



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

Staff Report: Sketch Plan #320110020, North Bethesda Gateway

ITEM #: _____

MCPB HEARING January 20, 2011
DATE:

REPORT DATE: January 6, 2011

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief
Robert Kronenberg, Supervisor
Area 1

FROM: Sandra Pereira, Senior Planner
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APPLICATION DESCRIPTION: Mixed-use development including up to 1,236,648 square feet of non-residential uses and up to 1,073,288 square feet of residential uses but limited by a total cumulative density of up to 1,700,241 square feet or approximately 3.54 FAR; 11.04 acres; CR-3 and CR-4; located on Rockville Pike, approximately 250 feet South of Nicholson Lane; White Flint.

APPLICANT: ProMark Real Estate Services, LLC

FILING DATE: October 1, 2010

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY: The mixed-use development includes approximately 1,034,131 square feet of non-residential development (office, hotel, and retail) and 666,110 square feet of residential development. This translates into a non-residential FAR of 2.15 and a residential FAR of 1.39 across the site. Overall, the total cumulative FAR is 3.54. The optional method of development project is seeking a density bonus for proximity to transit (30.64%) and neighborhood services (10%), and for providing a through block connection (15%), structured parking (14.29%), public open space (9.68%), exceptional design (7.5%), BLTs (5%) and vegetated roofs (10%). The project conforms to the Sector Plan recommendations and the requirements of the zone.

Approval signatures

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SITE DESCRIPTION

Vicinity

The subject site (“Site”) is located on the east side of Rockville Pike, approximately 250 feet south of Nicholson Lane in North Bethesda and within the boundaries of the *2010 White Flint Sector Plan*. The entire Site falls within the $\frac{1}{2}$ -mile radius from the White Flint Metro and a small portion falls within the $\frac{1}{4}$ -mile radius from the Metro. The Site is bounded on the west by Rockville Pike, on the north by Nicholson Lane, on the east by a private access road from White Flint Plaza to White Flint Mall, and on the south by a private ring road serving White Flint Mall. A public street known as Huff Court bisects the Site in the North-South direction.

The neighborhood surrounding the Site is predominately commercial and suburban in nature. Surface parking, retail shopping centers, midrise office buildings, and auto-related uses predominate. The closest residential neighborhoods to the Properties are Garrett Park Estates, Edson Lane Estates, and Timberlawn, all approximately one-third of a mile away. Randolph Hills is approximately one-half of a mile away.



Vicinity Map

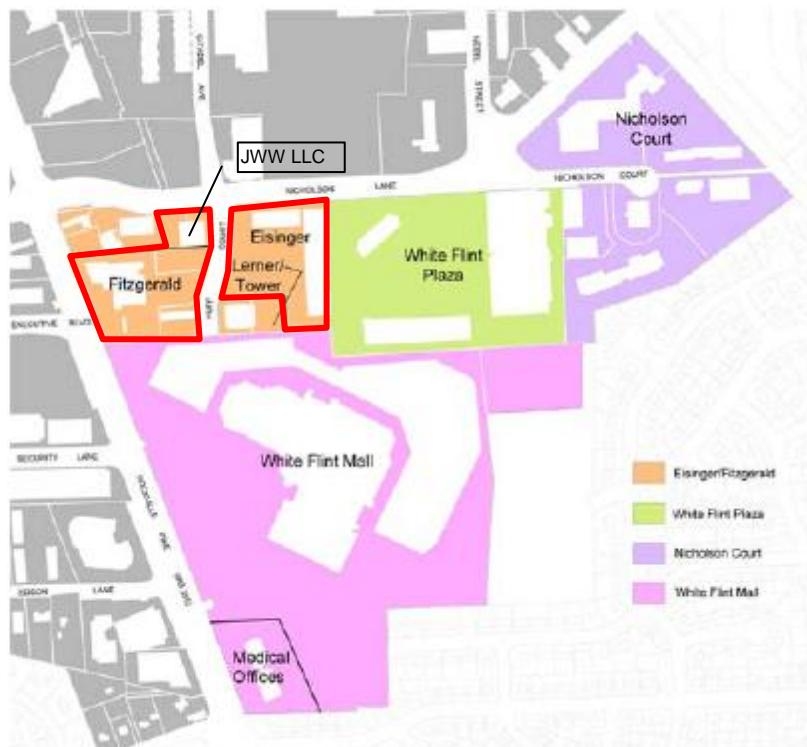
Nearby pending sketch plan applications include the North Bethesda Marketplace, 320110030, located across from the site on the west side of Rockville Pike, and seeking approval of a multi-building mixed-use development, including up to 368,000 square feet of commercial uses and up to 372,528 square feet of residential space; and the Mid-Pike Plaza, 320110010, located on the southwest quadrant of the intersection of Rockville Pike and Montrose Parkway, and seeking

approval of a mixed-use development including up to 1.5 million square feet of commercial uses and 1.9 million square feet of residential space.

Site Analysis

The Project represents the collaboration of three separate ownership entities:

- Lake Waverly Associates LP (5.123 acres): This parcel is commonly referred to as the “Eisinger site” in the *2010 White Flint Sector Plan*
- John J. Fitzgerald, Jr (4.791 acres): This parcel is commonly referred to as the “Fitzgerald site” in the *2010 White Flint Sector Plan*
- JWW LLC (1.124 acres): These two lots are not directly mentioned in the text of the *2010 White Flint Sector Plan* but are included in the graphics describing the “Fitzgerald block”



Site Location (site boundaries outlined in red)

The properties are contiguous or confronting each other. The properties are zoned CR3: C1.5, R2.5, H200' on 5.12 acres and CR4: C3.5, R2.0, H250' on 5.92 acres. The Site is currently improved with 140,920 square feet of medical office and laboratory space, 11,340 square feet of retail, and 38,404 square feet dedicated to corporate offices and car dealership. Originally developed in the 1960s and 1970s, improvements on the Site are typical of the suburban form of land development with a high level of imperviousness.

Redevelopment plans are constrained by: (1) a WMATA easement along the Fitzgerald Property fronting Rockville Pike; (2) proposed plans for the extension of Executive Boulevard Extended

East, (3) and a significant grade change across the 11.04 acres. The site slopes downward generally from west to east as a twenty-seven foot grade change occurs between the northwest and northeast corners of the site.

The site is currently served by public water and sewer. The properties lie within the Rock Creek watershed and generally drain towards the northeast to an enclosed storm drain system in Huff Court and Nicholson Lane. There are no known rare, threatened, or endangered species on site; there are no forests, 100-year floodplains, stream buffers, wetlands, or other environmental sensitive features on site. The property has 11 significant trees (between 24" and 30" DBH) and four specimen trees ($\geq 30"$ DBH). There are no known historic properties or features on site.



Aerial Photo

PROJECT DESCRIPTION

Previous Approvals

There are no previous approvals that encumber this site.

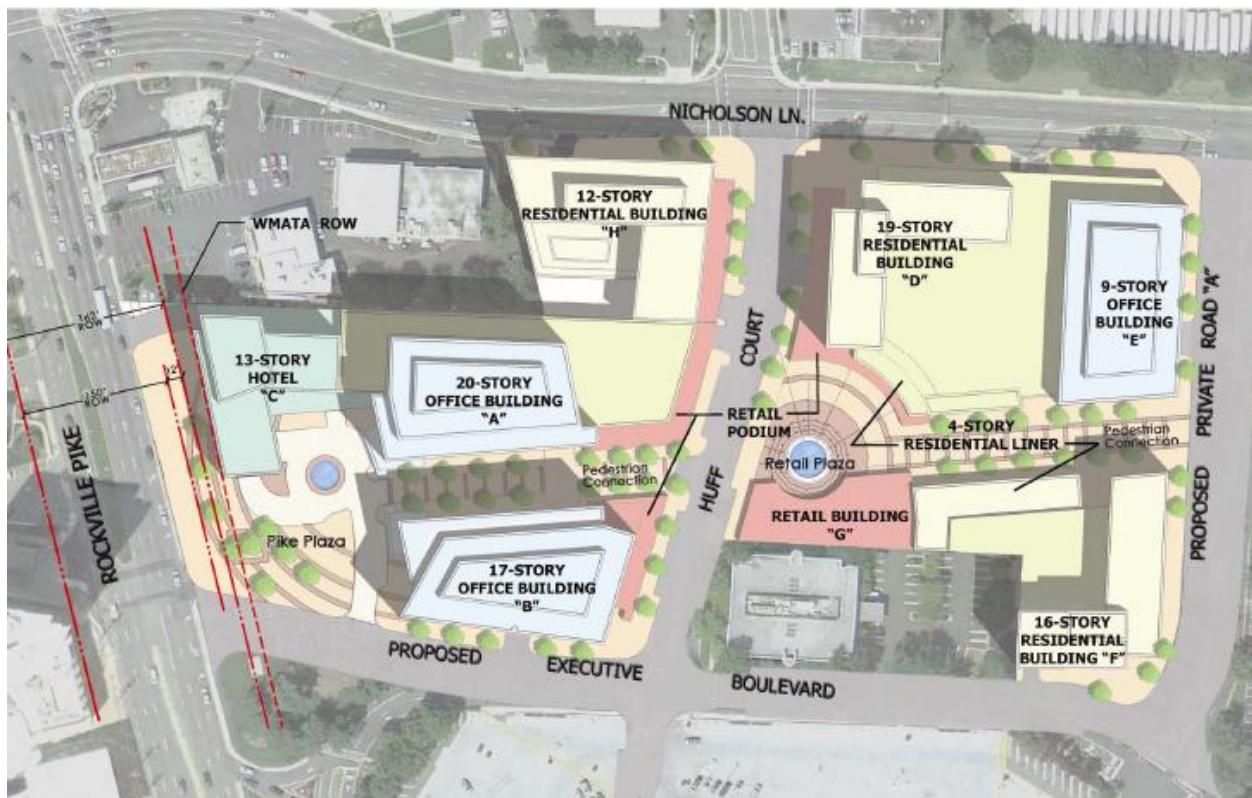
Land Use

The subject sketch plan proposes to redevelop the site as a mixed-use center with residential, office, hotel, and retail uses established along existing roads and a new through block connector street. Except for on-street spaces, all parking will be structured within or below buildings.

Office and hotel uses will be located primarily along Rockville Pike, and residential uses will be located primarily to the east of the site, in the Eisinger property, away from Rockville Pike.

Building Massing and Heights

The sketch plan seeks approval of a maximum of 1,236,648 square feet of non-residential uses and up to 1,073,288 square feet of residential uses for a total cumulative density of up to 1,700,241 square feet or approximately 3.54 FAR.

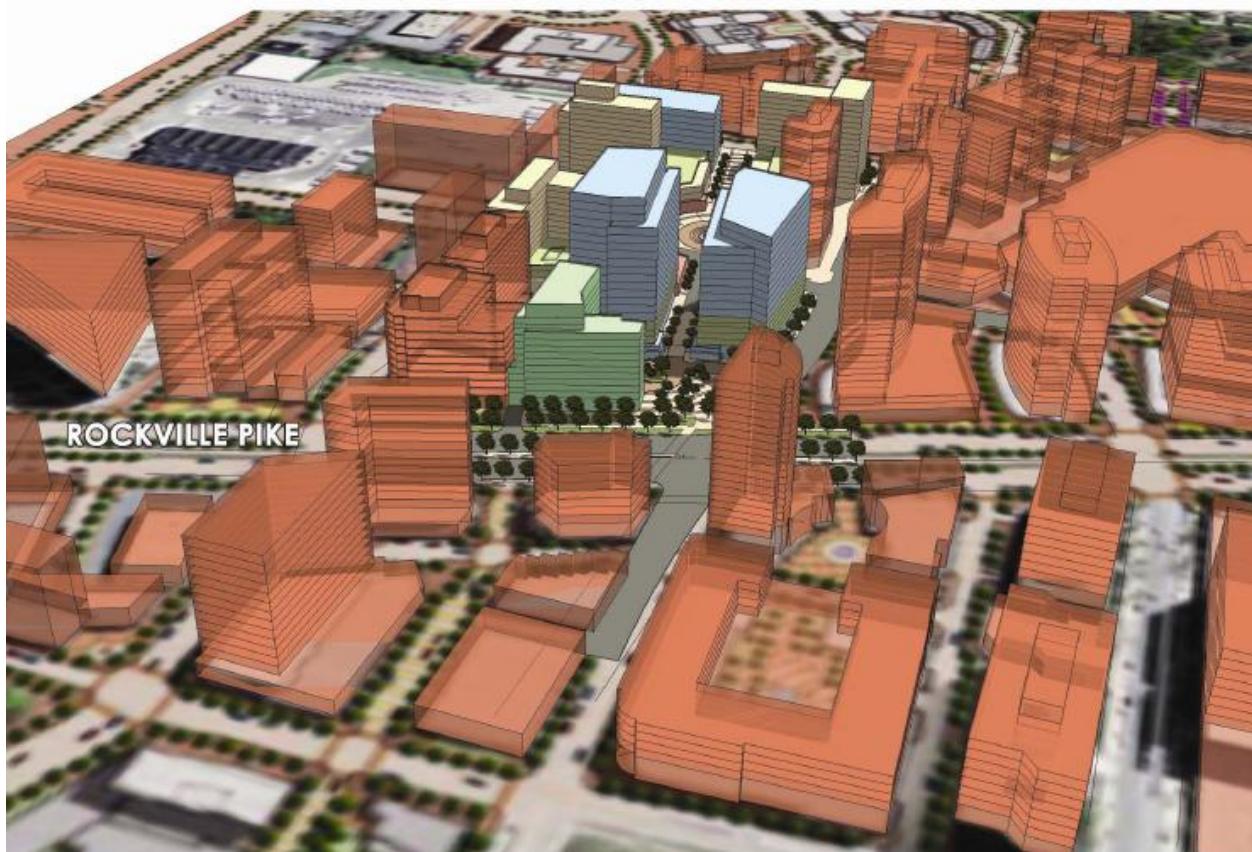


Illustrative Plan

The mixed-use development proposes approximately 1,034,131 square feet of non-residential development (office, hotel, and retail) and 666,110 square feet of residential development. This translates into a non-residential FAR of 2.15 and a residential FAR of 1.39 across the site. Overall, the total cumulative FAR is 3.54. The maximum numbers will be adjusted during the preliminary and site plan reviews, however, the current proposal allows the maximum flexibility within the applicable CR zone. The density is accounted for on a square-footage basis and does

not provide a specific unit count for the residential development. This will also be refined and accounted for with site plan review and with a traffic analysis for the site.

Illustrated building heights range from 25 feet to 250 feet. The tallest buildings shown are on Fitzgerald site along Rockville Pike and along the north side of the through block connector street. Shorter building heights are proposed south of prime open spaces to keep these areas bright and airy. The proposed building heights create a stepping down effect from the core along Rockville Pike towards the residential neighborhoods on the edges.



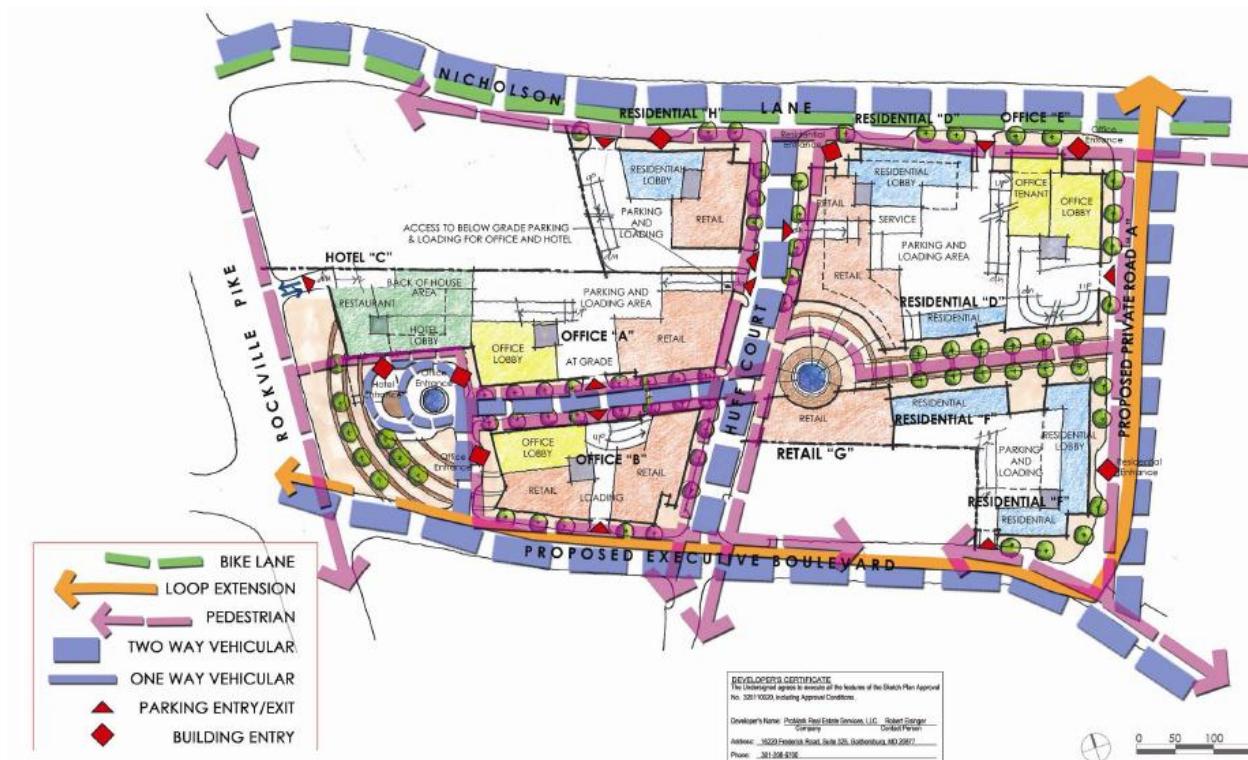
Massing study of proposed buildings looking East

Transportation

Vehicular circulation directs traffic into and through the site from the surrounding major streets: Rockville Pike, Nicholson Lane, and Proposed Executive Boulevard extended. Additionally, vehicular circulation is directed within the site via a portion of the proposed east-west through block connector and the existing north-south Huff Court. Structured parking and loading is integrated into the site layout.

Pedestrian circulation is directed around the perimeter of the site, where several building entrances are located, and into the site primarily via the proposed through block connection and associated urban plazas and Huff Court combined with the proposed activating uses. The through block connection will be a pedestrian-only connection east of Huff Court, and both pedestrian

and light vehicular west of Huff Court. Vehicular traffic on the through block connection will be limited to providing access to the parking garages and hotel drop-off. Huff Court will connect Nicholson Lane to the proposed Executive Boulevard extended, and encourage pedestrian circulation through activating uses and the centrally located urban plaza. The Rockville Pike Promenade, as recommended by the *2010 White Flint Sector Plan*, will further integrate this development into the surrounding area.

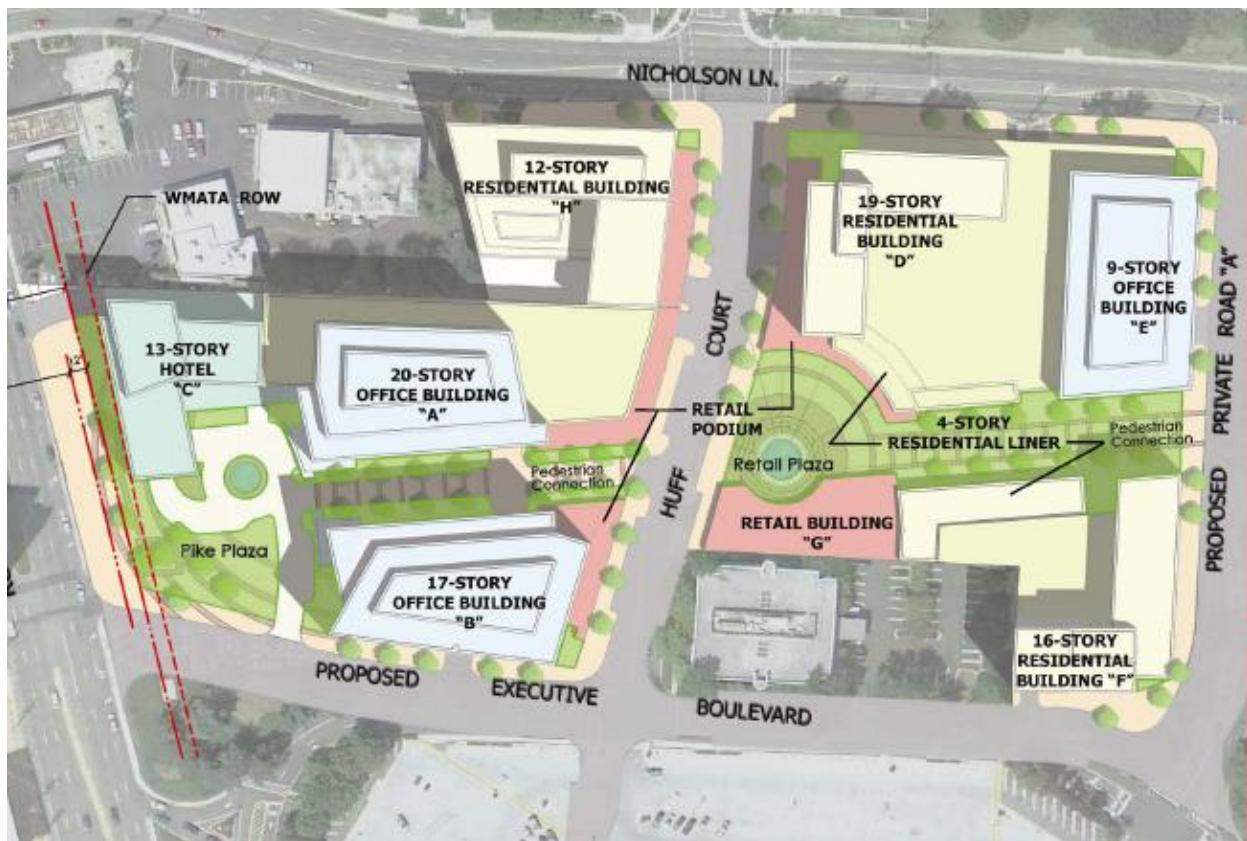


Open Space and Environment

The main areas of public use space are lined up sequentially in an east-west direction with a corner plaza at Rockville Pike and Executive Boulevard that draws pedestrians into the interior of the project through a mid-block connection. The two plazas proposed, one along Rockville Pike and another on Huff Court, relate to the plaza built at the North Bethesda Marketplace in terms of size, character and activating uses, and contribute to the overall character of the area.

The Applicant submitted a simplified Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) to M-NCPPC for review and approval. This property is subject to Chapter 22A – Forest Conservation Law and a forest conservation plan will be required to be submitted at time of preliminary plan. There are no priority planting areas on site. None of the significant or specimen trees are likely to be retained and a variance will be required for impacts to critical root zones and/or removals.

On-site stormwater management considered for this site includes green roofs, filterra bioretention system, micro-bioretention planter boxes, and inlet storm filters. The stormwater management concept will be developed in greater detail with the preliminary and site plans.



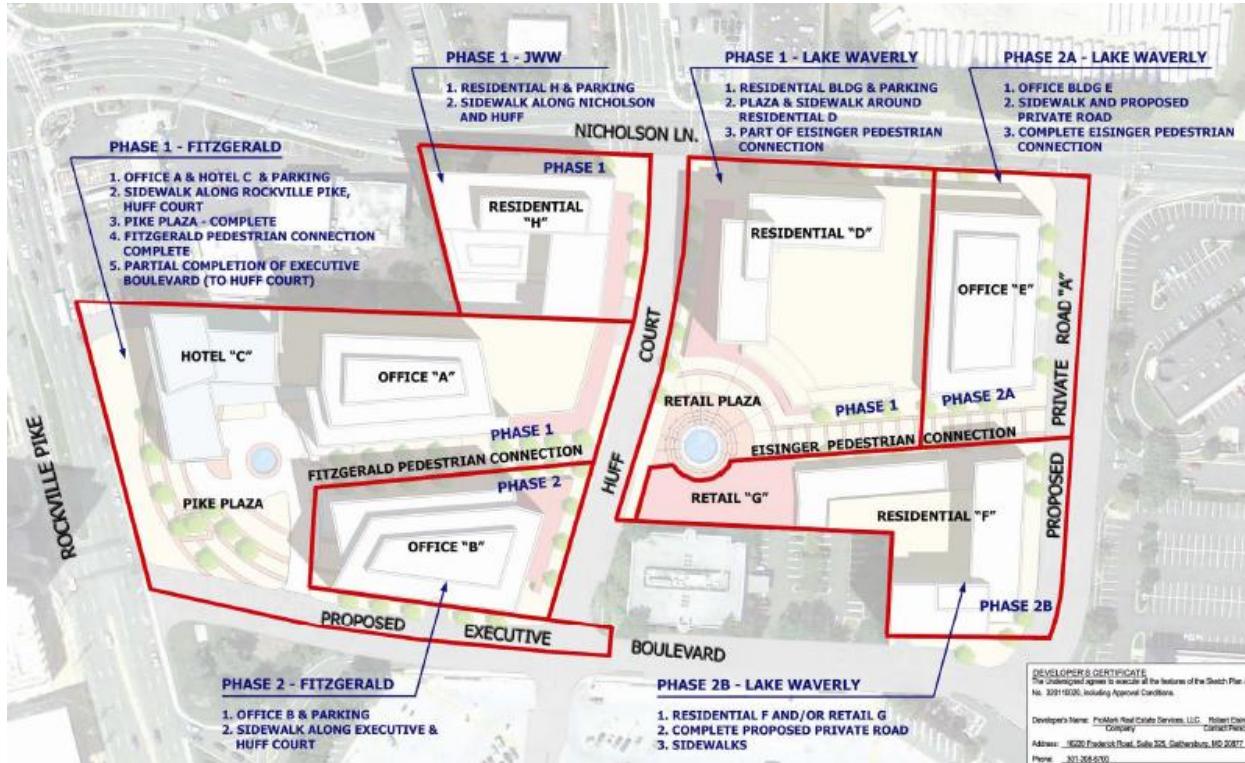
Open Space and Amenities

Phasing

Generally, the Project is phased from west to east on the Fitzgerald, JWW, and Lake Waverly Associates' Properties independently. Development on the Fitzgerald's site proposes two phases consisting of office, retail and hotel uses during Phase I, and office and retail uses during Phase II. Similarly, development on LWALP site proposes two phases consisting of residential and retail on Phase I and office, residential and retail on Phase II. The JWW site proposes only one phase with residential and retail uses. Each individual property owner will phase redevelopment plans independently, and Phase I may not occur simultaneously on all properties.

Urban plazas and mid-block connectors will be delivered in Phase I of each property owner's development. Executive Boulevard Extended East, between Rockville Pike and Huff Court, will be delivered in Phase I, irrespective of the phasing of office Building B identified for Phase II. Proposed Private Road 'A' (commonly referred to as Dart Drug Road) on the east side of the Project will be re-constructed when both affected property owners (Lake Waverly Associates and Combined Properties) redevelop. Dart Drug Road currently exists and functions as a private access road. On all properties, only existing improvements necessary to achieve Phase I

development will be demolished in Phase I. Existing improvements necessary to redevelop Phase II will remain in place until Phase II.



Phasing Diagram

Incentive Density and Public Benefits

Public benefits must be provided for any optional method of development in the CR zones. In particular, building lot terminations (BLTs) must be provided per a formula provided by the ordinance. Beyond the purchase/payment of BLTs, projects must provide public benefits that equal 100% of their incentive density as provided in the criteria in the ordinance and the Planning Board's Incentive Density Implementation Guidelines.

Incentive density is defined as the square-foot difference between the allowed standard method density (0.5 FAR for all CR zones) and the proposed density, which may equal or be less than the density allowed by the zone. In this case, the allowed density is 1,700,241 square feet. This square footage may be averaged over the entire site; heights, however, may not exceed those established by the zone.

Five percent (5%) of the incentive density, or 72,991 SF, must be obtained through the purchase of BLTs at a rate of 1 BLT per 20,000sf. The remaining incentive density must be obtained by providing public benefits equal to 95%. The following table outlines the public benefits proposed and the percent incentive density requested.

CR Incentive Density Calculation Summary Table

| Gross tract area: | 480,852 | |
|--|---------------------|-----------------------------|
| Zoned CR density: | 3.54 | |
| Standard Method | | |
| Density: | 240,426 | |
| Allowed Density | 1,700,241 | |
| Proposed Density: | 3.54 | |
| Incentive Density: | 1,459,815 | |
| Public Benefit | % Incentive Density | Incentive Density Requested |
| Master-Planned Facility | | |
| Transit Proximity | 30.64% | 447,287 |
| Advanced Dedication of R.O.W. | | |
| Subtotal (no maximum) | 30.64% | 447,287 |
| Connectivity and Mobility | | |
| Neighborhood Services | 10.00% | 145,982 |
| Minimum Parking | | |
| Through Block Connection | 15.00% | 218,972 |
| Public Parking | | |
| Transit Access Improvement | | |
| Trip Mitigation | | |
| Subtotal (maximum 30% of incentive density) | 25.00% | 364,954 |
| Diversity of Uses & Activities | | |
| Affordable Housing | | |
| Adaptive Buildings | | |
| Care Centers | | |
| Small Business Retention | | |
| Dwelling Unit Mix | | |
| Enhanced Accessibility for the Disabled | | |
| Subtotal (maximum 30% of incentive density) | | |
| Design Quality | | |
| Historic Resource Protection | | |
| Structured Parking | 14.29% | 208,608 |
| Tower Setback | | |
| Public Art | | |
| Public Open Space | 9.68% | 141,310 |
| Streetscape | | |

| | | |
|---|---------------|----------------|
| Exceptional Design | 7.50% | 109,486 |
| Subtotal (maximum 30% of incentive density) | 31.47% | 459,404 |
| Subtotal after 30% CAP | 30.00% | 437,945 |
| Natural Environment Protection & Enhancement | | |
| BLTs | 5.00% | 72,991 |
| Energy Conservation | | |
| Green Wall | | |
| Tree Canopy | | |
| Vegetated Area | | |
| Vegetated Roof | 10.00% | 145,982 |
| Subtotal (maximum 30% of incentive density) | 15.00% | 218,972 |
| Total for All Categories | | |
| Incentive Density Required | | 1,459,815 |
| Must be greater than 0.00 | | 9,343 |

In order to determine the appropriateness of the public benefits, the ordinance and guideline criteria must be met and the public benefits must be provided proportionally during construction phasing. In response to Staff's comments, the Applicant reduced the amount of incentive density for the mid-block connection from 20% to 15% in order to maintain vehicular access on the west portion of the mid-block connection. Also, the Applicant increased the vegetated roof cover from 23% to a minimum of 33% of the building areas in order to achieve the full 10% incentive density award for this category.

Under the Design Quality category, the incentive density for public open space is limited to 9.68% (rather than the proposed 19.68%) because this sub-category refers to public open space above the public use space requirements of the zone, which is 10%. The incentive density for exceptional design is 7.5% because only 3 of the zoning ordinance criteria are met for this public benefit. In any case, the Applicant is receiving the maximum allowable incentive density of 30% for the Design Quality category, which includes the sub-categories of structured parking, public open space and exceptional design. Final figures and adjustments are expected with each site plan, but no development may be approved if it is determined that the total minimum public benefit requirement cannot be met.

COMMUNITY OUTREACH

The Applicant has met all proper signage, noticing, and submission meeting requirements. Staff has not received correspondence on this matter. However, Staff was contacted by the land use attorney of the adjoining property owner to the south, White Flint Mall, with concerns that the alignment of Executive Boulevard extended East had changed since the discussions in 2008 at the time of the Sector Plan. The Applicant, the White Flint Mall, and Staff agreed that this issue will be best addressed at Preliminary Plan when the detail design and engineering of the road will be developed.

PROJECT ANALYSIS & FINDINGS

Purpose of the Sketch Plan

The purpose of the Sketch Plan is to identify land uses, proposed development and any public benefits to account for the increased density for the optional method of development. The Plan is intended to be conceptual in nature with an emphasis on building massing and height, varying densities and heights, the general circulation patterns for all modes of transportation and the locations of open and public use spaces. Sketch Plans are required in the CR zones in the White Flint, Wheaton, Kensington and Shady Grove Life Sciences planning areas. Details of the proposed development occur at Site Plan.

In approving a Sketch Plan, the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at site plan:

Requirements, Standards, and Objectives of the Division, the Sector Plan, and Optional Method Development

1. *The plan: (a) meets the requirements and standards of this Division; (b) will further the objectives of the applicable master or sector plan; and (c) will provide more efficient and effective development of the site than the standard method of development;*

The subject site is located within the White Flint Sector Plan area and is split-zoned CR3.0 C1.5 R2.5 H200 and CR4.0 C3.5 R2.5 H250. The proposed development will be built under the optional method of development with uses permitted in the CR zones.

- (a) Requirements and standards of the Division:

The objectives of the CR zones enumerated in section 59-C-15.2 are to:

- Implement the policy recommendations of applicable master and sector plans;
- Target opportunities for redevelopment of single-use areas and surface parking lots with a mix of uses;
- Reduce dependence on the automobile by encouraging development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities;
- Encourage an appropriate balance of employment and housing opportunities and compatible relationships with adjoining neighborhoods;
- Establish the maximum density and building height for each zone, while retaining appropriate development flexibility within those limits; and
- Standardize optional method developments by establishing minimum requirements for the provision of the public benefits that will support and accommodate density above the standard method of development.

The proposed development satisfies these objectives by:

- Furthering the policy recommendations of the White Flint Sector Plan, as detailed in (b) below;

- Replacing a strip-mall development and excessive surface parking with a high-density, mixed use project;
- Targeting opportunities for redevelopment of single-use pad sites and surface parking lots with a mix of uses;
- Integrating housing, commercial services, employment uses, public facilities and amenities within $\frac{1}{2}$ mile of metro service, numerous parks, trails, and services;
- Providing a balance of commercial and residential uses appropriate for this area of the core of White Flint;
- Meeting the density and building height limits for the zones with a flexible response to protect and enhance open spaces, pedestrian comfort, and views; and
- Providing public benefits per the ordinance and guideline criteria to create an environment sufficiently able to accommodate density above the standard method density allowed.

The general requirements of the CR zones enumerated in section 59-C-15.6 of the ordinance are met as the following list illustrates.

- The project conforms to the sector plan and design guidelines as detailed in (b) below;
- The project does not have any priority retail street frontages.
- Streetscapes improvements will be implemented per the sector plan and design guidelines as finalized by each site plan;
- Allowances for space for bicycle parking and shower facilities will be finalized at site plan, when the number of residential dwelling units and hotel rooms is determined
- Parking requirements will be calculated at site plan when the number of residential dwelling units and hotel rooms is determined

The development standards of the CR zones enumerated in section 59-C-15.7 are met as detailed in the data table below.

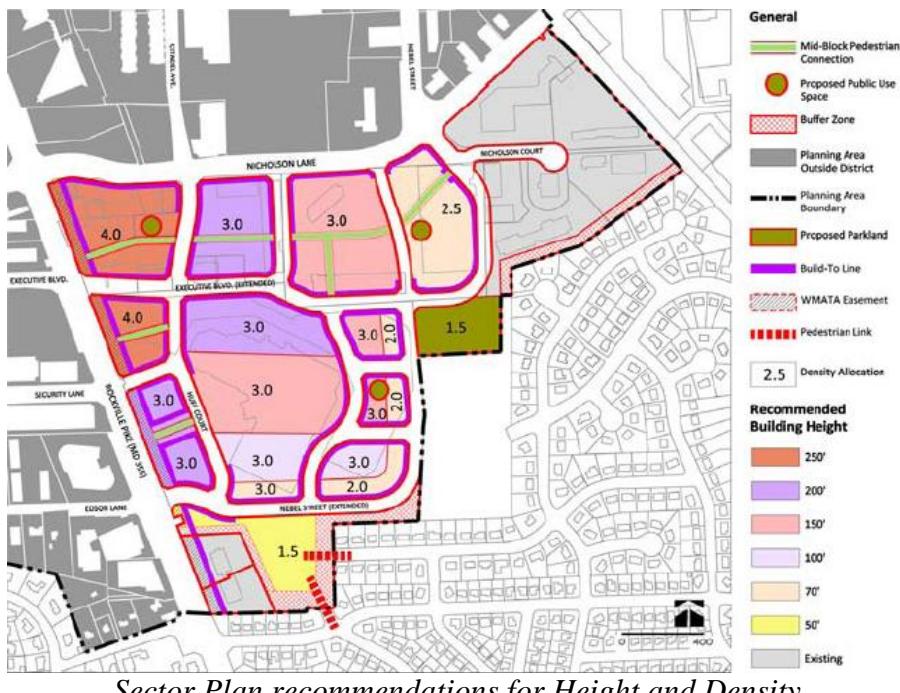
| Project Data Table for the CR-3 and CR-4 Zones, Optional Method of Development | | |
|--|----------------------|-----------------------|
| Development Standard | Permitted/Required | Proposed for Approval |
| Gross Tract Area (sf.) | | |
| Zone 1: CR3, C1.5, R2.5, H200 | n/a | 223,167 |
| Zone 2: CR4, C3.5, R2.0, H250 | n/a | 257,685 |
| Total | n/a | 480,852 |
| Density (sf.) | | |
| <i>Non-residential (C)</i> | | |
| Zone 1 | 334,751 | 184,671 |
| Zone 2 | 901,898 | 849,460 |
| Total | 1,236,648 (2.57 FAR) | 1,034,131 (2.15 FAR) |
| <i>Residential (R)</i> | | |
| Zone 1 | 557,918 | 484,830 |
| Zone 2 | 515,370 | 181,280 |
| Total | 1,073,288 (2.23 FAR) | 666,110 (1.39 FAR) |

| | | |
|--|--|----------------------|
| Total CR Density | 1,700,241 (3.54 FAR) | 1,700,241 (3.54 FAR) |
| Building Height (feet) | | |
| Zone 1 | 200 | (up to) 200 |
| Zone 2 | 250 | (up to) 250 |
| Setbacks | n/a | n/a |
| Parking Spaces | | |
| Total | n/a | n/a * |
| | | |
| Public Use Space (%) | 10 | 10 |
| Public Open Space (%)**) | n/a | 9.68 |
| Residential Amenity Space (sf.) | Determined at site plan based on final unit count. | |
| | | |

* The number of parking spaces will be calculated at site plan when the number of residential dwelling units and the number of hotel rooms is determined.

** The Zoning Ordinance allows incentive density for public *open* space above the public *use* space requirements of the zone.

(b) The objectives of the applicable master or sector plan:



North Bethesda Gateway is located in the White Flint Mall District (Block 1: Fitzgerald and Eisinger) in the Approved and Adopted (2010) *White Flint Sector Plan*. The Fitzgerald block is west of Huff Court and the Eisinger block is to the east. The Plan notes that “new mixed-use development is anticipated for both blocks. The Eisinger property is anticipated to develop with more residential than non-residential development” (p.45). The Plan further states that “residential uses may not be as desirable along Rockville Pike as offices or hotel uses” and on the Eisinger block

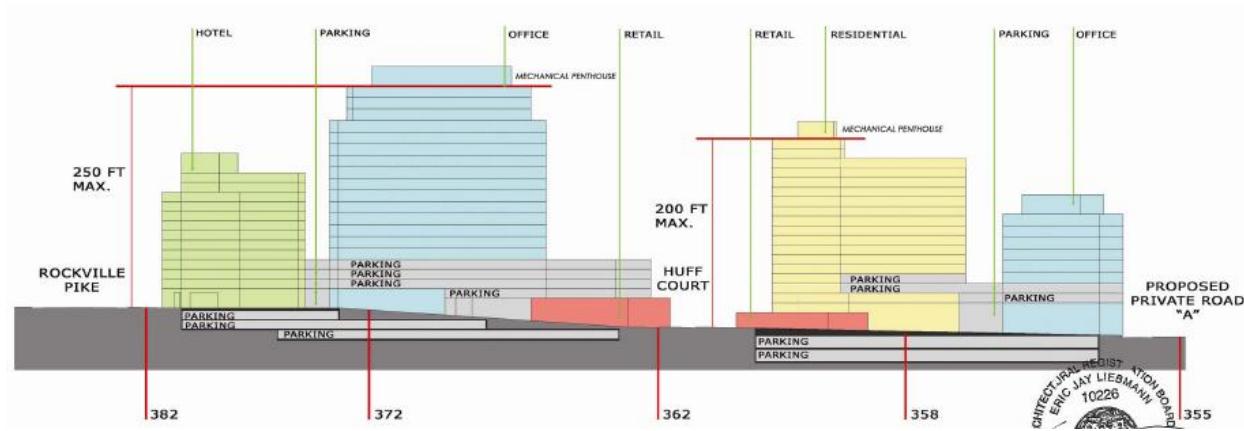
“affordable housing, especially workforce housing, may be appropriate at this location in conjunction with redevelopment of the western portion of Block 1” (p.45).

The Fitzgerald Block is in the CR4: C3.5, R2.0, H250 zone, while the Eisinger Block is in the CR3, C1.5, R2.5, H200 zone. A pedestrian promenade is recommended for the WMATA easement area along Rockville Pike, and Executive Boulevard extended (B-7) will intersect with Huff Court and head to the east. A mid-block connection is recommended for both blocks.

The Project will further the objectives of the *2010 White Flint Sector Plan*. The Project proposes a new mixed-use development including residential, office, hotel, and retail uses. As recommended in the Sector Plan, office and hotel uses will be located primarily along Rockville Pike, and residential uses will be located primarily to the east of the site, in the Eisinger property, away from Rockville Pike.

Density and Building Height

The proposed heights are consistent with Sector Plan’s building height recommendations and with the maximums permitted in the CR zones. The proposed heights for the Fitzgerald block are below the maximum 250 feet allowed. The proposed mid-rise and high-rise residential buildings, retail building and office building on the Eisinger block are consistent with the Plan’s 200 feet maximum. The proposed densities adhere to the Plan’s recommendations and create a stepping down effect from the core along Rockville Pike towards the residential neighborhoods on the edges.



Illustrative Site Section

Transportation Network

The sketch plan illustrates the proposed extension of Executive Boulevard from Rockville Pike through Huff Court. Executive Boulevard (B-7) is classified as a commercial business street with a 80-foot right-of-way, and Huff Court is another business street with a 70 foot right-of-way. Nicholson Lane is an arterial roadway with a 90 foot right-of-way.

The Sector Plan envisions the reconstruction of the Rockville Pike (MD 355) into an urban boulevard with improved pedestrian sidewalks, on-road bicyclist accommodation,

and bus priority lanes (p.53). Rockville Pike is classified as a major highway with a 150 foot right-of-way. The right-of-way for MD 355 can be increased to 162 feet with the additional dedication placed in reservation (p.55). Montgomery County Department of Transportation has initiated a Countywide Bus Rapid Transit (BRT) Study that will inform the location of BRT, either in the median or curb lane.

Private Road “A” is east of Huff Court, between the White Flint Plaza and Eisinger property. It is identified in the Sector Plan as a street segment that “carry traffic as part of the determination of master plan transportation system adequacy” (p.51). The Sector Plan identifies eight conditions for this and three other streets, including “public easements that must be granted for the roadway and be reviewed and approved by the Maryland-National Capital Park and Planning Commission (M-NCPPC) and Department of Transportation (MCDOT) for connectivity and consistency with Figure 43 of the *White Flint Sector Plan* prior to acceptance of the easement” and the “design of the road must follow or improve the corresponding Road Code standard for a similar public road, unless approved by MCDOT and the Planning Board at subdivision review stage or otherwise specified in the Sector Plan” (p.52). The revised sketch plan shows the cross-section of all adjacent roadways as well as the mid-block connection.

Public Use

The proposed sketch plan illustrates two public plazas: one along Rockville and another on Huff Court, and a mid-block connection on both properties. The mid-block connection on the Fitzgerald block is vehicular in nature, while the connection on the Eisinger block is more pedestrian. The public use space and mid-block connections are recommended in the Sector Plan.

Bikeway Network and Recreation Loop

Bike lanes are recommended for Nicholson Lane (BL-27), while Rockville Pike (LB-5) is recommended for a shared use path. The Sector Plan establishes a recreation loop as a “signed pathway that is incorporated into the street right-of-way as part of the sidewalk” (p.61). The Applicant must implement both items during preliminary and site plan review.

Pedestrian Promenades

The Sector Plan recommends using the existing WMATA easement along the eastern side of MD 355 as a pedestrian promenade. This promenade is envisioned as a “distinctive streetscape [that] lends character and importance to the pedestrian experience” (p.18). The proposed development should create a concept plan for its portion of the MD 355 pedestrian promenade. This concept should visualize the future development along the Pike to the metro center. Further, the developer should coordinate with WMATA to obtain the agency approval to build adjacent to the WMATA tunnel easement, and the appropriate tree species located within the easement.

Environment

The Sector Plan establishes several recommendations to create an environmentally sustainable district. Minimization of carbon emissions; reduction of energy through site

design and energy-efficient buildings; improving air and water quality; and usage of environmental site design techniques are some of the Plan's recommendations. At site plan, the Applicant must demonstrate how each recommendation in the Plan will be achieved.

White Flint Design Guidelines

The Approved White Flint Urban Design Guidelines provides specific recommendation the White Flint Mall district, including public open space and streets. At site plan, the project must be consistent with the design guidelines recommendations for buildings, open spaces and streets.

- (c) More efficient and effective development of the site than the standard method of development:

This optional method of development Project will provide more efficient and effective development of the site than the standard method of development for several reasons. It places higher density in areas that can sustain growth using existing infrastructure improvements; furthers the vision and goals of the Sector Plan for mixed-use and transit-oriented development; provides for important public benefits and amenities such as public use and open spaces, a mid-block connection, and environmental amenities; and pays for Building Lot Terminations and the preservation of the Agricultural Reserve. The standard method of development allows a maximum density of 0.5 FAR with a building height of 40 feet, which cannot sustain mixed-use and transit-oriented development as envisioned by the Sector Plan. Further, public benefits and amenities would not be required, but the public use space requirement would still be 10%. Because infill development and density at transit hubs is a core value of smart growth and given the number and quality of public amenities being proffered, the optional method of development is much more desirable and efficient for this particular site.

- 2. *The proposed building massing and height and public use and other open spaces are located and scaled to achieve compatible relationships with each other and with existing and proposed buildings and open space adjacent to the site and with adjacent communities;*

The proposed building massing and height and public use and other open spaces are located and scaled to achieve compatible relationships with each other and with existing and proposed buildings and open space adjacent to the site and with adjacent communities.

The proposed building massing and heights at 200 and 250 feet are within the maximum standards allowed in the CR-3 and CR-4 zones, respectively. Within the Project, building heights range from four to twenty-story buildings, which will create a dynamic roofline. The massing and density of the project adequately conveys the urban typology envisioned for this area. Buildings are located with minimum setbacks from the public right-of-way. These locations provide easy access to the building from adjoining sidewalks and parking. The Project is situated south and at a lower elevation (approximately 50 feet)

than the White Flint Metro station. Therefore, the proposed building heights serve as a visual connection between the taller buildings near the Metro Station and the White Flint Mall area. The proposed building heights are comparable to those approved at North Bethesda Marketplace at 289 feet.

The main areas of public use space are lined up sequentially in an east-west direction with a corner plaza at Rockville Pike and Executive Boulevard that draws pedestrians into the interior of the project. The two plazas proposed relate to the plaza built at the North Bethesda Marketplace in terms of size, character and activating uses, and contribute to the overall character of the area.

The details of the proposed building and open space layout will be reviewed in greater detail with each site plan. In particular, the following objectives from the design guidelines will be analyzed more critically.

- (a) Streets (Page 10): (1) Establish a hierarchical grid of streets to improve mobility; (2) Underground wet and dry utilities within right-of-way limits; (3) Create short blocks to expand pedestrian access and maximize building frontage; (4) Transform Rockville Pike into an Urban Boulevard; (5) Improve pedestrian safety at all street intersections.
 - Include the WMATA tunnel easement along Rockville Pike in the drawings, to clearly establish (1) Pike facade locations and (2) extent and location of Pike Promenade.
 - Consider alternate locations for parking entrance from Rockville Pike, to reduce intrusions along Pike Promenade. In lieu of that, consider way to reduce the impact of the proposed entryway on the continuity of the Pike Promenade.
 - Consider options to reduce the size of the Hotel vehicular turnaround, and to improve continuity of pedestrian access between Rockville Pike and mid-block Pedestrian Connection
- (b) Open Space (Page 12): (1) Consolidate the space allocated to meet zoning public use space requirements in locations central to each neighborhood to create substantial urban spaces for public use ; (2) Create pedestrian priority spaces, where vehicular intrusions are kept to a minimum; (3) Provide spaces that include substantial areas for un-programmed use by residents, workers, and visitors.
 - Consider landscape treatment that distinguishes between Pike Promenade, sidewalk at proposed Executive Boulevard, and Pike Plaza.
 - Consider landscape treatment to delineate property boundary along southern and western edges of Pike Plaza, in lieu of continuous building facade along Rockville Pike.
- (c) Buildings (Page 16): (1) Build-to lines that establish minimum setbacks from the right-of-way; (2) Podium heights that define the pedestrian level space; (3) Upper stepbacks that distance the taller component of the structure from the podium, reducing the impact of its scale on the pedestrian space below; (4) Reduced tower floor plate sizes to reduce the structure's perceived bulk.

- Establish the Hotel's western facade (Rockville Pike) as a prominent, boulevard facing facade. that takes into consideration the future feasibility of Boulevard facing retail operations.
 - Consider sidewalk activation methods along Nicholson Lane and proposed Private Road "A".
 - Consider way to activate the section of the Pedestrian Connection between Pike Plaza and the start of the retail operations near Huff Court.
3. *The general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading areas are adequate, safe and efficient;*

The general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading areas are adequate, safe and efficient given the conceptual nature of the proposal and will be evaluated in depth at the preliminary and site plan stages. Vehicular circulation efficiently directs traffic into and through the site from the surrounding major streets: Rockville Pike, Nicholson Lane, and Proposed Executive Boulevard extended. Additionally, vehicular circulation is directed within the site via a portion of the proposed east-west through block connector and the existing north-south Huff Court. Structured parking and loading is adequately integrated into the site layout to provide integrated access with the general on-site circulation. Access points to parking and services are conjoined or consolidated to adjacent locations wherever possible.

Pedestrian circulation is directed around the perimeter of the site, where several building entrances are located, and into the site primarily via the proposed through block connection and associated urban plazas and Huff Court, combined with the proposed activating uses. The through block connection will be pedestrian only east of Huff Court, and both pedestrian and light vehicular west of Huff Court. Vehicular traffic on the through block connection will be limited to providing access to the parking garages and hotel drop-off. Huff Court will connect Nicholson Lane to the proposed Executive Boulevard extended, and encourage pedestrian circulation through activating uses and the centrally located urban plaza.

The Rockville Pike Promenade, as recommended by the 2010 *White Flint Sector Plan*, will further integrate this development into the surrounding area. The Sector Plan recommends using the existing WMATA easement along the eastern side of MD 355 as a pedestrian promenade, which is envisioned as a “distinctive streetscape [that] lends character and importance to the pedestrian experience” (p.18). The Applicant will pursue a comprehensive design process for the pedestrian promenade at the time of site plan.

As recommended in the Sector Plan, bike lanes will be provided for Nicholson Lane (BL-27), and a shared use path will be provided on Rockville Pike (LB-5). In addition, the Sector Plan also establishes a recreation loop as a “signed pathway that is incorporated into the street right-of-way as part of the sidewalk” (p.61). The Applicant must implement these items during preliminary and site plan review.

Available Transit Service

Ride-On routes 5 and 46 and Metrobus route J-5 operate along Rockville Pike. The subject site is approximately a quarter mile from the White Flint Metrorail Station.

Transportation Demand Management

This site is within the boundary of the North Bethesda Transportation Management District (TMD). As a new development, the Applicant must participate in the North Bethesda TMD. The *White Flint Sector Plan* recommends that the TMD achieve a 39% non-auto driver mode share (NADMS) goal for employees that consist of a 26% transit mode share, 5% ridesharing, and 8% other commuting modes of transportation.

Sector Plan Roadways and Bikeways

In accordance with the *White Flint Sector Plan* and *Countywide Bikeways Functional Master Plan*, the sector-planned roadways and bikeway are as follows:

- (a) Rockville Pike (MD 355) is designated as a major highway, M-6, with a recommended 150-foot right-of-way and an additional 12 feet right-of-way reservation for a total of 162 feet. A recommended shared use path, local bikeway, LB-5, is recommended for this segment of the road.
- (b) Nicholson Lane is designated as an Arterial, A-69, with a recommended 90-foot right-of-way and a bike lanes, BL-27.
- (c) Executive Boulevard Extended is designated as a business street, B-7, with a recommended 80-foot right-of-way. The subject plan would be dedicating half the right-of-way along the southern property line with the other half dedicated when the White Flint Mall redevelops.
- (d) Huff Court is designated as a business street, B-4, with a recommended 70-foot right-of-way.

Public Street "A" is an internal street with a 60-foot right-of-way and 10-foot-wide sidewalks that is not listed in the *Sector Plan*. Dedication of the rights-of-way associated with this project will be determined during the review of the Preliminary Plan.

Transportation Adequate Public Facilities Review

In-lieu-of the typical Local Area Transportation Review and Policy Area Mobility Review tests, the transportation Adequate Public Facilities test can be satisfied for new developments in the *White Flint Sector Plan* area by participating in the special taxing district.

Transportation Staging

Transportation staging in the *White Flint Sector Plan* area replaces the LATR and PAMR requirements for Adequate Public Facilities. Specific transportation improvements are identified in the Sector Plan relative to the site and density being approved, both of which are regulated by the impact from the development on the surrounding road network. Improvements will be constructed by both the District through taxes and by the developer, as regulated by the phasing plan proposed by the Applicant and approved by the Planning Board. Staging for the White Flint area is tied to the amount of density approved and is regulated through site plan approvals and release of building permits.

The Staging Plan timing of new development and public facilities needs to support existing and proposed development. The objectives of the Staging Plan intend to ensure fiscal responsibility, timing and sequence, coordination with the public infrastructure and promoting a sense of place.

There are three overall phases in the *White Flint Sector Plan*, each of which limits the amount of non-residential and residential uses:

| Staging Plan for the White Flint Sector Plan | | |
|---|--|---|
| <i>Phase</i> | <i>Max. Residential development (d.u.)</i> | <i>Max. Non-residential development (sf.)</i> |
| Phase I | 3,000 | 2 million |
| Phase II | 3,000 | 2 million |
| Phase III | 3,800 | 1.69 million |
| Total | 9,800 | 5.69 million |

Each phase within the staging plan must contract for, fund or construct specific roadways to achieve non-auto driver mode shares and further housing goals for the District. The Planning Board must decide when the Phases have been completed in order to allocate density in the next phases.

Although the proposed development will be required to improve their frontage and internal streets associated with the development, the Applicant will also be required to comply with the staging plan as mentioned above.

Phasing of Density

As noted above in the staging plan, the phasing is set at 30 percent, 30 percent and 40 percent, irrespectively of new development. Affordable housing is not included in the staging capacity. Tracking of the total density approved and applied for with building permit applications is an important component to the success of the staging plan. The table below indicates the proposed development as of January 10, 2011. The total proposed density exceeds the maximum permitted density, but this will get refined with the site plan for each site.

| Density of Pending Sketch Plans | | | | |
|--|----------------------|---|---|---|
| <i>Sketch Plan Name</i> | <i>Sketch Plan #</i> | <i>Total residential development proposed (sf.)</i> | <i>Total non-residential development proposed (sf.)</i> | <i>Total development proposed (sf.)</i> |
| Mid-Pike Plaza | 320110010 | 1,726,642 | 1,716,246 | 3,422,888 |
| North Bethesda Gateway | 320110020 | 666,110 | 1,034,131 | 1,700,241 |
| North Bethesda Market II | 320110030 | 372,528 | 368,000 | 740,528 |
| Total | | 2,765,280 | 3,118,377 | 5,863,657 |

4. *The proposed public benefits and associated requested incentive density will further the objectives of the applicable master or sector plan and the objectives of the CR zones; and*

The proposed public benefits and associated requested incentive density further the objectives of the 2010 *White Flint Sector Plan* and the objectives of the CR zones. As the table on page 11 indicates, the Project requests additional density based on public benefits provided in the following categories: transit proximity, connectivity and mobility, design quality, and natural environment protection and enhancement. The public benefits provided are appropriate for the incentive density requested. Final figures and adjustments are expected with each site plan, but no development may be approved if it is determined that the total minimum public benefit requirement cannot be met.

a) Transit proximity

The Applicant requests 30.64% incentive density for proximity to White Flint metro, a Level 1 transit portal. This value resulted from a weighted average for the portion of the property within the $\frac{1}{4}$ mile radius of the Metro and the portion within $\frac{1}{2}$ mile radius from the Metro. The entire gross tract area falls within the $\frac{1}{2}$ mile radius, of which 30,862 SF (6.4%) also falls within the $\frac{1}{4}$ mile radius.

b) Connectivity and mobility

The Applicant requests 25% incentive density overall for the Connectivity and Mobility category, which is achieved through public amenities in the sub-categories of Neighborhood Services and Through Block Connection.

Neighborhood Services: The Applicant requests 10% incentive density for proximity to at least 10 different retail services currently existing within a $\frac{1}{4}$ mile radius of the site. In addition, at least 4 of these have a maximum retail bay floor area of 5,000 SF.

Through Block Connection: The Applicant requests 15% incentive density for the through-block connection between Rockville Pike, Huff Court, and Proposed Private Road 'A'. In accordance with the CR Zone Guidelines, the through-block connector will be at least 15 feet in width, have at least 35 percent of the walls facing the interior pedestrian connection below a height of 8 feet with clear, unobstructed windows; and be open to the public between sunrise and sunset. The through-block connection will be pedestrian only east of Huff Court and shared pedestrian and light vehicular west of Huff Court.

c) Design Quality

The Applicant requests the maximum of 30% allowed incentive density for the Design Quality category, which is achieved through public amenities in the sub-categories of Structured Parking, Public Open Space, and Exceptional Design.

Structured Parking: The Applicant requests 14.29% incentive density for structured parking provided above and below ground. This incentive is granted on a sliding scale based on the percentage of total on-site spaces provided in above ground parking multiplied by 10%, plus the percentage of total on-site spaces provided in below ground parking multiplied by 20%. The project proposes 1,316 above grade parking spaces, and 988 below grade parking spaces, which yields a total incentive density of 14.29%.

Public Open Space: The Applicant requests 9.68% incentive density for public open space, which is easily accessible to the public during business hours and/or at least from sunrise to sunset and contains amenities such as seating, plantings, trash receptacles, and water features. This incentive is granted on a sliding scale based on the percentage of the net lot area placed in open space up to 20%. The public open space consists of the urban plazas, the pedestrian areas in the through block connection, and various landscaped areas throughout the site. These areas meet the criteria set forth in the Design Guidelines for public open spaces.

Exceptional Design: The Applicant requests 7.50% incentive density for exceptional design, which creates a sense of place and serves as a landmark; uses design solutions to make compact infill development living, working, and shopping environments more pleasurable and desirable; and integrates low-impact development methods into the overall design of the site and building.

d) Natural Environment Protection and Enhancement

The Applicant requests 15% incentive density overall for the Natural Environment Protection and Enhancement category, which is achieved through public amenities in the sub-categories of Building Lot Terminations (BLTs) and Vegetated Roofs.

BLTs: As required by the CR Zones, the Applicant requests 5% incentive density for the purchase of BLT easements or payment to the Agricultural Land Preservation Fund. The CR Zone requires that at least 5% but no more than 30% of the incentive density be obtained through the purchase of BLTs.

Vegetated Roofs: The Applicant requests 10% incentive density for providing vegetated roofs with a soil depth of at least 4 inches and covering at least 33% of the total roof area proposed, excluding space for mechanical equipment.

Other opportunities exist for enhancing the overall environmental benefits of this development. These include:

- Enhanced treecover over open spaces;
- Increased area of vegetated roofs for stormwater management, energy management, and air quality;
- Use of structural cells instead of Filterra systems to provide increased stormwater retention volumes and root volume for trees;
- And use of vegetated walls on parking and loading areas to screen and improve air quality.

5. The general phasing of structures, uses, public benefits, and site plans is feasible and appropriate to the scale and characteristics of the project.

The Project's general phasing of structures, uses, public benefits, and site plans is feasible and appropriate to the scale and characteristics of the project. The Project will be phased in response to market conditions and absorption viability in order to create a balance of non-residential and residential uses. Generally, the Project is phased from west to east on the Fitzgerald, JWW, and Lake Waverly Associates' Properties independently.

Development on the Fitzgerald's site proposes two phases consisting of office, retail and hotel uses during Phase I, and office and retail uses during Phase II. Similarly, development on LWALP site proposes two phases consisting of residential and retail on Phase I and office, residential and retail on Phase II. The JWW site proposes only one phase with residential and retail uses. Each individual property owner will phase redevelopment plans independently, and Phase I may not occur simultaneously on all properties.

Urban plazas and mid-block connectors will be delivered in Phase I of each property owner's development. Executive Boulevard Extended East, between Rockville Pike and Huff Court, will be delivered in Phase I, irrespective of the phasing of office Building B identified for Phase II. Proposed Private Road 'A' (commonly referred to as Dart Drug Road) on the east side of the Project will be re-constructed when both affected property owners (Lake Waverly Associates and Combined Properties) redevelop. Dart Drug Road currently exists and functions as a private access road. On all properties, only existing improvements necessary to achieve Phase I development will be demolished in Phase I. Existing improvements necessary to redevelop Phase II will remain in place until Phase II.

RECOMMENDATION AND CONDITIONS

During site plan review, the Planning Board may approve modifications to the binding elements or conditions of an approved sketch plan:

- (1) If changes to a sketch plan are requested by the Applicant, notice of the site plan application must identify those changes requested. The Applicant has the burden of persuading the Planning Board that such changes should be approved.
- (2) If other changes are recommended after the application is made, notice of the site plan hearing must identify changes requested.
- (3) In acting to approve a sketch plan modification as part of site plan review, the Planning Board must make the findings required in Section 59-C-15.42(c) in addition to those required by Section 59-D-3.

Staff recommends approval of sketch plan 320110020, North Bethesda Gateway, for a mixed-use development including up to 1,236,648 square feet of non-residential uses and up to 1,073,288 square feet of residential uses, but limited by a total cumulative density of up to 1,700,241 square feet or approximately 3.54 FAR on 11.04 acres. All site development elements shown on the sketch plans stamped “Received” by the M-NCPPC on December 7, 2010 are required subject to modification per the conditions below and at Site Plan per the restrictions enumerated in section 59-C-15.42(d), quoted above.

1. Density

The proposed development is limited to a maximum of 1,236,648 square feet of non-residential uses and up to 1,073,288 square feet of residential uses, but limited by a total cumulative density of up to 1,700,241 square feet or approximately 3.54 FAR.

2. Height

The proposed development is limited to a maximum height of 200 feet in the CR-3 zone and 250 feet in the CR-4 zone.

3. Incentive Density

The proposed development must be constructed with the following public benefits unless the Planning Board finds, during site plan review, that alternative public benefits are more appropriate and the incentive density requested is equally acceptable.

a) Transit proximity

The Applicant proposes 30.64% incentive density for proximity to White Flint metro, a Level 1 transit portal.

b) Connectivity and Mobility

The Applicant proposes 25% incentive density overall for the Connectivity and Mobility category, which is achieved through public amenities in the sub-categories of Neighborhood Services (10% incentive) and Through Block Connection (15% incentive).

c) Design Quality

The Applicant proposes the maximum of 30% allowed incentive density for the Design Quality category, which is achieved through public amenities in the sub-categories of Structured Parking (14.29% incentive), Public Open Space (9.68% incentive), and Exceptional Design (7.50% incentive).

d) Natural Environment Protection and Enhancement

The Applicant proposes 15% incentive density overall for the Natural Environment Protection and Enhancement category, which is achieved through public amenities in the sub-categories of Building Lot Terminations (BLTs) (5% incentive) and Vegetated Roofs (10% incentive).

4. Building Lot Terminations (BLTs)

Prior to building permits for the first 5% of incentive density square footage, the Applicant must provide proof of purchase and/or payment for a minimum of 3.65 BLTs.

5. Moderately Priced Dwelling Units (MPDUs)

The proposed development must provide MPDUs in accordance with Chapter 25A.

6. Phasing Program

Unless a modification is approved by the Planning Board during site plan review, the Applicant must construct the proposed development in accordance with the phasing program enumerated below:

- a) Generally, the Project is phased from west to east on the Fitzgerald, JWW, and Lake Waverly Associates' Properties (LWALP) independently. Each individual property owner will phase redevelopment plans independently, and Phase I may not occur simultaneously on all properties.
- b) Development on the Fitzgerald's site proposes two phases consisting of office, retail and hotel uses during Phase I, and office and retail uses during Phase II.
- c) Development on LWALP site proposes two phases consisting of residential and retail on Phase I and office, residential and retail on Phase II.
- d) The JWW site proposes only one phase with residential and retail uses.
- e) Urban plazas and mid-block connectors will be delivered in Phase I of each property owner's development.
- f) Executive Boulevard Extended East, between Rockville Pike and Huff Court, will be delivered in Phase I, irrespective of the phasing of office Building B identified for Phase II.
- g) Proposed Private Road 'A' (commonly referred to as Dart Drug Road) on the east side of the Project will be re-constructed when both affected property owners (Lake Waverly Associates and Combined Properties) redevelop.
- h) On all properties, only existing improvements necessary to achieve Phase I development will be demolished in Phase I. Existing improvements necessary to redevelop Phase II will remain in place until Phase II.

7. Incentive Density Implementation

Demonstrate delivery of sketch plan incentive density elements in a timely manner commensurate with project phasing.

8. Future Coordination for Preliminary and Site Plan

The following items must be addressed prior to filing the preliminary plan application in conjunction with any other items that may be identified during the interim:

- a) The Applicant must obtain approval from the Maryland State Highway Administration (SHA) for site access from Rockville Pike (MD 355).
- b) The Applicant must obtain approval from the Montgomery County Department of Transportation and address their comments in the letter dated January 4, 2010 [Appendix A].
- c) The Applicant must coordinate with the various utility companies including, but not limited to, WSSC, Pepco, and Verizon.
- d) The Applicant must dedicate the appropriate right-of-way for the public roads, and provide for truncation at the corners of the public roadways adjacent to their site unless a waiver is granted by the Montgomery County Department of Transportation for the County roads and State Highway Administration for the state roads for the truncation.
- e) The Applicant must satisfy the requirements of the Adequate Public Facilities ordinance.
- f) The Applicant must agree to comply with requirements of participating in the Transportation Management District.

The following items must be addressed prior to filing the site plan application in conjunction with any other items that may be identified during the interim:

- a) Implement White Flint Urban Design recommendations for both blocks.
- b) Create a concept plan for the pedestrian promenade along Rockville Pike.
- c) Coordinate with Washington Metropolitan Area Transit Authority (WMATA), Adjacent Construction Section, to gain approval to build adjacent to the WMATA easement as well as tree species selection for the pedestrian promenade.
- d) Implement the bikeway and recreational loop recommendations.
- e) Continue the established streetscape in North Bethesda Market I along Executive Boulevard Extended.
- f) Demonstrate how the proposal will achieve sustainability recommendations, including increase tree canopy; maximization of LEED standards; and environmental site design techniques as recommended in the Sector Plan.
- g) Demonstrate compliance with the requirements for streetscape improvements, residential amenity space, and parking in the Zoning Ordinance.
- h) Explore ways to reduce overall parking, including shared parking and incentives in the CR zone.
- i) Underground utilities within public rights-of-way.
- j) Provide schematic elevations illustrating exterior architectural character, proportion, materials, and articulation of the proposed buildings and especially structured parking.

APPENDICES

A. Agency Letters

Appendix A



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

January 4, 2011

Mr. Robert Kronenberg, Site Plan Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Sketch Plan No. 320110020
North Bethesda Gateway

AMENDED FINAL LETTER

Dear Mr. Kronenberg:

We have completed our review of the above-referenced sketch plan for this project. The following comments are tentatively set forth for the subsequent submission of a preliminary plan:

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

1. Show all existing topographic details (paving, storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways, utilities, rights of way and easements, etc.) on the preliminary plan.
2. Necessary dedication for future widening of Rockville Pike (MD 355) and Nicholson Lane in accordance with the master plan.
3. Necessary dedication for Executive Boulevard Extended and Huff Court in accordance with the master plan.
4. Proposed Private Road "A" may be implemented as a private street subject to satisfying the criteria discussed in the master plan.
5. Grade establishments for all new public streets. Tentative profiles are to be submitted with the preliminary plan. Demonstrate how the proposed roadway alignments comply with the approved master plan and previous approvals (Executive Boulevard Extended).

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878
Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080
trafficops@montgomerycountymd.gov

6. Storm drainage and/or flood plain studies, with computations. Analyze the capacity of the existing public storm drain system and the impact of the additional runoff. If the proposed subdivision is adjacent to a closed section street, include spread computations in the impact analysis.
7. Necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
8. Show the location of proposed driveways on the preliminary plan.

For safe simultaneous movement of vehicles, we recommend a driveway pavement width of no less than twenty four (24) feet to allow vehicles to enter and exit the site without encroaching on the opposing lanes. This width will permit an inbound lane width of fourteen (14) feet and an exit lane width of ten (10) feet.

9. At the preliminary plan stage, submit a completed, executed MCDOT Sight Distances Evaluation certification form, for all existing and proposed site entrances onto County-maintained roads, for our review and approval.
10. Preliminary plan and record plat to reflect a reciprocal access and public utilities easement to serve the lots served by a common driveway.

We recommend site entrances be consolidated, to the maximum extent possible, to facilitate multi-modal traffic operations on the proposed street network.

11. Improvements in the public rights-of-way will need to comply with Executive Regulation No. 31-08AM (“Context Sensitive Road Design”).

The preliminary plan submission should address how this Executive Regulation has been satisfied – particularly with respect to target speeds, typical sections for the existing and proposed public streets, locations of existing and proposed public utilities, and stormwater management within the public rights-of-way.

We support requiring the applicant to submit a color-coded utility concept plan as part of the preliminary plan package for coordinated review. In those situations where provision of a public utility easement is not feasible due to zero-foot building setbacks, MCDOT will work with the M-NCPPC, the applicant, and the public utility companies to ascertain the best location for utility service to the buildings. MCDOT’s preference for the location of underground “dry” utilities is as follows, in order of priority:

1. In alleys and privately owned open space behind the buildings where access by utility maintenance vehicles is available.
2. Under the sidewalk between the building and the street.
3. Under the on-street parking lanes.
4. Under a travel lane.

12. We do not support providing parking dropoff areas along the arterial classification roads; if the applicant desires such amenities, the dropoff area should be located on private property behind the sidewalk and accessed by driveway aprons or slip ramps.

The proposed Retail Plaza will need to be located outside the right-of-way for Huff Court.

13. At the preliminary plan stage, submit the following traffic information (even if a Local Area Transportation Review/Policy Area Mobility Review Study is not required for this project):
 - projected peak hour inbound and outbound traffic volumes at each of the proposed site entrances
 - projected turning movement volumes and queueing analyses along Executive Boulevard Extended, Huff Court, and Nicholson Lane
 - signal warrant analyses at the proposed intersections of Executive Boulevard Extended with Huff Court and Proposed Private Street "A"
14. We have significant reservations about traffic operations and pedestrian safety in the vicinity of the proposed mid-block pedestrian crossing of Huff Court. (We have similar concerns about the mid-block crossing of Proposed Private Street "A" – but recognize that the parties responsible for the maintenance and liability of that street will need to take the lead on this issue for that road.)

We recommend the Planning Board require the applicant to provide a Pedestrian and Bicycle Impact Statement at the preliminary plan stage (if an LATR/PAMR study will not be required). This Statement will need to include specific information about the mid-block crossing of Huff Court. The consultant should provide projected pedestrian crossing volumes, as well as a conceptual sign and marking plan of the crossing, for our review.

15. At the preliminary plan stage, submit a DRAFT Traffic Mitigation Agreement for review. The trip reduction elements should be coordinated with Ms. Sandra Brecher, Chief of our Division of Transit Services/Commuter Services Section. Ms. Brecher may be contacted at 240-777-5800.

We believe the trip reduction measures in this Agreement and the preliminary plan should include:

- Design building lobbies to provide two way visibility for transit or shuttles.
- Minimize the number of parking spaces provided on-site. The applicant should be encouraged to take advantage of the shared parking provisions in the Zoning Ordinance to reduce the total amount of parking and provide for efficient of parking facilities.
- Ensure existing bus stops on Rockville Pike (MD 355) and Nicholson Lane remain.
- Carpool/Vanpool and Car Sharing Parking. Provide adequate numbers of carpool/ vanpool and car sharing parking spaces in highly visible, preferentially-located spots.
- Electric Car Charging. Provide at least two electric car charging stations on-site for each development.
- Ensure port-cochères have adequate height to accommodate buses and shuttles.

Mr. Robert Kronenberg
Sketch Plan No. 320110020
January 4, 2011
Page 4

16. Access and improvements along Rockville Pike (MD 355) as required by the Maryland State Highway Administration.
17. Waiver from the Montgomery County Planning Board for lot(s) on a private right of way.
18. Recorded covenant for the operation and maintenance of private streets, storm drainage systems, and/or open space areas.
19. Recorded Maintenance and Liability Agreement for proposed streetscaping within the public rights-of-way. This Agreement is to remain in effect until an Urban District has been created (for such maintenance).
20. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
21. On the preliminary and site plans, delineate the location and dimensions of the proposed truck loading and dumpster spaces.
22. Truck loading space requirements are to be determined in accordance with the Executive Branch's "Off-Street Loading Space" policy.
23. At the preliminary plan stage, submit a truck circulation for review by the M-NCPCC and MCDPS. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed dumpsters. The truck circulation pattern and loading position should be designed for counter-clockwise entry and a left-side backing maneuver. Passenger vehicle travelways should be separated from the expected truck circulation patterns and storage areas. The applicant may also need to provide documentation of their proposed delivery schedules.
24. Permit and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to the following improvements:
 - A. Improvements to the public right of way will be determined at the preliminary plan stage based on a review of the additional information requested earlier in this letter.
 - B. Enclosed storm drainage and/or engineered channel in all drainage easements.
 - C. Underground utility lines.
 - D. Streetscaping.
 - E. Street lights.
 - F. Street trees in amended soil panels.

Mr. Robert Kronenberg
Sketch Plan No. 320110020
January 4, 2011
Page 5

G. Permanent monuments and property line markers.

Thank you for the opportunity to review this pre-preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. David Adams, our Development Review Area Engineer for this part of the County, at (240) 777-2197 or david.adams@montgomerycountymd.gov.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

M:/subd/DCA//C-R Sketch Plans/320110020, North Bethesda Gateway.doc

cc: Hilary Goldfarb; ProMark Real Estate Services, LLC
Buddy Woerner; WDG Architecture
Stephen Tawes; Loiederman Soltesz Associates, Inc.
Theresa Polizzi; Loiederman Soltesz Associates, Inc.
William Kominers; Holland & Knight, LLP
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Robert G. Brewer, Jr.; Lerch, Early & Brewer, Chartered
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Bruce Mangum; MCDOT DTEO
David Adams; MCDOT DTEO



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

MEMORANDUM

DATE: December 16, 2010

TO: Neil Braunstein, Planner/Coordinator
Sandra Pereira, Site Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning Division

FROM: Ed Axler, Planner/Coordinator
Transportation Planning Division

SUBJECT: North Bethesda Gateway
Sketch Plan No. 320110020
White Flint Policy Area

This memorandum is Transportation Planning staff's transportation review for the subject sketch plan for conformance with the *White Flint Sector Plan* design guidelines and the CR zone requirements to redevelop the existing 140,920-square-foot of medical office/laboratory space, 11,340-square-foot of retail space, and automobile dealership.

RECOMMENDATIONS

Transportation Planning staff finds the following conditions as part of our review of the transportation requirements related to approval of this sketch plan:

1. The application under the subject sketch plan must be limited to 1,236,648 square feet of office, retail space, a hotel and 790 housing units.
2. The Applicant must coordinate with the Maryland State Highway Administration (SHA) to obtain site access from Rockville Pike (MD 355).
3. At the time of preliminary plan, the Applicant must pay the special taxing for the White Flint Sector Plan area required at the time when the taxing district is established in lieu of satisfying the transportation Adequate Public Facilities tests.

4. At the time of preliminary plan, the Applicant must dedicate right-of-way for truncation at the corners of the public roadways adjacent to their site unless a waiver is granted.
5. At the time of preliminary plan, the Applicant must provide inverted-U bike racks in front of the main entrances to the buildings and bike lockers in the garages.
6. At the time of site plan, the Applicant must agree to comply with requirements of participating in the Transportation Management District.

DISCUSSION

Site Location and Vehicular Access Points

The subject mixed development is located on the east side of Rockville Pike between Nicholson Lane and Executive Boulevard Extended. The vehicular access points are proposed from Executive Boulevard Extended, Huff Court, and Rockville Pike.

Available Transit Service

Ride-On routes 5 and 46 and Metrobus route J-5 operate along Rockville Pike. The subject site is approximately a quarter mile from the White Flint Metrorail Station.

Transportation Demand Management

This site is within the boundary of the North Bethesda TMD. As a new development, the Applicant must participate in the North Bethesda Transportation Management District (TMD). The *White Flint Sector Plan* recommends that the TMD achieve a 39% non-auto driver mode share (NADMS) goal for employees that consist of a 26% transit mode share, 5% ridesharing, and 8% other commuting modes of transportation.

Sector Plan Roadways and Bikeways

In accordance with the *White Flint Sector Plan* and *Countywide Bikeways Functional Master Plan*, the sector-planned roadways and bikeway are as follows:

1. Rockville Pike (MD 355) is designated as a major highway, M-6, with a recommended 150-foot right-of-way and an additional 12 feet right-of-way reservation for a total of 162 feet. A recommended shared use path, local bikeway, LB-5, is recommended for this segment of the road.
2. Nicholson Lane is designated as an Arterial, A-69, with a recommended 90-foot right-of-way and a bike lanes, BL-27.
3. Executive Boulevard Extended is designated as a business street, B-7, with a recommended 80-foot right-of-way. The subject plan would be dedicating half the right-of-way along the southern property line with the other half dedicated when the White Flint Mall redevelops.

4. Huff Court is designated as a business street, B-4, with a recommended 70-foot right-of-way.

Public Street "A" is an internal street with a 60-foot right-of-way and 10-foot-wide sidewalks that is not listed in the *Sector Plan*.

Transportation Adequate Public Facilities Review

In lieu of the typical Local Area Transportation Review and Policy Area Mobility Review tests, the transportation Adequate Public Facilities test can be satisfied for new developments in the *White Flint Sector Plan* area by participating and paying the special taxing district as discussed in Recommendation No. 3.

EA:tc

cc: Erwin Ardres
Sande Brecher
Jody Kline
Bill Kominers
Peggy Schwartz

mmo to Braunstein Pereira re North Bethesda Gateway 320110020.doc

December 14, 2010

Memorandum

To: Sandra Pereira
Development Review Division

From: N'kosi Yearwood
Montgomery County Planning Department

Subject: North Bethesda Gateway
Sketch Plan No. 320110020

STAFF RECOMMENDATION: Approval

The revised sketch plan is consistent with recommendations in the Approved and Adopted (2010) *White Flint Sector Plan*. At site and preliminary plan, the following issues must be addressed:

- Dedication for the recommended rights-of-way for Rockville Pike, Nicholson Lane and Huff Court.
- Clarify the dedication and construction process for Executive Boulevard and Private Road “A”.
- Create a concept plan for the pedestrian promenade along Rockville Pike.
- Coordinate with Washington Metropolitan Area Transit Authority (WMATA), adjacent construction section, to gain approval to build adjacent to the WMATA easement as well as tree species selection for the pedestrian promenade.
- Implement the bikeway and recreational loop recommendations.
- Continue the established streetscape in North Bethesda Market I along Executive Boulevard Extended.
- Demonstrate how the proposal will achieve sustainability recommendations, including increase tree canopy; maximization of LEED standards; and environmental site design techniques as recommended in the Sector Plan.
- Implement White Flint Urban Design recommendations for both blocks.
- Explore ways to reduce overall parking, including shared parking and incentives in the CR zone.

Proposed Development

North Bethesda Gateway consists of several properties at the intersection of Huff Court and Nicholson Lane. Two high-rise residential buildings are proposed at the intersection of Huff Court and Nicholson Lane, while a hotel and two office buildings are west of Huff Court and Executive Boulevard. Additionally, residential and non-residential development is proposed east of Huff Court.

Sector Plan Recommendations

North Bethesda Gateway is located in the White Flint Mall District (Block 1: Fitzgerald and Eisinger) in the Approved and Adopted (2010) *White Flint Sector Plan*. The Fitzgerald block is west of Huff Court and the Eisinger block is to the east. The Plan notes that “new mixed-use development is anticipated for both blocks. The Eisinger property is anticipated to develop with more residential than non-residential development” (p.45). The Plan further states that “residential uses may not be desirable along Rockville Pike as offices or hotel uses” and on the Eisinger block “affordable housing, especially workforce housing, may be appropriate at this location in conjunction with redevelopment of the western portion of Block 1” (p.45).

The Fitzgerald Block is in the CR-4: C-3.5, R-2.0, H-250 zone, while the Eisinger Block is in the CR-3, C-1.5, R-2.5, H-200 zone. A pedestrian promenade is recommended for WMATA easement area along Rockville Pike, and Executive Boulevard extended (B-7) will intersect with Huff Court and head to the east. And, a mid-block connection is recommended for both blocks.

Sector Plan Compliance

Density and Building Height

The submitted sketch plan heights are consistent with Sector Plan’s building height recommendations. The heights of 240 feet for office ‘A’, 212 feet for office ‘B’, 140 feet for the hotel and 140 feet for the residential building adhere to the Plan’s 250 feet height maximum for the Fitzgerald block. The proposed mid-rise and high-rise residential buildings, retail building and office building on the Eisinger block are consistent with the Plan’s 200 feet maximum. The submitted sketch plan densities adhere to the Sector Plan’s recommendations.

Transportation Network

The submitted sketch plan illustrates the proposed extension of Executive Boulevard from Rockville Pike through Huff Ct. Executive Boulevard (B-7) is classified as a commercial business street with a 80-foot right-of-way, and Huff Court is another business street with a 70 foot right-of-way. Nicholson Lane is an arterial roadway with a 90 foot right-of-way.

The Sector Plan envisions the reconstruction of the Rockville Pike (MD 355) into an urban boulevard with improved pedestrian sidewalks, on-road bicyclist accommodation, and bus priority lanes (p.53). Rockville Pike is classified as a major highway with a 150 foot right-of-way. The right-of-way for MD 355 can be increased to 162 feet with the additional dedication placed in reservation (p.55). Montgomery County Department of Transportation has initiated a Countywide Bus Rapid Transit (BRT) Study that will inform the location of BRT, either in the median or curb lane.

Private Road “A” is east of Huff Court, between the White Flint Plaza and Eisinger property. It is identified in the Sector Plan as a street segment that “carry traffic as part of the determination

of master plan transportation system adequacy” (p.51). The Sector Plan identifies eight conditions for this and three other streets, including “public easements must be granted for the roadway and be reviewed and approved by the Maryland-National Capital Park and Planning Commission (M-NCPPC) and Department of Transportation (MCDOT) for connectivity and consistency with Figure 43 of the White Flint Sector Plan prior to acceptance of the easement” and the “design of the road must follow or improve the corresponding Road Code standard for a similar public road, unless approved by MCDOT and the Planning Board at subdivision review stage or otherwise specified in the Sector Plan” (p.52). The revised sketch plan shows the cross-section of all adjacent roadways as well as the mid-block connection.

Public Use

The proposed sketch plan illustrates two public plazas: one along Rockville and another on Huff Court., and a mid-block connection on both properties. The mid-block connection on the Fitzgerald block is vehicular in nature, while the connection on the Eisinger block is more pedestrian. The public use space and mid-block connections are recommended in the Sector Plan.

Bikeway Network and Recreation Loop

Bike lanes are recommended for Nicholson Lane (BL-27), while Rockville Pike (LB-5) is recommended for a shared use path. The Sector Plan establishes a recreation loop as a “signed pathway that is incorporated into the street right-of-way as part of the sidewalk” (p.61). The applicant must implement both items during preliminary and site plan review.

Pedestrian Promenades

The Sector Plan recommends using the existing WMATA easement along the eastern side of MD 355 as a pedestrian promenade. This promenade is envisioned as a “distinctive streetscape [that] lends character and importance to the pedestrian experience” (p.18). The proposed development should create a concept plan for its portion of the MD 355 pedestrian promenade. Further, the developer should coordinate with WMATA to obtain the agency approval to build adjacent to the WMATA tunnel easement, and tree species specification for easement.

Environment

The Sector Plan establishes several recommendations to create an environmentally sustainable district. Minimization of carbon emissions; reduction of energy through site design and energy-efficient buildings; improving air and water quality; and usage of environmental site design techniques are some of the Plan’s recommendations. At site plan, the applicant must demonstrate how each recommendation in the Plan will be achieved.

White Flint Design Guidelines

The Approved White Flint Urban Design Guidelines provides specific recommendation the White Flint Mall district, including public open space and streets. At site plan, the project must be consistent with the design guidelines recommendations for buildings, open spaces and streets.

Conclusion

Staff recommends the approval of revised sketch plan, No. 320110020, with the comments noted at the beginning of this report.



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

MEMORANDUM

DATE: December 14, 2010

TO: Sandra Pereira, Senior Planner, Development Review Division

VIA: John Carter, Chief
Urban Design and Historic Preservation Division

FROM: Luis R. Estrada Cepero
Urban Design and Historic Preservation Division

SUBJECT: Sketch Plan No. 320110020 - North Bethesda Gateway

CONSISTENCY WITH URBAN DESIGN GUIDELINES FOR THE WHITE FLINT SECTOR PLAN

Sketch Plan No. 320110020 - North Bethesda Gateway - is consistent with the Urban Design Guidelines for the White Flint Sector Plan

DISCUSSION

To support Sector plan goals, the Design Guidelines are organized into three broad categories; *Streets*, *Open Space*, and *Buildings*. The goals for each are as follows:

Streets (Page 10): (1) Establish a hierarchical grid of streets to improve mobility; (2) Underground wet and dry utilities within right-of-way limits; (3) Create short blocks to expand pedestrian access and maximize building frontage; (4) Transform Rockville Pike into an Urban Boulevard; (5) Improve pedestrian safety at all street intersections.

Open Space (Page 12): (1) Consolidate the space allocated to meet zoning public use space requirements in locations central to each neighborhood to create substantial urban spaces for public use ; (2) Create pedestrian priority spaces, where vehicular intrusions are kept to a minimum; (3) Provide spaces that include substantial areas for un-programmed use by residents, workers, and visitors.

Buildings (Page 16): (1) Build-to lines that establish minimum setbacks from the right-of-way; (2) Podium heights that define the pedestrian level space; (3) Upper stepbacks that distance the taller component of the structure from the podium, reducing the impact of its scale on the pedestrian space below; (4) Reduced tower floor plate sizes to reduce the structure's perceived bulk.

CONSIDERATIONS FOR SITE PLAN REVIEW

Streets

1. Include the WMATA tunnel easement along Rockville Pike in the drawings, to clearly establish (1) Pike facade locations and (2) extent and location of Pike Promenade.
2. Consider alternate locations for parking entrance from Rockville Pike, to reduce intrusions along Pike Promenade. In lieu of that, consider way to reduce the impact of the proposed entryway on the continuity of the Pike Promenade.
3. Consider options to reduce the size of the Hotel vehicular turnaround, and to improve continuity of pedestrian access between Rockville Pike and mid-block Pedestrian Connection

Open Space

1. Consider landscape treatment that distinguishes between Pike Promenade, sidewalk at proposed Executive Boulevard, and Pike Plaza.
2. Consider landscape treatment to delineate property boundary along southern and western edges of Pike Plaza, in lieu of continuous building facade along Rockville Pike.

Buildings

1. Establish the Hotel's western facade (Rockville Pike) as a prominent, boulevard facing facade. that takes into consideration the future feasibility of Boulevard facing retail operations.
2. Consider sidewalk activation methods along Nicholson Lane and proposed Private Road "A".
3. Consider way to activate the section of the Pedestrian Connection between Pike Plaza and the start of the retail operations near Huff Court.



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

MEMORANDUM

TO: Sandra Pereira, Development Review
VIA: Mark Pfefferle, Acting Chief, Environmental Planning
FROM: Amy Lindsey, Environmental Planning
DATE: December 14, 2010
SUBJECT: Sketch Plan 320110020
North Bethesda Gateway

RECOMMENDATION:

Environmental Planning staff recommends approval of the sketch plan.

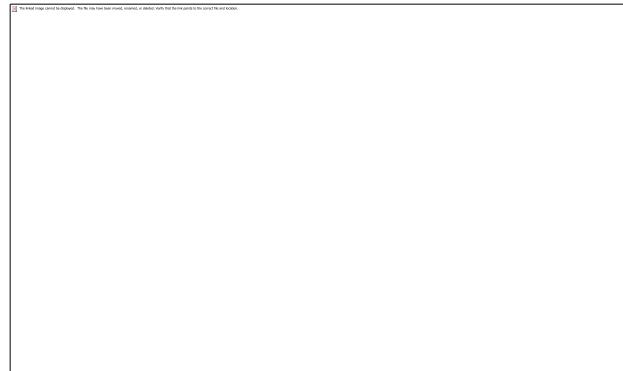
BACKGROUND

The 11.04-acre property is located in White Flint on Rockville Pike, straddling Huff Court. The property is currently developed with office and commercial uses, including an automobile dealership. The property is within the Rock Creek watershed; a Use I watershed. The applicant is proposing to remove the existing buildings and develop the property with a mix of office, hotel, and residential buildings

REGULATORY FRAMEWORK

Environmental Guidelines

The applicant submitted a simplified Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) to M-NCPPC for review and approval. The property has no forest, 11 significant trees (between 24" and 30" DBH) and four specimen trees ($\geq 30"$ DBH). There are no other environmental features or any environmental buffers on-site.



Forest Conservation

This property is subject to Chapter 22A – Forest Conservation Law and a forest conservation plan will be required to be submitted at time of preliminary plan. There are no priority planting areas on site. None of the significant or specimen trees are likely to

be retained and a variance will be required for impacts to critical root zones and/or removals.

ISSUES

CR Zone Incentives

The proposed sketch plan uses two incentives in the Natural Environment Protection and Enhancement category. The first incentive is used is Building Lot Terminations, as required by the CR zone. The applicant is requesting a 5% density incentive, as a required minimum, which is appropriate for this development.

The second incentive requested is Vegetated Roof. The applicant is requesting a 10% density incentive for the provision of 33% of the total roof area as a vegetative roof, with a minimum depth of 4" of media. The applicant has demonstrated the ability to easily meet this criterion.

Environmental Opportunities

Other opportunities for enhancing the overall environmental benefits of this development include:

- Enhanced treecover over open spaces;
- Increased area of vegetated roofs for stormwater management, energy management, and air quality;
- Use of structural cells instead of Filterra systems to provide increased stormwater retention volumes and root volume for trees;
- And use of vegetated walls on parking and loading areas to screen and improve air quality.



FIRE MARSHAL COMMENTS

DATE: 17-Dec-10

TO: Jagdish Mandavia
Loiederman Soltesz Associates, Inc

FROM: Marie LaBaw

RE: Rock Spring Centre Phase III
11998092B 820090030

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **17-Dec-10**. 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.