



Isiah Leggett
County Executive

DEPARTMENT OF TRANSPORTATION

Al R. Roshdieh
Director

February 23, 2016

Mr. Nkosi Yearwood, Planner Coordinator
Area 2 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 120150010
Gables White Flint

AMENDMENT LETTER

Nkosi
Dear Mr. Yearwood:

We are writing to provide additional information and amend several of the comments contained in our December 4, 2014 letter for this preliminary plan. Unless noted below, all other comments of the December 4, 2014 letter remain applicable.

1. Design Exception 2: Retaining walls and steps in the right-of-way

In our response to the applicants' request to "... place a retaining wall and steps in the triangular right-of-way along Market Street given the steep grades at the intersection of Market Street and proposed private Street 'A,'" we supported approval of the request conditioned on the applicants executing and recording a Maintenance and Liability Agreement for those improvements. This document was intended to be processed by Executive Branch staff at the permit stage.

We have since been advised by the County Attorney's Office that Maintenance and Liability Agreements are only appropriate for temporary, removable obstructions or occupations of the public rights-of-way.

For permanent obstructions (such as retaining walls and steps) in those locations (so long as the area to be occupied by those facilities remains public right-of-way) the Applicants will need to enter into a Franchise Agreement with the County Council (per Article 2 in Chapter 49 of the County Code) before those improvements may be permitted.

Office of the Director

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

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

2. Street B Entrance Offset

In our response to the applicants' Design Exception request for "*... a reduction to the 100 foot tangent spacing between Street B and the existing divided driveway apron on the opposite side of proposed Grand Park Avenue,*" we supported approval of the entrance location of Private Street B conditioned on relocation of the opposite side [Conference Center exit] driveway to align with Private Street B.

We also noted that "*The applicant must coordinate this conditional approval with the Department of Economic Development's parking structure project. . . At the permit stage, if it has been determined that aligning these driveways is not feasible, the entrance for Private Street B must be designed and constructed with channelized right-in/right-out only movements (left turns in and out of the site must be physically precluded).*"

Subsequently, we received a November 16, 2015 letter from Mr. Daniel McKelvey, Associate Principal of Ayers Gross Saint, the architects for the Conference Center Parking Structure project. Mr. McKelvey's letter concluded that it would not be feasible to move the Conference Center's entrance to align with the approved location of proposed Private Street B.

Further discussions with staff in our Divisions of Traffic Engineering & Operations and Transportation Engineering lead to a reconsideration (and modification) of the access restrictions requirement. We are now willing to allow northbound left turn movements into the site, provided the applicant is responsible for constructing a short trapezoidal-shaped channelization island within the proposed left turn storage lane. This trapezoidal-shaped island would need to be designed to simultaneously allow southbound left turn movements into the driveway for the Conference Center garage. (Left turn exits will still be precluded.) The civil engineer for the Gables project will be responsible for designing and obtaining approval of the plans (from the Division of Traffic Engineering & Operations) for this island. If the design approvals and payment are received in time, construction of the island and the driveway(s) could be included in the Grand Park Avenue-Executive Boulevard Extended CIP project at the applicants' expense. If that timing is infeasible, construction of the island would need to be included in the Department of Permitting Services' right-of-way construction permit for the Gables development.

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Thank you for your cooperation and assistance. If you have any questions regarding this letter, please contact Ms. Rebecca Torma-Kim, our Senior Planning Specialist (who is now handling project reviews in the White Flint area) or at Rebecca.torma-kim@montgomerycountymd.gov at 240-777-7170.

Sincerely,



Gregory M. Leck, Manager
Development Review
Office of Transportation Planning

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