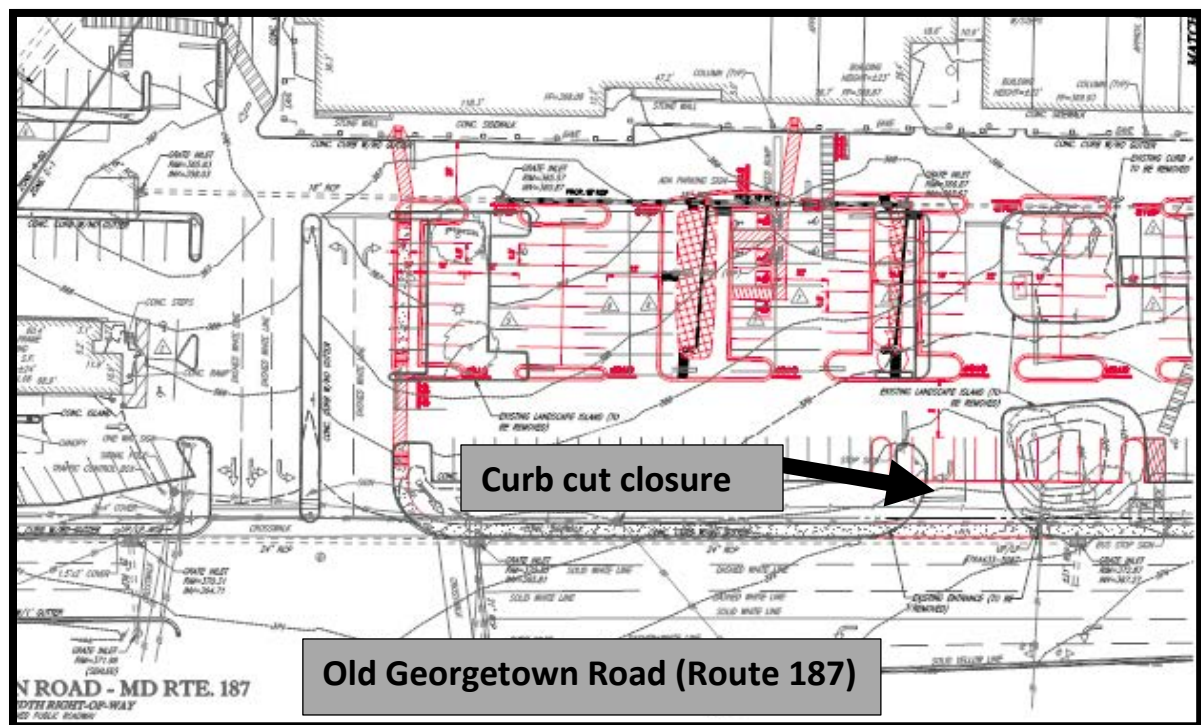


Figure 7: The location of the curb cut closure/elimination on Old Georgetown Road

Community Outreach

The Applicant has complied with all submittal and noticing requirements. Staff has received e-mail correspondence from one noticed party, a member of the Wildwood Manor Civic Association (Attachment 6). The resident has raised concerns regarding stormwater management runoff and existing downstream flooding events from the Site to the nearby residential neighborhood, the removal of mature trees and the overall tree canopy loss at the Site associated with the proposed building addition, converting the existing, non-ADA compliant, lead-in sidewalk into a more gently sloped and meandering lead-in sidewalk, the proposed height of a focal point tower-feature at the corner where the addition is proposed, the potential for headlight glare from the proposed additional parking spaces adjacent to the proposed addition, and general maintenance of the landscaping along the periphery of the Property.

On August 8, 2017, Area 2 staff, the Applicant's consultants and the Civic Association member met to discuss how these concerns will be addressed as part of this review. Staff believes the Applicant has addressed these concerns by providing more than the required green area at the Site (approximately 17 percent, exceeding the 10 percent required), and the Applicant will also compensate for tree removal by planting replacement trees as shown on the Landscape Plan. The lead-in sidewalk has been carefully designed by the Applicant to minimize impacts to existing trees and save as many existing trees as possible with retaining walls and tree pits designed around critical root zones in addition to providing an ADA-compliant lead-in sidewalk. Staff believes the height of the tower feature (27-feet, 8-inches) is compatible with the heights of the existing architectural elevations (Attachment 3). The Applicant has agreed to add additional screening and/or fencing to shield any potential headlight glare from the proposed parking addition. Finally, the Applicant has agreed to clean up, replant, and maintain the landscaping along the periphery of the Property.

SECTION 2: SITE PLAN REVIEW AND ANALYSIS

Master Plan Conformance

The proposed Site Plan Amendment is in conformance with the objectives of the 1992 *North Bethesda/Garrett Park Master Plan*. The Master Plan identified the Site as a local commercial/retail land use (p. 39) (Attachment 7). There are no specific recommendations in the Master Plan for the Site. As proposed, several land use objectives of the Master Plan will be implemented, including preserving and enhancing "a spectrum of retail facilities, ranging from regional to neighborhood shopping" (p. 33) (Attachment 7).

The Site is also located in the Planning Board Draft of *Rock Spring Master Plan* area, currently in progress. Staff anticipates the District Council will approve the draft Master Plan in Fall 2017. The draft plan proposes to rezone the entire shopping center to the CRT-1.25, C-0.75, R-0.75, H-50' zone. The proposed project is consistent with the goals and recommendations of the draft plan.

Public Facilities

Adequate Public Facilities Transportation Review

The Adequate Public Facilities (APF) is being reviewed for the Site Plan Amendment under the 2012-2016 Subdivision Staging Policy (SSP), because the Site Plan Amendment was filed in 2014, before the current SSP took effect. The prior Planning Board actions are as follows:

- Site Plan No. 820040160 was approved for 609 more square feet of gross leasable area from the existing 84,101 square feet of gross leasable area to a total of 84,710 square feet of gross leasable area on January 8, 2004.
- Site Plan No. 82004016A was approved for the installation of a 28-square-foot ATM and associated pedestrian access for a total of 84,738 square feet of gross leasable area on March 15, 2007.

The Use and Occupancy Certificate for the existing shopping center was released at least 12 years ago. Thus, the provision in the Montgomery County Council's Resolution No. 18-671, "2016-2020 Subdivision Staging Policy" is applicable: "if use and occupancy certificates for 75% of the originally approved development were issued more than 12 years ... the traffic study must be based on the increased number of peak-hour trips rather than the total number of peak-hour trips."

The Applicant is proposing an addition of 4,971 square feet of gross leasable area to the existing square footage of the shopping center for a proposed total of 88,430 square feet of gross leasable area where:

- The difference between the previous approved total of 84,710 square feet of gross leasable area (via Site Plan No. 82004015A) and the existing shopping center built-out of 83,459 square feet of gross leasable area (98.5%, that is over 75%) is an unbuilt "credit" of 1,251 square feet of gross leasable area.
- The proposed 4,971 square feet of gross leasable area minus the unbuilt credit of 1,251 square feet of gross leasable area is 3,720 square feet of gross leasable area beyond the previously approved total of 84,710 square feet of gross leasable area.
- The 3,720 more square feet of gross leasable area added to the previous total of 84,710 square feet of gross leasable area increases the proposed total of 88,430 square feet of gross leasable area.
- The APF validity for the 3,720 additional square feet of gross leasable area of general retail space with a grocery store should remain valid for sixty-one (61) months from the date of mailing of this Planning Board Resolution.

For the proposed addition of general retail space with a grocery store, the net increase in the number of peak-hour trips during the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.) is as follows:

| | Square Feet of General Retail Space* | Weekday Peak-Hour Vehicle Trips | | | |
|---------------------|--------------------------------------|---------------------------------|-------|-------------------|-------|
| | | Morning Peak Hour | | Evening Peak hour | |
| | | Primary | Total | Primary | Total |
| Previously Approved | 84,710 | 88 | 219 | 350 | 876 |
| Proposed Total | 88,430 | 90 | 226 | 361 | 904 |
| Increase | 3,720 | 2 | 7 | 11 | 28 |

*Used trips-generation rates for general retail space with a grocery store.

In the table above, total trips include pass-by, diverted, and primary trips. Pass-by and diverted trips are those trips where the shopping center is not the primary origin or destination, but are already on the road and on the way to/from other origins or destinations.

A traffic study is not required to satisfy the LATR test because the proposed expansion generates less than 30 peak-hour vehicle trips within the weekday morning and evening peak periods.

For the Policy Area Review test, per the 2012-2016 SSP, a Transportation Policy Area Review (TPAR) mitigation payment would typically be required. However, for building permits issued after March 1, 2017, the Applicant will be required to pay the updated General District Transportation Impact Tax in lieu of TPAR payment in accordance with the “new” SSP. The timing and amount of the payment will be in accordance with that in Chapter 52 of the Montgomery County Code as amended (see Attachment 8).

Other Public Facilities

The proposed development will be served by public water and sewer systems. Fire and Rescue has reviewed the application and has determined that the Property has appropriate access for fire and rescue vehicles (Attachment 9). Other public facilities and services including police stations, firehouses and health care are currently operating in accordance with the Subdivision Staging Policy and will continue to be sufficient following construction of the project. Electric, gas and telecommunications services will also be available and adequate.

Environment

Environmental Guidelines

The Site contains no streams or stream buffers, wetlands or wetland buffers, hydraulically adjacent steep slopes, 100-year floodplains, forest areas, or known habitats of rare, threatened, or endangered (RTE) species. The Application as submitted is in conformance with the Montgomery County Planning Department’s *Environmental Guidelines*.

Forest Conservation

A Forest Conservation Exemption was confirmed for this project on September 26, 2016 in Forest Conservation Exemption No. 42017032E (Attachment 10).

Stormwater Management

A stormwater management concept plan was approved for the Site on May 18, 2017 (Attachment 9). The concept plan will meet stormwater management requirements with the use of micro-bioretenion facilities.

Enhanced Landscaping

Environmental staff endorses the creation of an enhanced landscape area between the shopping center’s south side at Cheshire Drive to create a landscape screen on the Site in relation to the adjacent residential neighborhood. The enhanced landscaping at this location will also improve the function of the Site in filtering stormwater runoff and reducing the urban heat island effect from the parking lot. Enhanced landscaping at this location will also contribute to partially mitigate the loss of several non-specimen-sized trees at the Site that are inside the proposed limits of disturbance.

SECTION 3: SITE PLAN REQUIRED FINDINGS

Site Plan Findings

Section 59-D-3.4.(c) contains the required findings to be made by the Planning Board. Previous findings are valid for the remaining part of the shopping center and these below only apply to the review of the proposed addition. In reaching its decision the Planning Board must require 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, or 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 Property does not have a development plan, or diagrammatic plan, or a schematic development plan associated with it. The Site is subject to the approvals in Special Exception CBA-357 and Site Plan No. 820040160 and No. 82004016A with their respective conditions of approval. By recommended condition of approval in this application, the Applicant is required to comply with these conditions, in addition to those in the recommendation for approval of the Subject application.

2. *The site plan meets all the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan under Chapter 56;*

Development Standards

The site was originally developed (prior to October 30, 2014) under the C-1 Zone standards. Therefore, pursuant to Sections 7.7.1.B.1. and 7.7.1.B.3.b., provisions in the current Zoning Ordinance, this Application was reviewed under the development standards and procedures of the Site's zoning in effect on October 29, 2014, (C-1 and R-90) in the former Zoning Ordinance. Off-street parking standards are reviewed per the current Zoning Ordinance Section 59.7.7.1.B.3.b. A total of 63 new parking spaces will be provided in this amendment.

Pursuant to Section 59-C-4.34, the purpose of the C-1 Zone is to provide locations for convenience shopping facilities in which are found retail commercial uses which have a neighborhood orientation and which supply necessities usually requiring frequent purchasing with a minimum of consumer travel. The proposal is in conformance with the purpose of the C-1 Zone.

The proposed Site Plan Amendment meets the development standards in the C-1 and R-90 zones. An urban renewal plan is not applicable to the Wildwood Manor Shopping Center site.

Development Standards Data Table - C-1 and R-90 Zones

| Development Standard | C-1 Zone Required/Allowed | C-1 Zone Proposed for Approval |
|---|--------------------------------------|---|
| Maximum Building Height (feet) Sec. 59-C-4.342(a) | 30' | 27' 8" |
| Minimum Setbacks (feet) Sec. 59-C-4.343: | | |
| Building Setback from any street right-of-way Sec. 59-C-4.343(a)(1) | 10' | Cheshire Drive: 155' Old Georgetown Road: 170' |
| Building Setback from R-O-W for Berkshire Drive (50' R-O-W) Sec. 59-C-4.343(a)(3) | 60' from centerline | 180' |
| Off-Street Parking Setback Sec. 59.6.2.3 and 6.2.4 ¹ | N/A | N/A |
| Minimum Green Area Sec. 59-C-4.344 (at least 10% of area of the lot) | 10% | 17% |
| Off-Street Parking Sec. 59-E- 3.7. Retail, general: 5 spaces per 1,000 SF of GFA ² | 5 | 63 |
| Development Standard | R-90 Zone Required/Allowed | R-90 Zone Proposed for Approval |
| 59.C-1.323. a. Minimum Setback from Street | 30 feet | 141 feet |
| 59.C-1.323. b. Setback from Adjoining Lot | N/A | N/A |

¹ This setback is not applicable from the current Zoning Ordinance: amendments to parking requirements of a previously approved application (listed in Section 7.7.1.B.1 or 7.7.1.B.2) in a manner that satisfies the parking requirements of Section 6.2.3 and Section 6.2.4.

² The Applicant provided a Development Data Table at the bottom of the Site Plan that details the required parking by retail uses: [bank] offices, a health club, and five restaurants. The required parking spaces totals 681 spaces based on these various retail uses. The general retail uses calculation is based on five spaces per/1,000 square feet of gross leasable area (GLA). The office uses, health club and five restaurants were calculated with slightly different formulas based on gross floor area (GFA) (see the bottom of Attachment 2 for these formulas for the uses other than general retail). A total of 683 spaces will be provided with the 63 new spaces proposed in the subject amendment for a parking surplus of two spaces.

The proposal will provide approximately 17 percent green area on the Site. The proposed expansion will require removing existing trees, some of which are in poor to fair health. The Applicant has worked with Staff to make design modifications to the original proposal to save as many healthy trees as possible. The loss of existing trees will be mitigated by providing replacement trees and landscaping.

3. *The location of buildings and structures, open spaces, landscaping, recreational facilities, and pedestrian and vehicular circulation systems are adequate, safe and efficient;*

a. Location of Buildings and Structures

The proposed building addition will be adequate, safe and efficient by being located at the south side of the existing shopping center. The scope of work is considered minor in this Limited Site Plan Amendment.

b. Open Spaces

The Landscape Plan shows the Applicant will provide (approximately) 17 percent green area at the Site. This amount exceeds the required 10 percent in the C-1 Zone. The Applicant has been diligent to address the concerns raised by a local resident/civic association member.

c. Landscaping

The proposed Landscaping Plan includes new native species plant materials to mitigate for the loss of two non-specimen-sized trees. The Applicant will provide enhanced landscaping at the south side of the Site in relation to the confronting single-family residential uses across Cheshire Drive. As recommended in conditions of approval, the Applicant will also trim and maintain the existing landscaping at the southeast side of the Site at Cheshire Drive, as requested by one resident of the Wildwood Manor subdivision.

d. Recreational Facilities

Because no residential use is proposed at the Site, recreational facilities are not required.

e. Pedestrian and Vehicular Circulation Systems

The proposed realignment of the driveway access point on Cheshire Drive will improve vehicular circulation as will a redesign of several parking spaces. A sidewalk upgrade on Cheshire Drive will be made as recommended by the Montgomery County Department of Permitting Services. Pedestrian and vehicular circulation systems will be better because several pedestrian crosswalks in the existing parking lots will be painted and this will improve safety for the pedestrians and motorists as these areas are approached. Additional parking spaces will be provided in a more efficient design to improve pedestrian and vehicular circulation. And, the meandering path by design will be ADA-compliant for occasional wheelchair-bound patrons traveling to the shopping center from the nearby residential neighborhood, these persons will not have to resort to maneuvering onto the existing driveway aisle (from Cheshire Drive) as is currently the situation based on the existing Site conditions. The meandering path design will provide for better pedestrian and vehicular circulation systems, with emphasis on safety. Staff, therefore, believes the

meandering path design will provide for adequate, safe and efficient systems at the Site.

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

The proposed 4,791-square foot addition will be compatible with the existing shopping center building because the same construction materials will be used to integrate it into the existing shopping center. The shopping center addition is located at the south end of the Site and is not in the immediate vicinity of existing buildings to the north and at the Wildwood Manor Office (Aubinoe Property). The proposed enhanced landscaping at the Site will screen the addition from the existing single-family residential units to the east and south.

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. Forest Conservation

On September 26, 2016, Staff issued an exemption from Article II of Chapter 22A, Forest Conservation, for the Site (No. 42017032E). Therefore, the Applicant is not required to submit a forest conservation plan.

b. Environmental Guidelines

Because there are no environmental features associated with the Site as discussed in the Environment review section on page 9 above, the Applicant's proposal complies with the Guidelines for Environmental Management of Development in Montgomery County (*Environmental Guidelines*).

CONCLUSION

Based on the review by Staff and the other relevant agencies (Attachment 9), and the analysis contained in this report, Staff finds that Limited Site Plan Amendment No. 82004016B meets all required findings and is consistent with the applicable Zoning Ordinance standards and general requirements. Staff recommends approval subject to the conditions at the beginning of this report.

Attachments

1. Planning Board Opinion for Site Plan No. 820040160 and Resolution MCPB No. 07-23
2. Site Plan
3. Architectural elevations
4. Landscape Plan
5. Green Area exhibit
6. Community comments
7. Master Plan references (pages 39 and 33)
8. Area 2 Transportation Planning memo
9. Stormwater Management Concept Acceptance letter and other agency comments (DPS ROW Section, Etc.)
10. Forest Conservation Exemption letter

ATTACHMENT 1

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-493-4500, www.mncppc.org

MONTGOMERY COUNTY PLANNING BOARD

OPINION

DATE MAILED: January 9, 2004
SITE PLAN REVIEW #: 8-04016
PROJECT NAME: Wildwood Manor Shopping Center

Action: Approval subject to conditions. Motion was made by Commissioner Bryant, seconded by Commissioner Robinson, with a vote of 5-0, Commissioners Perdue, Robinson, Berlage, Bryant and Wellington voting for.

The date of this written opinion is January 9, 2004, (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before February 9, 2004 (which is thirty days from the date of this written opinion. If no administrative appeal is timely filed, this Site Plan shall remain valid as provided in Section 59-D-3.8.

On January 8, 2004, Site Plan Review #8-04016 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report, which is made a part hereof, the Montgomery County Planning Board finds:

1. *The Site Plan is consistent with the approved project plan for the optional method of development;*
 2. *The Site Plan meets all of the requirement of the C-1 and R-90 zones;*
 3. *The location of the buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrians and vehicular circulation systems are adequate, safe, and efficient;*
 4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development;*
 5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation;*
-

Therefore, the Montgomery County Planning Board APPROVES 122,422 gross square feet of retail/office space, including the proposed 609-square-foot addition, on 11.6 acres with the following conditions:

1. Transportation

- a. The subject site plan is limited to a 609-square-foot addition to the existing shopping center for a total gross leasable area of 84,710 square feet, or total gross building area of 122,462 square feet including storage space.
- b. Any future expansion of 5,000 additional square feet or more shall require a new Adequate Public Facilities review.
- c. Any future expansion or development of the property, which adds more than 10 percent of the total gross leasable area of the existing shopping center or 8,471 more square feet, shall require a 10-foot-wide road right-of-way dedication along the western property line to provide 60 feet right-of-way from the centerline of Old Georgetown Road (MD 187). The additional right-of-way is needed to accommodate future relocation of the existing sidewalks with an eight-foot-wide grass strip for street trees, and other necessary road cross-section features.
- d. The applicant is encouraged to participate with the North Bethesda Transportation Management Organization (TMO) to assist the North Bethesda TMD in achieving and maintaining the non-driver traffic mitigation goal of the North Bethesda/Garrett Park Sector Plan.

2. Department of Permitting Services

The proposed development is subject to Stormwater Management Concept approval conditions dated September 25, 2003.

3. Site Plan Enforcement Agreement

Submit a Site Plan Enforcement Agreement including Development Program for review and approval prior to approval of the signature set as follows:

Development Program to include a phasing schedule as follows:

- a. Landscaping, sidewalks, and outdoor lighting shall be completed as construction of the building is completed.
- b. Clearing and grading to correspond to the construction phasing, to minimize soil erosion and forest loss.
- c. Phasing of stormwater management, sediment/erosion control, paths, or other features.

4. Clearing and Grading

No clearing or grading prior to pre-construction meeting with the M-NCPPC staff.

5. Signature Set

Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Limits of disturbance.
- b. One bike rack at the proposed walk-in bank site.
- c. A lead walk between the sidewalk on Old Georgetown Road and the pathway near the proposed bank if the installation of the lead walk will not affect existing trees.
- d. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- e. The development program inspection schedule and Site Plan Opinion.



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

MCPB No. 07-23
Site Plan No. 82004016A
Project Name: Wildwood Manor Shopping Center
Hearing Date: March 15, 2007

APR 03 2007
RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on October 4, 2006, Federal Realty Investment Trust ("Applicant") filed a site plan amendment application, designated Site Plan No. 82004016A ("Amendment"), for approval of certain modifications to the approved development; and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated March 2, 2007, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on March 15, 2007, Staff presented the Amendment to the Planning Board as a consent item for its review and action.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82004016A for Wildwood Manor Shopping Center, including the following modifications as reflected in the plans stamped by the M-NCPPC on March 2, 2007:

1. installation of an ATM and construction of associated walkways and steps for pedestrian access;
2. an increase to the bank's total area by 28 square feet, from the approved 1,224 to the built 1,252;
3. relocation and reconfiguration of an accessible parking space in front of the bank and delete one supernumerary regular parking space;
4. installation of a different style of bike rack from that specified in the approved plan;
5. relocation of planting areas from the approved site plan that have been displaced by the addition of the ATM and its appurtenances.

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

BE IT FURTHER RESOLVED, that this Amendment shall be effective as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this Resolution is APR 03 2007 (which is the date that the 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).

At its regular meeting, held on Thursday, March 15, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on motion of Commissioner Robinson, seconded by Commissioner Perdue, with Commissioners Hanson, Perdue, Robinson, and Wellington voting in favor, and Commissioner Bryant absent, ADOPTED the above Resolution, which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for Site Plan No. 82004016A - Wildwood Manor Shopping Center.



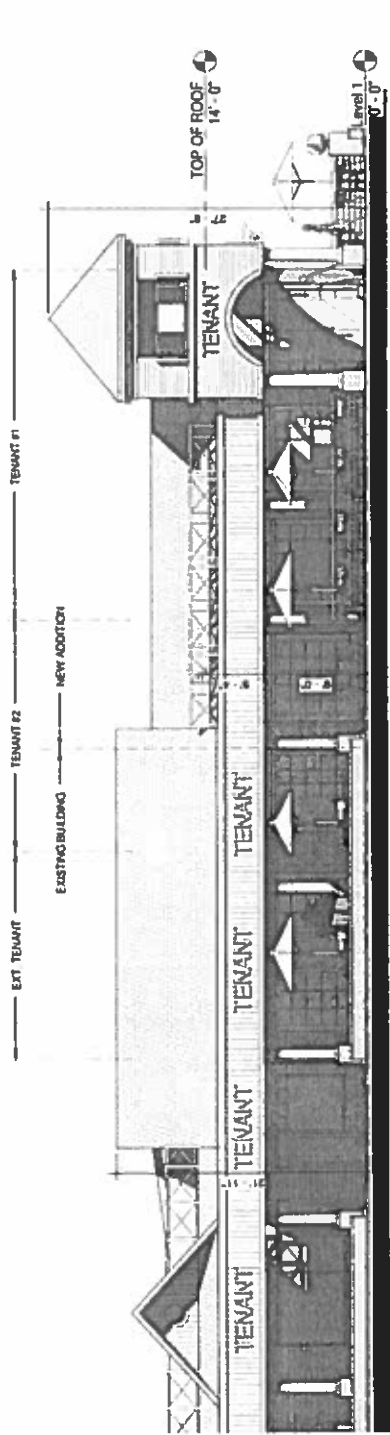
Royce Hanson, Chairman
Montgomery County Planning Board

112

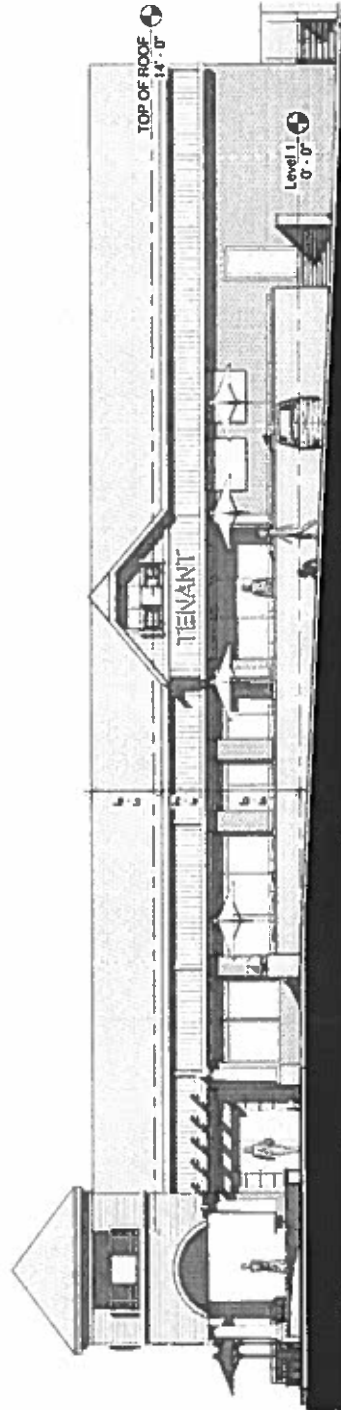
Approved for legal sufficiency
M-NCPPC Office of General Counsel

[illegible]

ATTACHMENT 3



1 FRONT ELEVATION
1/8" = 1'-0"



3 SIDE ELEVATION
1/8" = 1'-0"

Montgomery County, MD 20814

Small numbers of *Chlamydomonas* and *Chlorella* were also found in the water column. The *Chlamydomonas* were found in the water column of the lake, and the *Chlorella* were found in the water column of the lake.

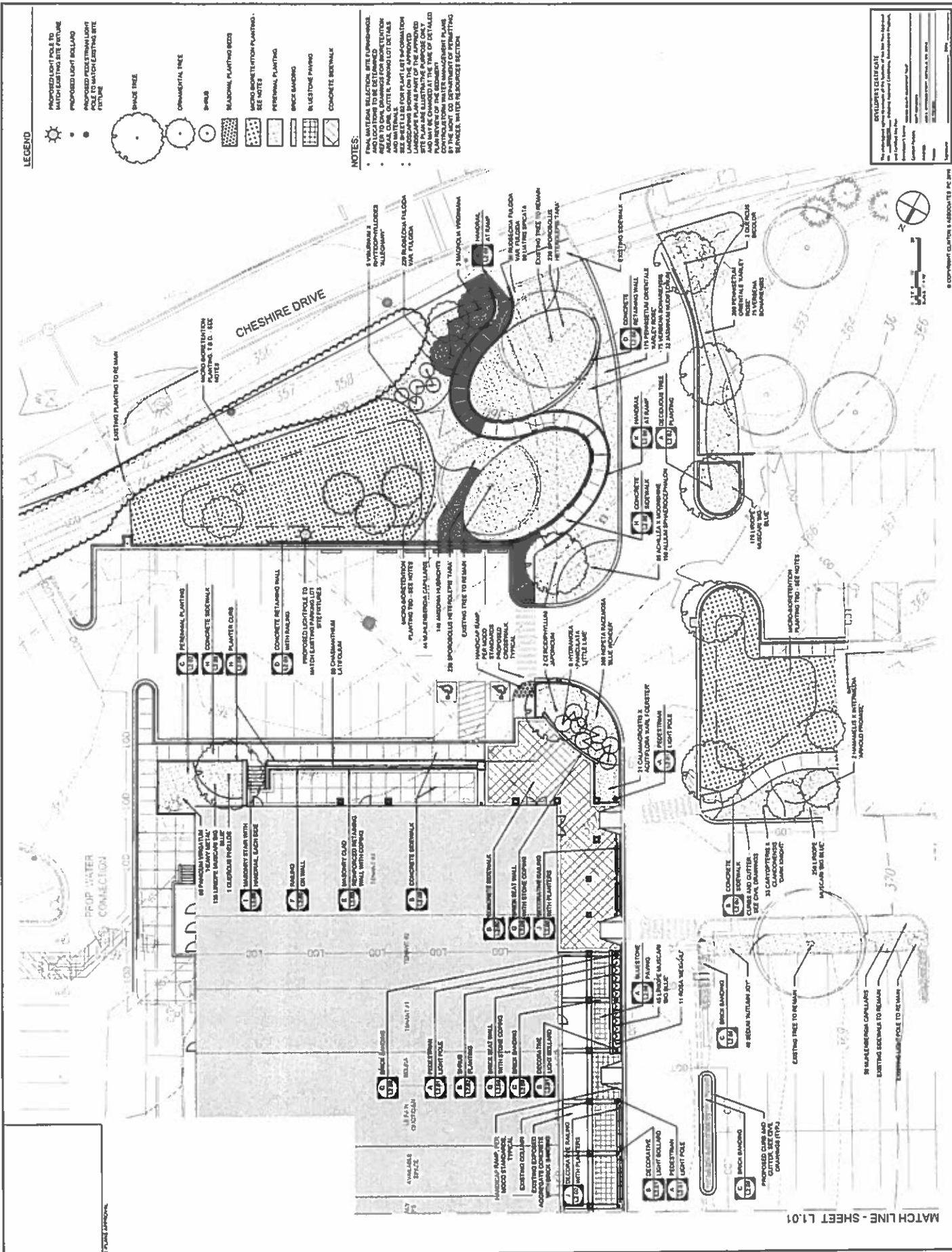
Clinton & Associates, PC
Landmark Architects

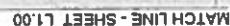
LEGEND

© COPYRIGHT CLAYTON S. ADAMS & ASSOCIATES PC 2004

References

MATCH LINE - SHEET L1.01

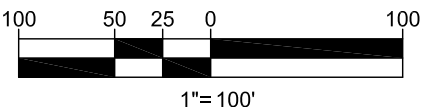
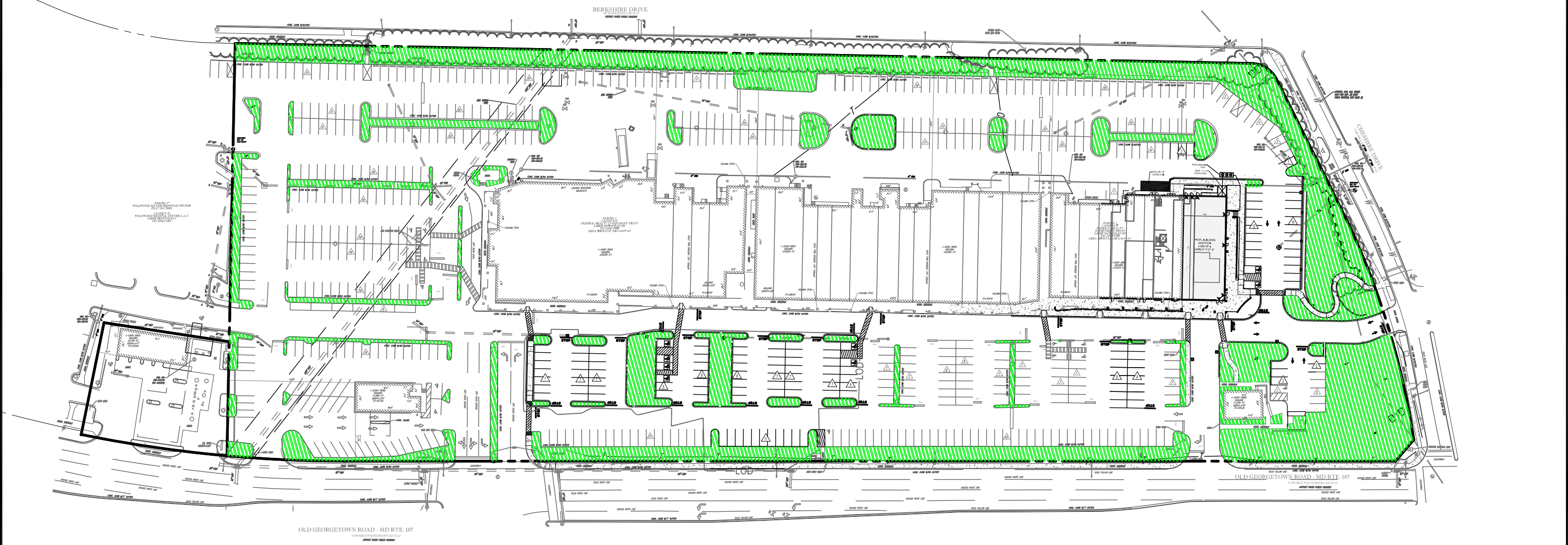




LEGEND


-
- Figure 1 is a schematic diagram of a landscape design plan. The plan shows a large, irregularly shaped area representing a site. Within this area, there are several smaller, irregularly shaped areas representing different plantings or features. A legend on the right side of the plan lists the symbols used in the design:
- REDUCED LIGHT POLE TO MATCH EXISTING SITE FEATURE
 - SHADE TREE
 - 3-STEP
 - ORNAMENTAL TREE
 - SEASONAL PLANTING BEDS
 - BRICK BACKING
 - PERENNIAL PLANTING
 - CONCRETE SIDEWALK

[illegible]



GREEN SPACE NOTES

TOTAL AREA: 505,943 SF
GREEN SPACE: 17%

| | | | |
|---|-----------|-------------------------------------|----------|
| PROJECT NAME: | | WILDWOOD MANOR | |
|  BOHLER ENGINEERING 16701 MELFORD BLVD., SUITE 310 BOWIE, MD 20715 PHONE: (301) 809-4500 FAX: (301) 809-4501 | | SHEET TITLE: | |
| | | GREEN SPACE EXHIBIT Sheet 1 of 1 | |
| SCALE: | 1" = 100' | DATE: | 08/16/16 |
| | | CAD ID: | EX0 |
| | | PROJECT NUMBER: | MB122038 |

ATTACHMENT 6

Shirley, Lori

From: Ann Bowker <glenwood543@gmail.com>
Sent: Wednesday, April 12, 2017 6:45 PM
To: Shirley, Lori
Subject: Proposed Wildwood Shopping Center expansion -- 82004016B

This is a quick e-mail about project-related documents posted in DAIC, including the recently-posted documents. Thank you again for helping to get these documents posted, and for keeping us updated on the proposed project. We'll be in touch again soon.

Regarding the NRI/FSD plan drawings:

It appears that these plan drawings have been reduced so much that they're not legible on DAIC or as printed from DAIC. Would we be able to obtain (or review) legible hard copies at M-NCPPC headquarters?

Regarding Federal Realty Investment Trust's minutes on its 11/16/2016 community "civic meeting" on the proposed shopping center expansion:

These minutes say, "In general, the attendees noted that they liked the shopping center and were impressed with the proposed changes." It's misleading and inaccurate to generalize that community attendees "were impressed with the proposed changes." We were polite, and we offered frank, respectful comments on the proposed changes. We have a number of serious concerns about the proposed changes (especially as more details have become available).

These minutes refer to "the elimination of several trees" and say, "The trees being eliminated are either in fair or poor condition." Based on drawings we've seen at the meeting and later, "elimination of several trees" is an understatement under a normal interpretation of the word "several." At the meeting, the FRIT presenter claimed that most of the trees at the shopping center are in poor health. As we've noted, FRIT had removed some trees at the center (before the meeting) that in fact were in poor condition. We question whether it was accurate to say (at the meeting) that most of the trees at the center are (present tense) in poor health, and whether it's accurate to say (in the minutes) that all of the trees proposed for removal are in fair or poor condition.

These minutes say, "The tower element [proposed for the southwest corner of the expansion] is actually comparable in height to the other architectural features further to the north. Currently the southern end of the shopping center structure is somewhat barren." At the meeting, the FRIT presenter claimed that this proposed tower wouldn't be higher than an existing feature in the middle of the shopping center; this statement clearly was inaccurate based on the drawings shown at the meeting and by on-site inspection. The proposed non-functional, visually top-heavy tower clearly would be considerably higher than all other features at the center. The minutes say "comparable in height," which apparently isn't inaccurate, but is subject to differing interpretations. Whether or not the south end of the center "is somewhat barren" is subject to differing opinions as well. (As we noted at the meeting, the proposed tower resembles towers at discount shopping malls and isn't an improvement.) FRIT's attorney told us in a 1/12/2017 e-mail, "It is Federal's intent to keep the height consistent with the other tower features throughout the center." Because the drawings we've seen clearly show that the proposed tower would be higher than all of these other features, we hope that FRIT is revising its plans/drawings consistent with this 1/12/2017 response.

Shirley, Lori

From: Ann Bowker <glenwood543@gmail.com>
Sent: Monday, June 19, 2017 5:40 PM
To: Shirley, Lori
Subject: Re: FW: 82004016B Wildwood Manor Shopping Center - update

Thank you, Lori. I'd like to talk with you -- although since I just saw your most recent e-mail (I'm using the library for my e-mail and internet access), I think it's too late for us to talk today. I'll be busy tomorrow and the next day; I hope that a day soon after that will work for both of us for a call.

The Wildwood Manor Citizens Association would like to provide informed input and work with you, Federal Realty representative(s) such as Patricia Harris, etc., to address areas of concern and try to resolve as many as possible before the Planning Board considers the expansion proposal.

Ann

On Mon, Jun 19, 2017 at 2:29 PM, Shirley, Lori <lori.shirley@montgomeryplanning.org> wrote:

Ann,

This morning I showed your request to the Area 2 Acting Division Chief (Khalid Afzal). He decided based on several factors, including your concerns, the item will be heard on 9.7.17. I'm about to go into a meeting at 2:30 p.m. I will be available later this afternoon to talk if you would like to do so.

Lori Shirley

Planner Coordinator

Area 2 Division

Montgomery County Planning Department

8787 Georgia Avenue

Silver Spring, Maryland 20910

T [301-495-4557](tel:301-495-4557)

F [301-495-1313](tel:301-495-1313)

E Lori.Shirley@montgomeryplanning.org

W MontgomeryPlanning.org



From: Ann Bowker [mailto:glenwood543@gmail.com]
Sent: Thursday, June 15, 2017 8:15 PM
To: Shirley, Lori <lori.shirley@montgomeryplanning.org>
Subject: Re: FW: 82004016B Wildwood Manor Shopping Center - update

Thank you again, Lori, for the time and effort you and Steve Findley spent on the subwatershed drainage map, which is very informative and will be helpful for us. Unfortunately, it doesn't show the information for the Wildwood Shopping Center's "existing" and "proposed" drainage area maps/stormwater management that's in the illegible Bohler Engineering maps. I'll try to formally request larger copies from DPS now. I rechecked the on-line DPS document-ordering system, but it's not clear how to identify and request these specific maps using this system, so I'll see if calling 311 tomorrow will work (using 311 is another option). As I said before, I don't know how long it will take for DPS to prepare and send these copies (if I'm able to make clear via 311 or the on-line system exactly what maps we want); I expect it will take a while. Also, we're still waiting for clarifications from DPS regarding stormwater runoff from the shopping center and bioretention areas.

You said earlier that September 7 is the tentative date for the Planning Board to consider the shopping center expansion proposal and that this hearing wouldn't be held before that date. Especially since we're still seeking important information and clarifications, and we'd like an opportunity to provide our informed input and to discuss issues involving the expansion before the hearing, we believe that September 7 would be a much better date than the newly-added July 24 date. Can you advise us regarding returning to the original date? Thank you.

Ann

On Thu, Jun 15, 2017 at 12:10 PM, Shirley, Lori <lori.shirley@montgomeryplanning.org> wrote:

Ann,

Here is a subwatershed map Steve Findley produced from our most current GIS layers, along with his comments below that explains the parameters of it. Hopefully this is the information you requested.

Also, earlier this week, I was told by the Area 2 Acting Division Chief, Khalid Afzal, that another Planning Board meeting date has been added next month on Monday, 7.24.17. Mr. Afzal also said the Wildwood Manor Shopping Center site is now on this agenda. It's too soon to know where the item is on the agenda that day. However, the Planning Board's agendas can be accessed on our website and possibly the second week of July that agenda should be available to get a sense of where the item may end up on it (items are often times moved around an agenda as it gets closer to the meeting date).

Please let me know if you have any questions.

Lori Shirley
Planner Coordinator
Area 2 Division
Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, Maryland 20910
T 301-495-4557
F 301-495-1313
E Lori.Shirley@montgomeryplanning.org<mailto:Lori.Shirley@montgomeryplanning.org>
W MontgomeryPlanning.org
[Commission's logo 6]

From: Findley, Steve
Sent: Tuesday, June 13, 2017 10:50 AM
To: Shirley, Lori <lori.shirley@montgomeryplanning.org>
Subject: RE: 82004016B Wildwood Manor Shopping Center - update

Hi Lori,

I am going to try to copy and paste the map into this email. Hopefully the file size will permit it to be emailed to Ann. If not, I will have to convert it to another format and try again. As a reminder, this is from a subwatershed map produced by MCDEP. The purple and green polygons to the left represent adjoining subwatersheds that drain to the Cabin John stream system. I have designated "no color" in the subwatershed covering the Wildwood Shopping Center so you can see the aerial photo base that shows buildings, roads, and other features of concern. All of the clear area (and additional area not captured in this graphic) drain to the Luxmanor Branch that lies north of the Shopping Center, and the Luxmanor Branch in turn drains to Rock Creek to the east. I have also added topo lines in yellow, to show how the land falls toward the stream. Runoff from the Wildwood Shopping Center flows through the storm drain system north and east to the Luxmanor Branch. I don't know if this is the level of detail that Ann needs, but it is what we have, and shows the stream that receives runoff from the shopping center. Thanks.

Steve

[cid:image001.jpg@01D2E5D0.69141DD0]

From: Shirley, Lori
Sent: Tuesday, June 13, 2017 10:21 AM
To: Findley, Steve <steve.findley@montgomeryplanning.org<mailto:steve.findley@montgomeryplanning.org>>
Subject: FW: 82004016B Wildwood Manor Shopping Center - update

Steve,
I wasn't sure what you named the GIS map that you made yesterday? I wasn't able to locate it to send it to Ann Bowker.

Lori

From: Ann Bowker [mailto:glenwood543@gmail.com]
Sent: Monday, June 12, 2017 4:43 PM
To: Shirley, Lori <lori.shirley@montgomeryplanning.org<mailto:lori.shirley@montgomeryplanning.org>>
Subject: Re: 82004016B Wildwood Manor Shopping Center - update

Thank you very much, Lori (and Steve). This information should be very helpful, and we appreciate the time and effort you and Steve are spending to provide it to us.

(The illegible copies of the Wildwood Shopping Center's "existing drainage area map" and DPS-approved/accepted "proposed drainage area map" that DPS e-mailed appear to be reduced from a large Bohler Engineering page/document.)

Ann

On Mon, Jun 12, 2017 at 4:07 PM, Shirley, Lori

<lori.shirley@montgomeryplanning.org<<mailto:lori.shirley@montgomeryplanning.org>>> wrote:

Hi Ann,

After I received your e-mail last week, I discussed your question with Steve Findley and he made a map in GIS with the current layers we have available. This may not be exactly what you need, however, part of the challenge with drainage maps for this site is, it's on the edge of two sub watersheds. Either one of us will send it to you tomorrow, since I can't seem to locate it right now. I don't know what he named the map. Thanks for your patience.

Lori Shirley

Planner Coordinator

Area 2 Division

Montgomery County Planning Department

8787 Georgia Avenue

Silver Spring, Maryland 20910

T [301-495-4557](tel:301-495-4557)<[tel:\(301\)%20495-4557](tel:301-495-4557)>

F [301-495-1313](tel:301-495-1313)<[tel:\(301\)%20495-1313](tel:301-495-1313)>

E Lori.Shirley@montgomeryplanning.org<<mailto:Lori.Shirley@montgomeryplanning.org>>

W MontgomeryPlanning.org

[Commission's logo 6]

From: Ann Bowker [<mailto:glenwood543@gmail.com><<mailto:glenwood543@gmail.com>>]

Sent: Friday, June 09, 2017 4:11 PM

To: Shirley, Lori <lori.shirley@montgomeryplanning.org<<mailto:lori.shirley@montgomeryplanning.org>>>

Subject: Fwd: 82004016B Wildwood Manor Shopping Center - update

Hello, Lori. Does M-NCPPC/Planning have legible copies of the Wildwood Shopping Center's "existing drainage area map" and the DPS-approved/accepted "proposed drainage area map" that I could copy at M-NCPPC headquarters, or an extra legible copy of each map that I could pick up at M-NCPPC headquarters? Please let me know. Thank you.
Ann Bowker, for the Wildwood Manor Citizens Association

----- Forwarded message -----

From: Ann Bowker <glenwood543@gmail.com<<mailto:glenwood543@gmail.com>>>

Date: Fri, Jun 2, 2017 at 3:41 PM

Subject: Re: 82004016B Wildwood Manor Shopping Center - update

To: "Shirley, Lori" <lori.shirley@montgomeryplanning.org<<mailto:lori.shirley@montgomeryplanning.org>>>

Cc: Linda Lizzio <linda.lizzio@verizon.net<<mailto:linda.lizzio@verizon.net>>>

Thank you for this update, Lori.

DPS told us recently in connection with this case that there's no requirement (that DPS is responsible for implementing) for the Wildwood Shopping Center owner to make improvements to address/ameliorate the center's existing serious stormwater runoff into Wildwood Manor. We're very disappointed to learn this. We asked DPS to clarify a requirement that there be no increase in (total) runoff (to "study points") "in a 10-year storm event from the

proposed construction."

Do you have legible copies of the shopping center's "existing drainage area map" and "proposed drainage area map" that we could copy at M-NCPPC headquarters, or extra legible copies that we could have? DPS e-mailed small copies that aren't legible. There's an option for us to formally request copies from DPS, but it's not clear how long that process would take. (DPS also e-mailed a scanned, legible copy of its 5/18/2017 stormwater management concept plan acceptance letter.)

Ann

On Thu, Jun 1, 2017 at 4:38 PM, Shirley, Lori

<lori.shirley@montgomeryplanning.org<mailto:lori.shirley@montgomeryplanning.org>> wrote:

Hello Ann,

Last week I received a copy of the MCDPS Water Resources Stormwater Management Concept Plan Acceptance letter (may be dated 5.18.17 or so). That means the Applicant is ready to move closer to having a Planning Board hearing date set. The letter has been sent for scanning in to DAIC on our website. I believe you should be able to view it from there. Since receipt of the letter, a tentative Planning Board date will be on 9.7.17. Later last week, I discussed this with Pat Harris and so she is aware that it will not be scheduled for a public hearing before that date (or the August recess). Please let me know if you have any questions. Thank you.

Lori Shirley

Planner Coordinator

Area 2 Division

Montgomery County Planning Department

8787 Georgia Avenue

Silver Spring, Maryland 20910

T [301-495-4557](tel:301-495-4557)<tel:(301)%20495-4557>

F [301-495-1313](tel:301-495-1313)<tel:(301)%20495-1313>

E

Lori.Shirley@montgomeryplanning.org<mailto:Lori.Shirley@montgomeryplanning.org><mailto:Lori.Shirley@montgomeryplanning.org>>

W MontgomeryPlanning.org

[Commission's logo 6]

Shirley, Lori

From: Ann Bowker <glenwood543@gmail.com>
Sent: Friday, August 25, 2017 5:49 PM
To: Shirley, Lori; Afzal, Khalid; Findley, Steve
Cc: Linda Lizzio
Subject: Fwd: Wildwood Shopping Center Cheshire border
Attachments: photo 1.JPG; photo 2.JPG; photo 3.JPG; photo 4.JPG

At the August 8 M-NCPPC - Federal Realty Investment Trust - Wildwood Manor Citizens Association meeting at M-NCPPC, we discussed the overgrown vegetation along the border of the Wildwood Shopping Center along Cheshire Drive, across from Wildwood Manor homes. As we've documented, this vegetation is dominated by alien invasive Asian bush honeysuckle and vines (and trash).

After the August 8 meeting, Federal Realty apparently had contractors cut back the bush honeysuckle and vines somewhat. The attached photos, taken August 20 and 22, show the results. (The Elizabeth Arden Red Door salon is clearly visible in the fourth photo.) After the meeting, Federal Realty also apparently had contractors cut back some of the alien invasive plants behind the shopping center, along Berkshire Drive across from our homes. In both cases, there's an improvement, but the invasive bush honeysuckle and vines need to be completely removed; along Cheshire Drive, they need to be replaced with appropriate plant material; and along both streets, the shopping center's vegetation needs to be well maintained..

Inadequate maintenance of shopping center vegetation across Cheshire Drive and Berkshire Drive from our homes has been an ongoing problem. We've noted that the center's attractive landscaping near Old Georgetown Road, which the general public sees, is well maintained. We urge you to include conditions in any shopping center expansion approval that will require Federal Realty to remove alien invasive bush honeysuckle and vines; replant along Cheshire Drive with appropriate plant material, including evergreen trees; and adequately maintain all of the center's vegetation.

Ann Bowker
Wildwood Manor Citizens Association

----- Forwarded message -----

From: Ann Bowker <glenwood543@gmail.com>
Date: Wed, Aug 23, 2017 at 2:37 PM
Subject: Wildwood Shopping Center Cheshire border
To: glenwood543@gmail.com









ATTACHMENT 7

EXISTING LAND USE

FIGURE 11



page
39

- | | | |
|---|---|--|
| A Residential, One-Family 20,000 sq. ft. | G Multiple-Family, High Density Residential | M Commercial, Office Park |
| B Residential, One-Family 9,000 sq. ft. | H Planned Residential Development | N Light Industrial/Mixed Use |
| C Residential, One-Family 6,000 sq. ft. | I Transit Station, Residential | O Technology and Business Park |
| D Residential, Townhouse | J Transit Station, Mixed | P Vacant Land |
| E Multiple-Family, Low Density Residential | K Local Commercial/Retail | Q Institutional (Church, School, etc.) |
| F Multiple-Family, Medium Density Residential | L General Commercial Office/Retail | R Parkland |
| | | S Parking Lot |

2.6 PLAN OBJECTIVES

A. LAND USE

1. Protect and reinforce the integrity of existing residential neighborhoods.
2. Direct future development to land nearest to Metro stops and new transit stations, and to areas best served by transportation infrastructure.
3. Preserve and increase the variety of housing stock, including affordable housing.
4. Encourage a mixture of land uses in redeveloping areas to promote variety and vitality.
5. Encourage a land use pattern that provides opportunities for housing and employment.
6. Maintain and enhance the area's regional employment centers.
7. Preserve and enhance a spectrum of retail facilities ranging from regional to neighborhood shopping.
8. Preserve and expand green areas and greenways, including institutional open space, for environmental protection, wildlife sanctuary, recreation and visual relief.

page
33

B. TRANSPORTATION

1. Provide a safe, attractive and efficient transportation system to serve the recommended land use pattern for the Planning Area.
2. Reduce dependence on the automobile by expanding the availability of transit services throughout the Planning Area. Increase transit service to major employment and retail centers and for non-work trips, including recreation, and to meet the mobility needs of the elderly and handicapped.
3. Provide a comprehensive, safe, and more pleasant bicycle and pedestrian network as part of the transportation system.

C. URBAN DESIGN

1. Improve the appearance and the pedestrian environment of Rockville Pike.
2. Enhance the vitality and variety of the visual environment and provide an improved pedestrian experience at Rock Spring Park.

D. HISTORIC RESOURCES

1. Protect and enhance North Bethesda's historic and architectural heritage for the benefit of present and future County residents.

ATTACHMENT 8



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

August 31, 2017

MEMORANDUM

TO: Lori Shirley, Planner Coordinator
Area 2 Division

VIA: Patrick Butler, Acting Supervisor
Area 2 Division

FROM: Ed Axler, Transportation Master Planner
Area 2 Division

SUBJECT: Site Plan Amendment No. 82004016B
Wildwood Manor Shopping Center
North Bethesda Policy Area

This memorandum is Area 2 transportation planning staff's review of the subject Site Plan Amendment to increase the current retail square footage of the existing shopping center by 4,971 square feet of gross leasable area.

RECOMMENDATIONS

Area 2 transportation planning staff recommends the following conditions related to the transportation requirements for the subject Site Plan Amendment:

1. The Site Plan Amendment must be limited to a total of 88,430 square feet of gross leasable area of general retail space with a grocery store.
2. The Adequate Public Facility ("APF") review for the Site Plan Amendment of 3,720 additional square feet of gross leasable area of general retail space with a grocery store will remain valid for sixty-one (61) months from the date of mailing of this Planning Board Resolution.
3. The Applicant must upgrade the meandering pedestrian connection from the Cheshire Drive/Grosvenor Lane Intersection.
4. The Applicant must provide two inverted-U (or equivalent as approved by the staff) bike racks near the entrance of the proposed addition.

DISCUSSION

Site Location and Vehicular Site Access Points

The existing shopping center is located on the east side of Old Georgetown Road (MD 187) between Democracy Boulevard and Cheshire Drive. The six vehicular access points are from Georgetown Road where two curb cuts are from the existing service station, one curb cut is opposite of Democracy

Boulevard, another at Cheshire Drive, and two more between Democracy Boulevard and Cheshire Drive. One of the curb cut to the south of Democracy Boulevard is proposed to be closed. In addition, there is vehicle access via the internal driveways connecting the subject property to the Wildwood Medical Center property adjoining the northern property line.

The subject Site Plan Amendment is located on the southern section of the shopping center.

Master-Planned Roadways, Bikeways, Transitways

The master-planned transportation facilities are designated below in accordance with the:

- 1992 *North Bethesda/Garrett Park Master Plan*,
- 2017 Planning Board Draft *Rock Spring Master Plan*,
- 2005 *Countywide Bikeways Functional Master Plan*,
- Current Bikeways Master Plan update, and
- 2013 *Countywide Transit Corridors Mater Plans*

1. Old Georgetown Road is designated as a six-lane divided major highway, M-4, with a recommended 120-foot right-of-way according to the *North Bethesda/Garrett Park Master Plan* and the *Rock Spring Master Plan*.

As a requirement for Preliminary Plan No. 11989271A, the Applicant had recorded Record Plat No. 24091 that includes dedication for an additional 3.5 feet of right-of-way for a total of 60 feet from the centerline of Old Georgetown Road that was recorded on May 20, 2010.

The bikeway recommendations are as follows:

- The *North Bethesda/Garrett Park Master Plan* recommends a Class III bikeway
- The *Rock Spring Master Plan* recommends separated bike lanes, LB-7
- The *Countywide Bikeways Functional Master Plan* recommends a shared use path, SP-1
- The current Bikeways Master Plan update will recommend separated bikeway (that includes a sidepath [on the west side]) and separated bike lanes (two-way on the east side)

The *Countywide Transit Corridors Mater Plan* recommends that the Corridor 6, North Bethesda Transitway, along Old Georgetown Road, north Rock Spring Drive and not along the subject property frontage with a recommended station at the Rock Spring Drive/Old Georgetown Road intersection.

2. Democracy Boulevard is designated as a major highway, M-5, with a recommended 120-foot right-of-way from Bells Mills Road to Old Georgetown Road according to the *North Bethesda/Garrett Park Master Plan* and the *Rock Spring Master Plan*.

The bikeway recommendations are as follows:

- The *North Bethesda/Garrett Park Master Plan* recommends a Class I bikeway
- The *Rock Spring Master Plan* recommends:
 - On the west side of Old Georgetown Road, a shared use path, SP-2
 - On the east of Old Georgetown Road along the shopping center's northern property line, separated bike lanes or shared use path, LB-10
- The *Countywide Bikeways Functional Master Plan* recommends a shared use path, SP-2
- The current Bikeways Master Plan update will recommend

- On the west side of Old Georgetown Road, separated bikeway that includes a sidepath (on the north side) only.
 - On the east of Old Georgetown Road along the shopping center's northern property line, an off-street trail between Old Georgetown Road and Berkshire Drive that connects to a shared roadway path along Rossmore Drive
3. Cheshire Drive is designated a primary residential street, P-5, between Old Georgetown Road and Grosvenor Lane with a recommended 70-foot right-of-way according to the *North Bethesda/Garrett Park Master Plan* and the *Rock Spring Master Plan*.

The bikeway recommendations are as follows:

- The *North Bethesda/Garrett Park Master Plan* recommends a Class III bikeway
- The *Rock Spring Master Plan* recommends a shared roadway, SR-36 (the same Class III bikeway in the *North Bethesda/Garrett Park Master Plan*)
- The *Countywide Bikeways Functional Master Plan* recommends a shared use path, SP-1
- The current Bikeways Master Plan update will recommend separated bikeway that includes a sidepath (side to be determined)

Berkshire Drive is not listed in both *Master Plans* and is considered a tertiary residential street with a 50-foot right-of-way.

Traffic Mitigation Requirements

The Applicant does not have to enter into a Traffic Mitigation Agreement with the Montgomery County Department of Transportation (MCDOT) and the Planning Board to participate in the North Bethesda Transportation Management District (TMD) because the site is located outside the TMD's boundary.

Pedestrian and Bicycle Facilities

The Applicant is proposing to upgrade for a meandering pedestrian connection from the Cheshire Drive/Grosvenor Lane intersection that is proposed to be ADA compliant.

The Applicant must provide two inverted-U bike (or equivalent as approved by the staff) racks near the entrance.

Available Transit Service

Ride-On route 6 operates along Old Georgetown Road, Cheshire Drive, and Grosvenor Lane. Ride-on route 70 and Metrobus routes J-2 and J-3 operate along the adjacent Old Georgetown Road frontage where:

- Ride-On route 6 operates between the Westlake Montgomery Mall Transit Center and the Parkside on Montrose Avenue (east of the Grosvenor Metrorail Station) with half-hour headways and on weekdays only.
- Ride-On route 70 operates between the Milestone Kiss & Ride lot in Germantown and the Bethesda Metrorail Station with half-hour headways and on weekdays only.
- Metrobus routes J2 and J3 operate between the Westlake Montgomery Mall Transit Center and the Paul S. Sarbanes Transit Center/Silver Spring Metrorail Station with half-hour headways and on weekdays and weekends.

On-Going Nearby Transportation Improvement

MCDOT working to improve the operational excessive queuing between the two adjacent and closely-spaced intersections along Cheshire Drive from Old Georgetown Road to Grosvenor Lane-Wildwood Shopping Center Driveway. The results from the prior congestion analysis in a traffic study for a nearby development shows that these two intersections do not exceed their CLV congestion standard. However, there are existing backups during weekday peak hours caused by inadequate storage for the westbound Cheshire Drive traffic. An improvement has been identified and is being implemented by MCDOT.

As one of the MCDOT CIP Project No. 507017, Intersection Spot improvements, the westbound approach of Cheshire Drive between Old Georgetown Road and Grosvenor Lane is being designed to increase the number approach lanes from two to three lanes by removing the existing raised median. When the left-turns from Cheshire Drive are the critical westbound movement, the "dynamic" lane-use control signals will permit multiple approach lanes turn left. As an intersection with Old Georgetown Road, a State road, the spot intersection improvement is being coordinated with the Maryland State Highway Administration (SHA) to replace the wire with a mast arm that holds the signal heads and the proposed lane-use control signal indications. This spot intersection improvement is to be funded by MCDOT and SHA.

Transportation Adequate Public Facilities Review

The Adequate Public Facilities (APF) is being reviewed for the Site Plan Amendment under "old" 2012-2016 Subdivision Staging Policy (SSP) because the Site Plan Amendment was filed in 20014 that was well before January 1, 2017. The prior Planning Board actions are as follows:

- Site Plan No. 820040160 was approved for 609 more square feet of gross leasable area from the existing 84,101 square feet of gross leasable area to a total of 84,710 square feet of gross leasable area on January 8, 2004.
- Site Plan No. 82004016A was approved the installation of a 28-square-foot ATM and associated pedestrian access for a total of 84,738 square feet of gross leasable area on March 15, 2007.

The use and occupancy certificate for the existing shopping center was released at least 12 years ago. Thus, the provision in the Montgomery County Council's Resolution No. 18-671, "2016-2020 Subdivision Staging Policy" is applicable: "if use and occupancy certificates for 75% of the originally approved development were issued more than 12 years ... the traffic study must be based on the increased number of peak-hour trips rather than the total number of peak-hour trips."

The Applicant is proposing an addition of 4,971 square feet of gross leasable area to the existing square footage of the shopping center for a proposed total of 88,430 square feet of gross leasable area where:

- The difference between the previous approved total of 84,710 square feet of gross leasable area (via Site Plan No. 82004015A) and the existing shopping center built-out of 83,459 square feet of gross leasable area (98.5%, that is over 75%) is an unbuilt "credit" of 1,251 square feet of gross leasable area.
- The proposed 4,971 square feet of gross leasable area minus the unbuilt credit of 1,251 square feet of gross leasable area is 3,720 square feet of gross leasable area beyond the previously approved total of 84,710 square feet of gross leasable area.
- The 3,720 more square feet of gross leasable area added to the previously total of 84,710 square feet of gross leasable area increase the proposed total of 88,430 square feet of gross leasable area.
- The APF validity for the 3,720 additional square feet of gross leasable area of general retail space with a grocery store should remain valid for sixty-one (61) months from the date of mailing of this Planning Board Resolution.

For the proposed addition of general retail space with a grocery store, the net increase in the number of peak-hour trips during the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.) is as follows:

| | Square Feet of General Retail Space* | Weekday Peak-Hour Vehicle Trips | | | |
|---------------------|--|---------------------------------|-------|-------------------|-------|
| | | Morning Peak Hour | | Evening Peak hour | |
| | | Primary | Total | Primary | Total |
| Previously Approved | 84,710 | 88 | 219 | 350 | 876 |
| Proposed Total | 88,430 | 90 | 226 | 361 | 904 |
| Increase | 3,720 | 2 | 7 | 11 | 28 |

*Used trips-generation rates for general retail space with a grocery store.

In the table above, total trips include pass-by, diverted, and primary trips. Pass-by and diverted trips are those trips where the shopping center is not the primary origin or destination, but are already on the road and on the way to/from other origins or destinations.

A traffic study is not required to satisfy the LATR test because the proposed expansion generates less than 30 peak-hour vehicle trips within the weekday morning and evening peak periods.

For the Policy Area Review test, the Site Plan Amendment is reviewed under the "old" SSP that requires the Transportation Policy Area Review (TPAR) mitigation payment. However, for building permits issued after March 1, 2017, the Applicant will be required to pay the updated General District Transportation Impact Tax in lieu of TPAR payment in accordance with the "new" SSP. The timing and amount of the payment will be in accordance with that in Chapter 52 of the Montgomery County Code as amended.

EA

mmo to Shirley re Wildwood Manor Shopping Center 82004016B.doc

ATTACHMENT 9



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

May 18, 2017

Mr. Bradford Fox
Bohler Engineering
16701 Melford Boulevard, Suite 310
Bowie, MD 20715

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
Wildwood Manor
Preliminary Plan #: N/A
SM File #: 266616
Tract Size/Zone: 11.6/CR-1/R-90
Total Concept Area: 1.77ac
Lots/Block: N/A
Parcel(s): 1
Watershed: Lower Rock Creek

Dear Mr. Fox:

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 the use of micro bioretention.

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

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. Analysis of the proposed improvements, including the effects of the stormwater management practices, showed that there would be no increase in the 10-year runoff from the subject property resulting from this project. The final design plans must reflect and show this same effect. Modifications to the proposed design that would result in an increase in the 10-year runoff from the property will not be approved for construction.

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 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.



255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850 | 240-777-0311
www.montgomerycountymd.gov/permittingservices

Mr. Bradford Fox
May 18, 2017
Page 2 of 2

If you have any questions regarding these actions, please feel free to contact Thomas Weadon at 240-777-6309.

Sincerely,



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

MCE: me TEW

cc: C. Conlon
SM File # 266616

| | |
|-------------------|--------|
| ESD Acres: | 1.77ac |
| STRUCTURAL Acres: | N/A |
| WAIVED Acres: | N/A |

DPS-ROW CONDITIONS OF APPROVAL

May 23, 2017

82004016B Wildwood Manor Shopping Center Addition

Contact: Sam Farhadi at 240 777-6333

We have reviewed site and landscape plan files:

"07-BSITE-82004016B-006.pdf V3" uploaded on/ dated **"5/16/2017"** and
"08-BLL-82004016B-L102.pdf" uploaded on/ dated **"5/16/2017"**.

The followings need to be addressed prior to the certification of site plan:

1. For the existing driveway to remain:
 - a. Provide actual sight distance analysis;
 - b. Label the curb radii for and provide truck turning for all movements.
2. Along the County frontage on Cheshire Drive:
 - a. Ensure the sidewalks are minimum 5 feet wide and ADA compliant;
 - b. Close the unused curb cut to the north of existing driveway;
 - c. Plant minor species trees where needed (30' apart);
 - d. Provide and label PUE along the site frontage.



**Department of Permitting Services
Fire Department Access and Water Supply Comments**

DATE: 29-Aug-17
TO: Bradford Fox - bfox@bohlereng.com
Bohler Engineering
FROM: Marie LaBaw
RE: Wildwood Manor Building Addition
82004016B

PLAN APPROVED

1. Review based only upon information contained on the plan submitted 29-Aug-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.

***** See Statement of Performance Based Design *****



BOHLER
ENGINEERING

16701 Melford Boulevard, Suite 310
Bowie, MD 20715
PHONE 301.809.4500

Montgomery County
Fire Department Access and Water Supply
Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, Maryland 20850

Attn: Dr. Marie LaBaw, P.E.

August 28, 2017
FIRE CODE ENFORCEMENT
Fire Department Access Review
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation
BY: SAC FM: 43 DATE: 8/29/17

Re: Statement of Performance Based Design
Wildwood Manor
10233 Old Georgetown Road
Bethesda, Montgomery County, MD
BEPC # MB122038

Dear Dr. LaBaw:

On behalf of Federal Realty Investment Trust, Bohler Engineering presents this Statement of Performance Based Design for your review and approval. Federal Realty Investment Trust is pursuing development approvals for the Wildwood Manor Shopping Center building addition to the existing in-line shops along with the relocation of existing parking spaces and the closure of an existing entrance from Old Georgetown Road. The Project site is located at 10233 Old Georgetown Road, Bethesda, MD. The purpose of this Statement of Performance Based Design is to better explain the design provided on the Fire Department Access Plan enclosed.


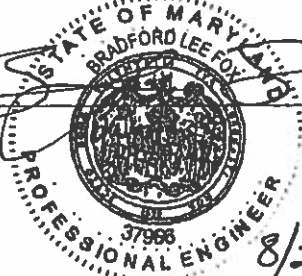
The proposed development does not exacerbate an existing non-compliant condition. Specifically, it is not possible to fully comply with Montgomery County Code Section 22-29 "Water Supply and Fire Hydrants Generally." The plan depicts the existing fire hydrant located on site east of the proposed building addition which provide full coverage within 300 feet of the proposed building addition. Furthermore, an additional fire hydrant is located within Cheshire Drive, southeast of the site. However, fire hydrant coverage along the fire department vehicle path of travel exceeds 500 feet on Old Georgetown Road southwest of the proposed building addition. A fire hydrant cannot easily be added due to the location of the county water mains. Exhibit 'A' is attached in support of this letter to depict the current fire hydrants located in the area. Exhibit 'A' shows the "WSSC 200' Sheet 213 NW-6 W" for the subject site which verifies the lack of fire hydrants along Old Georgetown Road.

Additionally, it is not possible to fully comply with Montgomery County Code Section 22-32 "Required Access for Fire Apparatus," the plan depicts the following fire truck access provided through the site. The (20) foot wide truck path is shown along Cheshire Drive to the southeast of the proposed site and on the subject site. The (20) foot wide truck path with an inner turning radius of (25) feet and outer turning radius of (45) feet can be provided when the truck is traveling eastbound on Cheshire Drive and turning into the Wildwood Manor Shopping Center. However, when existing the site onto Cheshire Drive going southbound, the aforementioned turning radius cannot be provided. The entrance southeast of the site onto Cheshire Drive and within the county right-of-way is not impacted from proposed building addition and thus remain in existing condition.

We hope this letter answers all questions regarding the performance based design for the existing conditions on the Wildwood Manor Shopping Center project. In addition, please find enclosed the following material for your review:

- Two (2) copies of the Fire Department Access Plan, prepared by Bohler Engineering, dated November 1, 2016 and last revised August 28, 2017.

Should you have any questions or require additional information, please do not hesitate to contact this office at (301) 809-4500. Thank you.

By: 

8/28/17

Name: Bradford L. Fox, P.E.

Title: Project Manager

Professional Certification

I, Bradford L. Fox, hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 37966, Expiration Date: 11/30/2017

ATTACHMENT 10



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

September 26, 2016

Matt Monahan
Federal Realty Investments Trust
1626 East Jefferson Street
Rockville, MD 20852

RE: Wildwood Shopping Center - Building Addition
Forest Conservation Exemption Request and Simplified NRI/FSD No. 42017032E
Confirmed and Approved on 9/26/2016

Dear Matt Monahan:

On September 20, 2016 the Development Applications and Regulatory Coordination staff of the Montgomery County Planning Department, received a Simplified Natural Resource Inventory / Forest Stand Delineation (Simplified NRI/FSD) for a building addition at the Wildwood Shopping Center. The Simplified NRI/FSD is part of a forest conservation exemption request for a modification to an existing developed, non-residential property. This exemption request has been assigned plan number 42017032E.

The review of the exemption request is complete. There is no forest or forest stream buffer on the property. No forest has ever been removed from the property. The property is not within a special protection area. The proposed building addition does not require approval a new subdivision plan. Also, the proposed addition will maintain the existing shopping center while increasing the developed area by less than 10 %. The increase in developed area is well below the modification threshold of 50% new developed area. As a result of these findings, the project meets the requirements of the Montgomery County Code, Chapter 22A (Forest Conservation Law), Section 22A-5(t) for a modification forest conservation exemption request.

Forest Conservation Exemption Request No. 42017032E for the Wildwood Shopping Center building addition is confirmed. The Simplified NRI/FSD Plan for this project is approved.

Any changes from the confirmed exemption may constitute grounds to rescind or amend any approval actions taken. If there are any subsequent modifications planned to the approved Simplified NRI/FSD Plan, a separate amendment may be required for Montgomery County Planning Department review and approval prior to those activities occurring.

Sincerely,

A handwritten signature in cursive script that reads "Stephen Peck".

Stephen Peck
Senior Planner
Development Applications and Regulatory Coordination
M-NCPPC - Montgomery County Planning Department

CC: Matthew Jones, Bohler Engineering