



DEPARTMENT OF TRANSPORTATION

Mark Elrich  
*County Executive*

Al R. Roshdieh  
*Director*

March 4, 2019

Mr. Matthew Folden, Planner Coordinator  
Area 1 Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 120170170  
Westwood Shopping Center  
**Revised**

Dear Mr. Folden:

We have completed our review of the revised preliminary plan uploaded to eplans on January 14, 2019. A previous version of this plan was reviewed by the Development Review Committee (DRC) at its meeting on July 17, 2018. We recommend approval of the plan subject to the following comments:

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

Design Exceptions Requested by Applicant

The preliminary plan application was submitted on December 20, 2016 and is governed by the 2012-2016 Subdivision Staging Policy and Subdivision Regulations in effect prior to February 2017 (when the current Subdivision Regulations became effective).

1. A - Special Paving Materials in the Public Right-of-Way: The applicant requests to use specialty pavers and/or pavement for the sidewalks along the site's frontage on Westbard Avenue. Non-standard materials will be used to enhance the streetscape and help foster a sense of place, and unify the project design, bringing a more inviting aesthetic to the general public, as outlined in the July 2016 Westbard Sector Plan. More

**Office of the Director**

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*Located one block west of the Rockville Metro Station*

specific details will be identified at the site plan stage. All non-standard improvements will be installed and maintained by the applicant under the County's standard License and Maintenance Agreement.

MCDOT Response: The Design Exception package did not include a plan showing location or details of the proposed special paving materials. Instead, the applicant proposes to address the details at site plan stage. As a result, MCDOT **does not approve** this Design Exception at this time. The Department of Permitting Services (DPS) reviews site plans and will coordinate the review with MCDOT for any special pavers in the right-of-way.

2. B-1 - Right-of-Way Truncation Reduction (Street A [Westbard Circle] to Westbard Avenue): The applicant is seeking a waiver from the standard truncation requirement for the two (2) intersections of private Street "A" (Westbard Circle) on Westbard Avenue. Under section 50-26 (c)(3) of the old County Code (the applicant submitted a preliminary plan prior to the Chapter 50 rewrite becoming effective), the right-of-way of corner lots at an intersection are required to be truncated by straight lines joining points 25 feet from the theoretical property line intersection in each quadrant.

MCDOT Response: This truncation is not required since it is the intersection of a private road with a public road.

B-2 - Right-of-Way Truncation Reduction (Westbard Avenue to Relocated Westbard Avenue): The applicant is seeking a waiver from the standard truncation requirement for the new intersection of Westbard Avenue with the relocated Westbard Avenue. Under section 50-26(c)(3) of the old County Code, the right-of-way of corner lots at an intersection are required to be truncated by straight lines joining points 25 feet from the theoretical property line intersection in each quadrant.

MCDOT Response: The old County Code states that the 25-foot truncation at the intersection of two streets must be shown, unless the Planning Board determines that a different amount is needed for safe site distance or traffic channelization. MCDOT **does not recommend** the Planning Board waive the truncation requirement. This area is needed for the potential traffic signal poles and related equipment. This truncation waiver for the Lot 15, Block G property can be re-evaluated if the applicant applies for abandonment.

3. C - Minimum Tangential Centerline Between Curves: The applicant is seeking a waiver from the minimum tangent lengths between curves on Westbard Avenue as referenced in section 50-26(d). The applicant proposes no tangent between two horizontal curves at Station 6+00 and less than a 100-foot tangent at the tie-in to Ridgefield Road.

MCDOT Response: MCDOT recommends the Planning Board waive the required 100-foot tangent requirement between curves. Based on the posted speed limit, the centerline radius of the road at 297 feet and the Westbard Sector Plan, we determined that the reduced tangent will not have a detrimental effect on the road.

4. D – Median Length: The applicant is seeking a waiver from section 50-26 of the County Code which requires the distance median breaks to be no closer than 600 feet for arterial or major highways. The applicant is proposing a median break separation of approximately 215 feet on Westbard Avenue, which is classified as a Business District street.

MCDOT Response: MCDOT believes that this requirement is for arterial roads and major highways. Since Westbard Avenue is classified as a Business District street, this provision in Section 50-26(c)(2) does not apply.

5. E. Modification of Context Sensitive Road Section: The applicant is proposing to modify MCDOT Standard No. MC-2005.04 from a 112-foot right-of-way to a varying right-of-way between 110-120 feet. The Sector Plan suggests two (2) travel lanes in each direction, with the southbound lane used as parking during non-peak hours, a six-foot median, a separated five-foot bike lane, landscape buffer and minimum 13-foot sidewalk. The reduced median along with four travel ways, which deviates from the typical section, allows for wider sidewalks, dedicated bikeways and is consistent with the Sector Plan.

MCDOT Response: MCDOT **approves** this Design Exception. The applicant is proposing to implement the street section in the Westbard Sector Plan.

6. F. Stormwater Management Devices in the Public Right-of-Way: The applicant is proposing installation of micro-bio retention planters within portions of the public right-of-way.

MCDOT Response: A Design Exception is not required to install stormwater management in the County right-of-way for any road. The final details of the stormwater management will be approved by DPS and coordinated with MCDOT at the permit stage.

7. Dry Utilities in the Public Right-of-Way: The applicant is proposing to allow the existing overhead utilities to remain above ground, consistent with the Sector Plan, for their frontage portion of Westbard Avenue that will not be realigned.

MCDOT Response: MCDOT requires applicants to underground all utilities for new road construction. The portion of Westbard which is being realigned, from River Road to

Street A (Westbard Circle), will need the applicant to underground all utilities.

Significant Plan Review Comments

8. Prior to certified preliminary plan, the applicant shall work with MCDOT and MDSHA to design the travel lanes and proposed island at the intersection of Westbard Avenue and River Road an additional receiving lane on southbound Westbard Avenue.
9. The applicant must submit a signal warrant analysis to MCDOT for the future realigned Westbard Avenue intersections with Ridgefield Road and Street A (Westbard Circle) at least six months after and no later than one year after the issuance of the use and occupancy certificate for the commercial building (lot 1, block A) and realigned Westbard Avenue is opened. Prior to record plat for the commercial building, the applicant will bond for the traffic signal at both locations. If MCDOT determines that a signal is warranted, then the applicant will construct and install the traffic signal(s) in accordance with MCDOT specifications.
10. Prior to right-of-way permit, the applicant will evaluate the existing mid-block crosswalk on Westbard Avenue to determine the appropriate location. If it remains or is relocated, the applicant shall construct it prior to opening the realigned Westbard Avenue.
11. For the portion of Westbard Avenue that is to be realigned, the applicant must underground all utilities.
12. At the time Westbard Avenue is realigned, the applicant is responsible for the removal of the existing traffic signal and conduits at the existing intersection of Ridgefield Road and Westbard Avenue.
13. At the time Westbard Avenue is realigned, the applicant shall provide conduits at all proposed signalized intersections (Westbard Avenue at realigned Westbard Avenue and both intersections of Westbard Avenue at Street A (Westbard Circle)).
14. Prior to issuance of the Use and Occupancy Certificate for the 55<sup>th</sup> townhouse unit for Site Plan 820180190, the Applicant must construct and dedicate to public use the realigned Westbard Avenue, as illustrated on the Certified Preliminary Plan. In conjunction, the Applicant must:
  - a. Meet all design standards imposed by all applicable road codes; and
  - b. Secure a County Council resolution abandoning the portions of existing Westbard Avenue/ Ridgefield Road rights-of-way that are no longer needed for transportation purposes.

15. Prior to use and occupancy certificate for the commercial building, the applicant must file for the abandonment associated with the Westbard Avenue realignment with MCDOT.
16. The applicant may provide off-peak parking on the southbound side of Westbard Avenue in accordance with the Westbard Sector Plan. Once installed, the off-peak parking can be re-evaluated and removed by MCDOT at any time, based on operational issues.
17. Coordinate with Ms. Beth Dennard of MCDOT Commuter Services Section (240-777-8384, or [beth.dennard@montgomerycountymd.gov](mailto:beth.dennard@montgomerycountymd.gov)) regarding the following TDM comments:
  - A. Traffic Mitigation Agreement: No draft was submitted but is still recommended. Commuter Services provides services in and outside of Transportation Management Districts. Although the project is not located in a TMD, it is strongly recommended that the Applicant submit a draft TMAg and execute the agreement prior to issuance of any building permits for conformance with the Westbard Sector Plan (2.3.5 Transportation Demand Management). The Sector Plan recommends TDM as a part of any development in the Westbard area and a TMAg is the binding mechanism for ensuring that a project implements TDM strategies. A TMAg would ensure the ability to interact with office and retail store building managers to provide information to employees, and to residents, for conducting outreach events and surveys to collect commuter information. To obtain a copy of the most recent template for mixed use development, contact Sande Brecher or Beth Dennard in Commuter Services (they are both reachable at 240-777-8380).

The draft TMAg should reflect the phased nature of the project and include (but not be limited to) the following mix of TDM provisions:

- Information Displays (permanent and real-time information in multi-family, retail and office buildings)
- Car Sharing Spaces
- Electric Vehicle Charging Stations
- Live Near Your Work
- Bicycle Facilities
- Space for Bikesharing or Other Mobility Devices

B. Bikesharing or Space for Other Mobility Devices:

The 2 spaces shown as bikeshare stations along Westbard Avenue must be suitable for bikeshare. Suitability primarily means that dimensions are 54' x 7' (formerly 53' x 7'), the space receives 4 – 6 hours of solar exposure. Applicant

must provide conduit to provide power in the event of insufficient solar access.

The County maintains full discretion to install, operate, move, relocate or discontinue service of a bikeshare station based on review and analysis of usage, performance, or budget. If the County does not provide a bikeshare station in the space, the Applicant must install racks, repair stations, or other suitable facilities and equipment for the orderly storage of mobility devices in that space. Applicant must pay for the preparation of the space and allow access to service and bikeshare related equipment.

The applicant must pay the capital cost for the preparation of the space and for other facilities and equipment.

The Applicant will be required to work with MCDOT to promote bikeshare at Project.

C. Transit Hub:

Prior to certified preliminary plan, coordinate with Deanna Archey of Transit Services (240) 777-5828, and Beth Dennard of Commuter Services regarding dimensions and amenities for a Transit Hub on both sides of Westbard Avenue. Amenities will include, but not be limited to, technology, such as "Next Bus" or similar program and a covered shelter.

D. Parking:

For each phase, clearly show the locations and number of spaces for car sharing and electric vehicles. The preference is to have some located on street or publicly accessible locations.

Standard Plan Review Comments

18. We defer to MSHA for access and improvements to River Road (MD 190).
19. Provide necessary dedication along Westbard Avenue in accordance with the Sector Plan.
18. In all underground utility installations, install identification tape or other "toning" device approximately 2' above the utility.
20. Grade establishments for all new public streets and/or pedestrian paths must be approved prior to submission of the record plat.

19. In any private development project, prohibit the use of CMP or CMP Arches for any road that will be transferred to Montgomery County for maintenance.
21. The storm drain analysis was reviewed and deemed acceptable to MCDOT. No improvements are needed to the downstream public storm drain system, unless relocation due to abandonment is required.
22. Size storm drain easement(s) prior to record plat. No fences will be allowed within the storm drain easement(s) without a revocable permit from the Department of Permitting Services and a recorded Maintenance and Liability Agreement.
23. The private streets shall be determined through the subdivision process as part of the Planning Board's approval of the preliminary plan. We defer to the Planning Board for the typical section, horizontal alignment, profile, access locations, sight distances, landscaping, lighting, drainage characteristics and maintenance beyond the public right-of-way. Private streets shall be designed to business district roadway structural standards.
24. The sight distance study has been accepted. A copy of the accepted Sight Distance Evaluation certifications form is enclosed for your information and reference.
25. Provide a minimum five-foot wide continuous clear path (no grates) along all public streets.
26. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.
27. This project falls within the Bicycle Pedestrian Priority Area (BPPA). Therefore, all driveways should be at-grade with the sidewalk and then drop down to meet the street elevation.
28. Contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures regarding the existing and proposed street lights, signing, and/or pavement markings. All costs associated with such relocations or new installations shall be the responsibility of the applicant.
29. Contact Mr. Kamal Hamud of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures regarding the existing and proposed County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.). All costs associated with such relocations or new installations shall be the responsibility of the applicant.

30. Coordinate with Mr. Wayne Miller of our Division of Transit Services for any disruption to the existing bus stop locations and facilities in the vicinity of this project. Mr. Miller can be contacted at [wayne.miller2@montgomerycountymd.gov](mailto:wayne.miller2@montgomerycountymd.gov) or 240-777-5800.
31. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.
32. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit may include, but not necessarily be limited to the following improvements:
  - A. Curbs, gutters, storm drain and appurtenances, sidewalks, handicap ramps and street trees along realigned Westbard Avenue and Ridgefield Road.
  - B. Interim roadway improvements as shown on the certified preliminary plan along Westbard Avenue with Ridgefield Road and River Road.
  - C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
  - D. Developer shall ensure final and proper completion and installation of all utility lines underground, for all new road construction.
  - E. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
  - F. The developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this sketch plan. If you have any questions or comments regarding this letter, please contact William Whelan, our Development Review Area Engineer for this project, at [william.whelan@montgomerycountymd.gov](mailto:william.whelan@montgomerycountymd.gov) or (240) 777-2173.



Mr. Matthew Folden  
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Sincerely,



Rebecca Torma, Manager  
Development Review Team  
Office of Transportation Policy

Enclosures (3)

Sharepoint/transportation/director's office/development review/WhelanW/120170170 Westwood Shopping Center /120170170 Westwood prelim plan.docx

cc: Plan letters notebook

cc-e:	Sam Stiebel	Equity One (Northeast Portfolio), LLC
	Kevin Johnson	Johnson Bernat Associates
	Andrew Bradshaw	Johnson Bernat Associates
	Erin Girard	Linowes and Blocher, LLP
	Kwesi Woodroffe	MSHA District 3
	Sandra Brecher	MCDOT CSS
	Beth Dennard	MCDOT CSS
	Deanna Archey	MCDOT DTS
	Sam Farhadi	MCDPS RWPR
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