

**THE MARYLAND-NATIONAL CAPITAL PARK AND  
PLANNING COMMISSION**

**Department of Park & Planning, Montgomery County, Maryland**  
8787 Georgia Avenue, Silver Spring, Maryland 20910

**MEMORANDUM**

**TO:** Richard Weaver, Development Review  
Marilyn Clemens, Community Based Planning

**FROM:** Stephen D. Federline, AICP, Supervisor,  
CountyWide Environmental Planning

**DATE:** December 8, 2005

**SUBJECT:** Project Plan #920060060 and Preliminary Plan #120060400:  
**8400 WISCONSIN AVENUE**

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The Environmental Planning staff has reviewed the project and preliminary plan referenced above. Staff recommends approval of the plans with the following condition(s):

- 1) The proposed development shall comply with the conditions of the preliminary forest conservation plan. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits.
    - a) Prior to plat recordation, provide documentation for use of approved forest bank, or identify location of offsite forestation, which must be protected by forest conservation easement, or other legally acceptable permanent protection mechanism.
    - b) Prior to building permit release, submit financial security to M-NCPPC for offsite forest planting and maintenance.
    - c) Maintenance and management agreement must be approved by M-NCPPC staff prior to first inspection of planted areas.
    - d) Required site inspections by M-NCPPC monitoring staff (as specified in Section 110 of the Forest Conservation Regulations).
  - 2) Prior to approval of the signature set of the site plan, the applicant must provide a noise study prepared by a professional engineer with competency in acoustical analysis of projected transportation noise levels affecting the site.
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a) At site plan submittal, minimize noise impacts to outdoor spaces through noise-effective site and building design, with focus on plaza and balcony areas. All residential units exposed to exterior noise levels exceeding 65 dBA, Ldn shall be subject to interior noise mitigation conditions to be applied at time of site plan approval.

SDF:sdf:g:evelyndrc/ep106040



December 1, 2005

**MEMORANDUM**

TO: Marilyn Clemens, Planner/Coordinator  
Community Based Planning

Cathy Conlon, Supervisor  
Development Review Division

VIA: Shahriar Etemadi, Supervisor  
Transportation Planning

FROM: Scott A. James, Planner/Coordinator *Saj*  
Transportation Planning

SUBJECT: 8400 Wisconsin Avenue  
Preliminary Plan # 1-06040 and Project Plan #9-06006  
Bethesda Central Business District

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This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review and approval of the subject preliminary and project plan application to construct 208 residential units in downtown Bethesda.

**RECOMMENDATION**

Transportation Planning staff recommends approval of the above referenced preliminary and project plans with the following conditions as part of the APF test for transportation requirements related to Local Area Transportation Review (LATR):

1. Limit the development to 208 residential units.
  2. Enter into a traffic mitigation agreement to participate in the Bethesda transportation Mitigation Organization.
  3. Provide four bike racks in front of entrance and sixteen bicycle lockers in the proposed structured parking garage.
-

## DISCUSSION

### Site Location, Access, Circulation, and Parking

The subject property is located at the corner of Wisconsin Avenue and Battery Lane in Bethesda. The proposed development occupies the northwest corner of the intersection and is bounded by Woodmont Avenue to the west, Battery Lane to the south and Wisconsin Avenue to the east. The property is currently developed as a hotel with 186 guest rooms. Access to the development is from Battery Lane and Woodmont Avenue. There will be no future access to the site from Wisconsin Avenue.

### Local Area Transportation Review

The proposed development of 208 residential units is anticipated to generate 68 AM peak hour trips and 68 PM peak hour trips during a regular weekday peak periods. An LATR study was performed to determine the impact the proposed development would have upon the adjacent transportation infrastructure.

Five signalized intersections adjacent to the development were selected for analysis: Wisconsin Avenue (MD 355) at Woodmont Avenue, Wisconsin Avenue (MD 355) at Battery Lane, Wisconsin Avenue (MD 355) at Cordell Avenue, Woodmont Avenue at Battery Lane and Woodmont Avenue at Cordell Avenue. As shown in the table below, all studied intersections are estimated to operate within the established Bethesda Central Business (CBD) District Critical Lane Volume (CLV) threshold of 1800 vehicles.

The following table shows the CLV analysis results for the studied intersections:

<u>Roadway Intersection</u>	<u>Current CLV levels (AM/PM)</u>	<u>Background CLV levels (AM/PM)</u>	<u>Projected Future CLV (AM/PM)</u>
Wisconsin Avenue (MD 355)/Woodmont Avenue	867/1053	870/1063	875/1065
Wisconsin Avenue (MD 355)/Battery Lane	926/943	931/962	941/970
Wisconsin Avenue (MD 355)/Cordell Avenue	656/726	660/750	663/754
Woodmont Avenue/ Battery Lane	871/684	881/694	883/695
Woodmont Avenue/ Cordell Avenue	578/505	579/514	581/515

## Master Plan Roadways and Bikeways

Wisconsin Avenue (MD 355) is a six lane major divided highway within 104 feet right-of-way. Wisconsin Avenue serves as a major conduit between the Capital Beltway (1.5 miles north of the property) and downtown Washington, DC. Woodmont Avenue is a major arterial serving as an alternate north-south route to Wisconsin Avenue. In the vicinity of the site, Woodmont Avenue is a four lane arterial of 80 feet of right-of-way. Battery Lane is a four-lane roadway connecting Wisconsin Avenue to the east with Old Georgetown Road (MD 187) to the south. Battery Lane runs along the southern frontage of the subject property with 70 feet of right-of-way. Access to the site is one full service driveway from Battery Lane and another full service driveway on Woodmont Avenue. Service vehicles (refuse and delivery trucks) will use a reserved access drive on Woodmont Avenue.

According to the Countywide Bikeways Functional Master Plan, two bicycle facilities exist in the vicinity of the proposed development: a shared-use path (SP-62) alongside Woodmont Avenue from Wisconsin Avenue to Battery Lane and a proposed shared road bikeway (SR - 10) along Battery Lane between the National Institute of Health campus and the Capital Crescent Trail.

## Pedestrian Access

The adjacent signalized intersections have pedestrian crosswalks on most approaches. There are three marked crosswalks except for northern side at the intersection of Wisconsin Avenue (MD 355) and Battery Lane. A marked pedestrian crosswalk was not provided on the northern side in order to allow for more efficient traffic circulation onto Wisconsin Avenue. Intersection signal timing and signage is adequate for pedestrians at all intersections studied. The project proposes to tie into the existing network of pedestrian facilities within the Bethesda CBD. The project will also incorporate pedestrian access across the development from Wisconsin Avenue to Woodmont Avenue for improved pedestrian connectivity.

SAJ:gw

mno to Clemens re 8400 Wisconsin Ave



DEPARTMENT OF PUBLIC WORKS  
AND TRANSPORTATION

Douglas M. Duncan  
County Executive

December 2, 2005

Arthur Holmes, Jr.  
Director

Ms. Catherine Conlon, Subdivision Supervisor  
Ms. Marilyn Clemens, Coordinator  
Development Review Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-20060400  
Project Plan # 9-20060060  
8400 Wisconsin Ave.

Dear Ms. Conlon and Ms. Clemens:

We have completed our review of the Project Plan and the Preliminary pPan dated September 29, 2005. This plan was reviewed by the Development Review Committee at its meeting on November 7, 2005. Representatives for the applicant, M-NCPPC Transportation Planning, and the Department of Permitting Services later met, on November 22<sup>nd</sup>, to revisit concerns about the proposed site access on Battery Lane; the revised sketches that resulted from that meeting (to shift the western edge of the proposed driveway to a point sixty-four (64) feet east of the eastern curbline of Woodmont Avenue) are incorporated by reference. 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 DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Dedicate necessary right of way for Wisconsin Ave, Battery lane and Woodmont Ave in accordance with the master plan.
2. Dedicate necessary right of way for standard truncations at the intersections of Battery Lane with Wisconsin Avenue and Woodmont Avenue.
3. We did not receive complete analyses of the capacity of the downstream public storm system(s) and the impact of the post-development runoff on the system(s). As a result, we are unable to offer comments on the need for possible improvements to the system(s) by this applicant. Prior to approval of the record plat by the Department of Permitting Services (DPS), the applicant's consultant will need to submit this study, with computations, for review and approval by DPS. Analyze the capacity of the existing downstream public storm drain system and the impact of the post-development ten (10) year storm runoff on same. Since the proposed subdivision drains to an existing closed section street, include inlet efficiency and spread computations in the impact analysis.



Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878  
240/777-6000, TTY 240/777-6013, FAX 240/777-6030

Ms. Conlon and Ms. Clemens  
Preliminary Plan No. 1-20060400  
Project Plan No. 9-20060060  
December 2, 2005  
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4. Prior to approval of the record plat by DPS, submit a revised Sight Distances Evaluation certification form for the relocated entrances on Battery Lane and Woodmont Avenue. These forms may be approved by DPS.
5. Our policy on the spacing of commercial driveway aprons is to have a minimum of one hundred (100) feet of tangent distance between the curb returns of adjacent driveways and intersections – taking into consideration other issues such as sight distances, operational characteristics of the frontage road, opposite and/or adjacent driveways and/or intersections, property frontage limitations, etc. We understand the rationale behind the applicant's desire to have an entrance to their proposed underground garage and their proposed lobby drop-off. We appreciate the applicant's cooperation to move their entrance further from the signalized intersection with Woodmont Avenue. Nevertheless, we remain concerned about potential operational problems with full-movement operations at the latest proposed driveway location.

We reserve the right to implement turning movement restrictions into and/or out of the garage, if we observe recurring operational problems on Battery Lane.

6. The parking layout plan will be reviewed by the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, handicap parking spaces and access facilities, and sidewalks. The applicant may wish to contact Ms. Sarah Navid of that Department at (240) 777-6320 to discuss the parking lot design.
7. For safe simultaneous movement of vehicles, we recommend a driveway pavement width of no less than twenty four (24) feet for the entrances on Woodmont Ave and Battery Lane to allow vehicles to enter and exit the site without encroaching on the opposing lanes. This pavement width will permit an inbound lane width of fourteen (14) feet and an exit lane width of ten (10) feet.
8. Curb radii for intersection type driveways should be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site.
9. In order to ensure adequate driveway capacity, particularly egress volume, provide a minimum fifty (50) foot tangent section before encountering cross traffic on-site, for all driveways.
10. Woodmont Avenue is classified as an arterial roadway. We have concerns about access to the proposed loading dock(s). We believe the loading docks should be designed to discourage any back-in maneuvers from Woodmont Avenue; vehicles should drive in and turn around on the site. The proposed loading dock should be relocated to the north side of the property, per comment no. 5, to provide more separation from the driveway for the underground parking garage.

The applicant needs to submit a truck circulation plan for review by the M-NCPPC and MCDPS. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed dumpsters. The applicant may also need to provide documentation of their proposed delivery schedules.

Ms. Conlon and Ms. Clemens  
Preliminary Plan No. 1-20060400  
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11. Truck loading space requirements to be determined in accordance with the Executive Branch "Off-Street Loading Space" policy.
12. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans With Disabilities Act.
13. For any parking facility containing more than fifty (50) parking spaces, the applicant needs to furnish bicycle parking facilities as required Section 59 E-2.3 of the Montgomery County Code. Accordingly, the applicant should provide either bike lockers or inverted "U" type bike racks.
14. Record plat to reflect a denial of access along the Wisconsin Avenue (Md 355) site frontage. Improvements along Wisconsin Ave. (MD 355) to be as required by the Maryland State Highway Administration.
15. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
16. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
17. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Traffic Management Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
18. Trees in the County rights of way - species and spacing to be in accordance with the applicable DPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
19. If the applicant is required to install Bethesda CBD streetscaping amenities along the Woodmont Avenue, Battery Lane, and Wisconsin Avenue site frontages – prior to approval of the record plat by DPS, execute and record a Declaration of Covenants (for Maintenance and Liability) or enter into an agreement with the Bethesda Urban District for the maintenance of those items.
20. 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. Improvements to the existing public storm drainage system, if necessitated by the previously mentioned outstanding storm drain study. If the improvements are to be maintained by Montgomery County, they will need to be designed and constructed in accordance with the DPWT Storm Drain Design Criteria.



Ms. Conlon and Ms. Clemens  
Preliminary Plan No. 1-20060400  
Project Plan No. 9-20060060  
December 2, 2005  
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- B. Install Bethesda CBD streetscaping amenities on the Woodmont Avenue, Battery Lane, and Wisconsin Avenue site frontages – if required as a condition of approval by the Planning Board.
- C. 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.
- D. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.
- E. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please Mr. Sam Farhadi at [sam.farhadi@montgomerycountymd.gov](mailto:sam.farhadi@montgomerycountymd.gov) or (240) 777-6000.

Sincerely,



Gregory M. Leck, Manager  
Traffic Safety Investigations and Planning Team  
Traffic Engineering and Operations Section

Enclosure

m:/subdivision/farhas01/preliminary plans/1-20060400,8400 Wisconsin Ave, gml revs.doc

cc: Kim McCary, Rodgers and Associates  
Edward Papazian, Kimley-Horn and Associates  
William Kominers, Holland & Knight  
Thomas Bermingham, Crimson 8400 Bethesda, LLC  
Shahriar Etemadi, M-NCPPC TP  
Raymond Burns, MSHA EAPD  
Joseph Y. Cheung; DPS Right-of-Way Permitting & Plan Review  
Christina Contreras; DPS Right-of-Way Permitting & Plan Review  
Sarah Navid; DPS Right-of-Way Permitting & Plan Review

WSSC Comments on Items for November 7, 2005, Development Review Committee Meeting

File Number	Project Name	Comments
9-20060060	8400 WISCONSIN AVENUE	Water and sewer lines are available. Connections required.
1-20060400		On-site process required. A hydraulic planning analysis completed under DA4264Z05.

Unless otherwise noted, all extensions require Requests for Hydraulic Planning Analysis and need to follow the System Expansion Permit (SEP) Process. Contact WSSC's Development Services Center (301-206-8650) or visit the Development Services on WSSC's web-site ([www.wsscwater.com](http://www.wsscwater.com)) for information on requesting a Hydraulic Planning Analysis and additional requirements for extensions. Contact WSSC's Permit Services (301-206-4003) for information on service connections and on-site system reviews.



Robert L. Ehrlich, Jr., *Governor*  
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*  
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

November 1, 2005

Ms. Cathy Conlon  
Supervisor, Development Review  
Subdivision Division  
Maryland National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Re: Montgomery County  
MD 355  
8400 Wisconsin Avenue  
File Nos. 1-20060400 & 9-20060060

Dear Ms. Conlon:

The State Highway Administration (SHA) would like to thank you for the opportunity to review the preliminary and project plan applications for the 8400 Wisconsin Avenue development. We have completed our review and offer the following comments:

- Truncations (right of way flares) and right-of-way dedications need to be in accordance with the Master Plan of Highways. SHA will require that right-of-way dedications and changes to access controls be platted to SHA standards. These plats must be submitted in hard copy format for review, checking and final issuance. Please contact Mr. Daniel Andrews of the Plats and Surveys Division @ 410-545-8860 for additional information. For questions regarding the plat review process, please E-mail Mr. Andrews at [dandrews@sha.state.md.us](mailto:dandrews@sha.state.md.us).
- Access to this property is subject to the "Rules and Regulations" of this Administration with a permit issued by our District 3 Utility Engineer for sidewalk and utility improvements within the State right-of-way along MD 355 (Wisconsin Avenue). Please contact Mr. Augustine Rebish, District 3 Utility Engineer @ 301-513-7350 for permitting requirements.
- Please submit four (4) copies of the traffic study to this office so that the appropriate divisions within SHA can make the necessary review. Once received, we will provide comments within 30 days.
- The term "denied access" is to be placed on the final record plat along the property that abuts MD 355. All access to the proposed site must be from County roads.


My telephone number/toll-free number is \_\_\_\_\_  
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.marylandroads.com](http://www.marylandroads.com)

Ms. Cathy Conlon  
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If additional information is required from SHA regarding this project, please do not hesitate to contact Mr. Raymond Burns at 410-545-5592, Mr. John Borkowski at 410-545-5595, or by using our toll free number in Maryland only, 1-800-876-4742 (x-5592 for Ray, x-5595 for John). You may also E-mail Ray at [rburns1@sha.state.md.us](mailto:rburns1@sha.state.md.us) or John at [jborkowski@sha.state.md.us](mailto:jborkowski@sha.state.md.us). Thank you for your cooperation.

Very truly yours,



for

Steven D. Foster, Chief  
Engineering Access Permits Division

SDF/RB/JAB

cc: Mr. Darrell Mobley (Via E-mail)  
Mr. Augustine Rebish (Via E-mail)  
Mr. Lee Starkloff (Via E-mail)  
Mr. Daniel Andrews (Via E-mail)  
Mr. Richard Weaver, M-NCPPC (Via E-mail)  
Mr. Shahriar Etemadi, M-NCPPC (Via E-mail)  
Ms. Marilyn Clemens, M-NCPPC (Via E-mail)  
Ms. Anne Dowell (Rodgers Consulting, Inc.)



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

December 8, 2005

Mr. Mike Lichty  
Rodgers Consulting, Inc.  
19847 Century Boulevard, Suite 200  
Germantown, MD 20874

Re: Stormwater Management **CONCEPT** Request  
for Bethesda Gateway  
Preliminary Plan #: N/A  
SM File #: 219010  
Tract Size/Zone: 1.65/CBD-1  
Total Concept Area: 1.65ac  
Lots/Block: 19 & 20 / 2  
Parcel(s): N/A  
Watershed: Lower Rock Creek

Dear Mr. Lichty:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is acceptable. The stormwater management concept consists of channel protection measures via a request for waiver. On-site water quality control will be provided via the use of a volume based StormFilter.

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

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Water quality volume must be based on total drainage area of 1.46 ac. A WQ waiver fee for the .19ac that will not drain to a water quality structure must be paid.
6. Mechanical drawings will be required at the detailed plan stage to verify the roof drain layout.

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

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is required.



255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850-4166 • 240/777-6300, 240/777-6256 TTY

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

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

Sincerely,



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

RRB:dm CN 219010

cc: C. Conlon  
 S. Federline  
 SM File # 219010

QN - Waived	Acres: 1.6596
QL - On Site/Waived;	Acres: 1.48719 ac
Recharge is not provided	



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**FIRE MARSHAL COMMENTS**

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**DATE:** DECEMBER 7, 2005  
**TO:** PLANNING BOARD, MONTGOMERY COUNTY  
**VIA:**  
**FROM:** BATTALION CHIEF MICHAEL A. DONAHUE, *Michael A. Donahue* FIRE CODE ENFORCEMENT SECTION  
**RE:** 8400 WISCONSIN AVENUE, PRELIMINARY PLAN No. 1-20060400

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1. Preliminary plan approved for fire department access as shown on drawings dated 10/2005.

REM