

Topic	Source	2016 Development Agreement or 2018 City Resolution Requirement	NDC's Modified Design	Submission Documents	City Staff comments
LEED	Development Agreement p.6	Green Elements. In addition to ensuring that the Building satisfies the requirements for LEED Gold or Higher or Equivalent Requirements, the final specifications for the incorporation of green building strategies will be resolved through the development of the Final Site Plan/Preliminary Plan for the Project in consultation with the City.	The project's scope is core & shell, but NDC will work to develop a set of Tenant Design and Construction Guidelines to encourage future tenants to meet LEED requirements in alignment with the base building's Gold certification.	N/A	More detail about materials will be determined when the tenants are identified and build-out plans are developed, including options such as repurposed materials, recycled content of materials, carbon negative materials or similar items that may satisfy "green elements" beyond what is covered by LEED.
LEED	Development Agreement p.6	LEED Gold or Higher or Equivalent Requirements . The Developer shall design and construct the Project so that the Building satisfies the requirement for LEED Gold or higher certification from the US Green Building Council or an equivalent certification of environmental sustainability from an established organization reasonably acceptable to the City	The project will achieve Gold (60 points minimum) under the LEED v4 Core & Shell rating system, addressing sustainability across 6 main design and construction topic areas: Location & Transportation, Sustainable Sites, Water Efficiency, Energy & Atmosphere, Materials & Resources, and Indoor Environmental Quality. By approaching the planning, design, and construction phases of the project in an integrated fashion, the goals of reduced water and energy use, habitat protection, and healthy indoor spaces amongst others will be pursued.	N/A	NDC's commitment is in line with City requirements to achieve LEED Gold or higher. LEED is awarded after construction is complete.
Improved Mobility and Enhanced Streetscape	Development Agreement p.7	Improved Mobility and Enhanced Streetscape. The Project will be designed to preserve and include alternatives to automotive transportation such as bicycle sharing station and bicycle racks.	<ol style="list-style-type: none"> <li>Several bike racks are provided to promote bicycle usage</li> <li>A new bus shelter will replace the lone, unprotected bench encouraging transit ridership</li> <li>Sidewalks are significantly widened and alternative paths, seating, lighting, and shade are provided along the frontage to improve pedestrian comfort and encourage walking</li> <li>Structured parking and minimal driveway width will replace surface parking adjacent to the right-of-way significantly enhancing the streetscape</li> <li>We are working with agencies to maintain and relocate the existing bikeshare station</li> </ol>	<a href="#">08-LL-820190090-002 (01/15/2021)</a>	The plan includes new bike racks, an improved bus stop with shelter, a pedestrian-friendly sidewalk and public space; and relocated bike share station.
Leasing	Development Agreement p.7	Retail and Other Commercial Uses Emphasizing Local and Regional Operators. Developer shall consult with the City as more particularly addressed in the Ground Lease, for the leasing of the commercial space within the Building predominantly to local and regional operators to establish a retail/commercial destination that provides options for the local community and shall agree on leasing parameters, all as more fully addressed in the Ground Lease.	As outlined in the LDA and the Ground Lease, NDC will work with the City during the leasing phase establish a retail/commercial destination that provides options for the local community.	N/A	The developer has committed to local and regional businesses. It is premature to have leasing decisions made at this point. The City's Economic Development manager will work closely with NDC on leasing.
Parking	Development Agreement p.7	Parking - The Project will be designed to provide parking options for area businesses not located within the Project as agreed to between the Developer and the City	We will reserve some parking spaces for future tenants and office users. The rest of parking spaces will be open to the public.	N/A	The Commercial Revitalization Overlay zones allows for a parking waiver in order to encourage more pedestrian and alternative transportation options in a neighborhood development. The project includes public parking. Customers in this commercial district use multi-modal transportation options.
TPSS Co-op Parking and Loading	Development Agreement p.7	Co-op Parking and Loading. Should the Co-op LOI not be executed, the Project will be designed to provide reasonable accommodation to the Co-op, provided the Co-op is operating in the Co-op Existing Premises, for access for loading of deliveries and customer parking.	A 140' layby lane in the front of the building and a 10' service corridor between the proposed building and Co-op building for Co-op loading of deliveries have been added. It should be noted that these design elements -- which materially impact the aesthetic appeal and the economic viability of the project, were added solely for the benefit of the Co-Op.	<a href="#">07-SITE-820190090-004 (01/15/2021)</a>	The layby lane for deliveries is primarily to accommodate the TPSS Co-op. The agreement between NDC and TPSS Co-op in 2018 addresses parking arrangements.
Public Space	Development Agreement p.6	Create an accessible outdoor space devoted to year-round public use; must fulfill the design requirements outlined in Section 6.3.6 of the Montgomery County Zoning Ordinance after community input facilitated through the Community Consultation Process Advisory Committee as more fully outlined in Section 3 above.	Worked with the Takoma Junction Community Consultation Process Advisory Committee in 2016 and 2017. The project provides public space that meets the County's requirements. Public Space must a) abut a public sidewalk or other public pedestrian route; b) be a minimum of 15 feet wide; c) include seating and shade; and d) be in a contiguous space.	<a href="#">08-LL-820190090-002 (01/15/2021)</a>	The public space meets the Design Requirements for Standard Method Development as laid out in the Montgomery County Zoning Code.

Height	Resolution 2018-11: line 277	In consultation with the Montgomery County Historic Preservation Commission and its staff consider modification of the roofline, specifically the height of the parapet, to ensure that the height of the building and the proposed parapet are contextually appropriate	Three rounds of consultations with HPC. Based on the feedback from the HPC board, the following changes were made: 1. The building height has been reduced by 2 feet. 2. The parapet wall has been significantly lowered 3. The canopy has been lowered to be reflective of other local canopy expressions.	<a href="#">09-ARCH-820190090-002 (01/15/2021)</a> <a href="#">09-ARCH-820190090-005 (01/15/2021)</a> <a href="#">09-ARCH-820190090-006 (01/15/2021)</a> <a href="#">09-ARCH-820190090-008 (01/15/2021)</a> <a href="#">09-ARCH-820190090-009 (01/15/2021)</a>	The developer met with the Historic Preservation Commission in May, August and October, 2019 to refine the plans. The overall height has been reduced 2 feet, the parapet has been lowered, and the canopy has been lowered.
East Elevator	Resolution 2018-11: line 282	To add, in consultation with the TPSS Co-op, a second elevator at the east end of the building that operates between the lower level garage and street level to accommodate its customers and employees.	A second elevator has been added at the east end of the building.	<a href="#">09-ARCH-820190090-005 (01/15/2021)</a>	A second elevator at the east end of the building that operates between the lower level garage and street level has been added.
Rear facade	Resolution 2018-11: line 286	To add multiple window openings and varied materials in the Columbia Avenue façade on both the first and second floors of the building to create a more visually attractive rear façade and to provide more light and air at the garage level, while ensuring that measures are taken to minimize the impacts of light and noise on the residential neighborhood behind the building.	Multiple openings were added to the rear of the building on the second floor where future office space is planned. Limited openings were added on the ground floor since this will be the "back of house" area and thus impractical. Varied materials were incorporated on the Columbia avenue facade to improve its attractiveness. Neutral colors were added that work more with the nature that surrounds the back hill. Detailing similar to what's on the front and sides was incorporated. The garage (while mostly below ground), will have openings covered in green walls that will create a more visually pleasing view. Openings were added into the garage but with green screens to allow the garage to get natural ventilation and reduce mechanical systems work. There will only be limited lighting for egress purposes.	<a href="#">09-ARCH-820190090-010 (01/15/2021)</a>	The developer added windows and greater detail to the rear façade of the building to make the building more neutral in the wooded area. The green walls and green screens are consistent with that approach. The design of the rear of the building incorporates requested design elements, addressing both the desire to limit the impact on the neighborhood and the desire to have lighting and windows in the rear facade.
Dumpster Corral	Resolution 2018-11: line 293	To include facilities for 4-yard dumpsters that would be accommodated in a corral, locked and outfitted with tamper-proof hose bib, a floor drain and an exhaust system for smells.	The trash room has a locked gate and outfitted with tamper-proof hose bib and floor drain to accommodate four 4-yard dumpsters.	<a href="#">09-ARCH-820190090-005 (01/15/2021)</a>	The trash room is gated and outfitted with tamper-proof hose bib and floor drain to accommodate four 4-yard dumpsters.
Service Corridor	Resolution 2018-11: line 297	To increase the width of the paved service corridor to 10 feet to ensure that deliveries can be safely and more easily conveyed by hand truck and to facilitate the removal of trash and recyclables.	Yes, a 10 feet corridor was provided between the new development and Co-op building	<a href="#">07-SITE-820190090-004 (01/15/2021)</a>	The 10-foot corridor is provided between the new development and Co-op building and shown on the plans.
Rear facade	Resolution 2018-11: line 439	To design the rear of the building to minimally impact the residential neighborhood and wooded area behind it, including design elements to minimize noise and light pollution, both from the garage and tenant spaces, and to utilize outdoor lights with no greater than a 3000 Kelvin light temperature.	The majority of the trees in this area are to remain and therefore there will not be much exposure to visual elements of the rear of the building. Limiting openings on the back side of the retail and dining spaces will keep noise down. The active or public zone is designed to the front of the building, while the service in the back will have very limited traffic. Lights on that side will be code minimum and low to illuminate pathways, not to light up the façade. No outdoor lights will have a Kelvin value above 3000.	<a href="#">09-ARCH-820190090-010 (01/15/2021)</a>	The design of the rear of the building incorporates requested design elements, addressing both the desire to limit the impact on the neighborhood and the desire to have lighting and windows in the rear facade.
Rear facade	Resolution 2018-11: line 444	Add detail to the design of the rear façade, through the use of materials and other methods, so it is less intrusive and more visually appropriate for the setting.	The rear of the building continues the elements of the EIFS detailing from the two sides and carries the ornamental cornices from the front as well. The colors are meant to be unobtrusive neutrals to blend in and help the building appear to have always been there and so that it will not stand out to the residences to the rear. The choice of softer materials for sides and back is intended to aid in the reduction of sound transmission.	<a href="#">09-ARCH-820190090-010 (01/15/2021)</a>	The design of the rear of the building incorporates requested design elements and details, including neutral colors, green walls and green screens over the garage openings.

Height	Resolution 2018-11: line 447	To reduce the height of the building by up to 5 feet, in an aesthetically appropriate way, working with the Montgomery County Historic Preservation Commission to ensure that the height of the building and the proposed parapet are contextually appropriate, and that natural light and open space of the interior are maintained.	The total floor height was reduced by 2 feet.	<a href="#">09-ARCH-820190090-008</a> (01/15/2021)	The overall height of the building has been reduced by two feet, the parapet has been lowered, and the canopy has been lowered.
Public Space	Resolution 2018-11: line 453	To provide at least 2,700 sq. ft. of public gathering space not focused on outdoor dining but as a shared space for residents, visitors and anyone else in the public realm. In the event that the location or length of the layby is modified during the Montgomery County Development Review process and encroaches into the planned public space, NDC will make modifications to ensure that at least 2,700 square feet of public space is maintained and that it is equivalent in type and quality.	Due to the County and SHA's requirements, the lay-by lane and sidewalk location were shifted. It opens up the original sidewalk area and other areas between the new sidewalk area and store front. The overall the public space is still over 2,700 sf.	<a href="#">08-LL-820190090-002</a> (01/15/2021)	The relocation of the layby allowed for reconfiguration of the space along the front of the building into a contiguous area for public space. BY Morrison Park, across the street, continues to provide additional public space for larger gatherings.
Forest Conservation Easement path/benches	Resolution 2018-11: line 463	Explore the potential of adding a paved or unpaved walking path and/or benches in the Forest Conservation Area Easement, provided that these elements do not disturb the natural elements and conservation goals of this area.	<ol style="list-style-type: none"> <li>1. Category 1 Conservation Easements are recorded documents that do not allow benches, paths, or other built structures</li> <li>2. The intent of this area is to create a natural, native forest providing habitat, carbon sequestration, urban tree canopy, urban heat island reduction, soil health, etc.</li> <li>3. Due to slopes and existing root zones, there is no practical way to incorporate benches or a path without significant disturbance to trees and soils</li> </ol>	<a href="#">07-SITE-820190090-004</a> (01/15/2021)	MNCPCC confirmed that staircases and grading are not allowed within Category I easements. From a tree preservation perspective, it is preferable to not add a path
Stormwater	Resolution 2018-11: line 476	Stormwater will be managed within the project boundary using low-impact development and green infrastructure. Treatment will significantly exceed the City's 50% requirement for redevelopment.	The Takoma Junction project has been developed to comply with the Environmental Site Design (ESD) requirements as required by the Maryland Department of the Environment (MDE). The stormwater management design calculations for this project are based upon the ESD criteria established by the Stormwater Management Act of 2007. The ESD volume shall be met with the use of three green roof facilities and one bioretention facility. Based on the existing and proposed site impervious areas, a minimum ESD volume of 2,953 cubic feet is required to be met on-site. The total ESD volume that will be provided is 3,403 cubic feet, which has exceed the City's 50% requirement for redevelopment by 13%	<a href="#">12-SWM-820190090-001</a> (01/15/2021)	Based on the Concept Plan submitted by NDC in May and approved in June, 2018, the ESDv requirements were exceeded. SW Concept Design was required to provide for treatment of 50% of the runoff from impervious areas for the amount of existing impervious area on the site (0.67 acres) and 100% for the amount of proposed new impervious area added (0.2 acres). The proposed stormwater measures detailed in the Concept Plan exceeded the requirement by 24% (2,500 CF required and 3,277 CF provided) compared to the existing conditions. NDC must also submit the Site Plan Review and Final Plan once the final design decisions have been made. For the future submissions, the city will require a system analysis of the capacity of the existing downstream stormwater infrastructure to determine the impact of receiving the stormwater generated by the project. The City may consider requesting an increase in the treatment of the runoff generated by development beyond what is required. This option, if feasible, would require an increase in the size of proposed BMPs and or use of additional BMPs i.e. rain harvesting , permeable pavement, etc .with significant impact on the cost. Additional treatment beyond what is required could count towards the City's NPDES requirement of providing treating for 20% of existing impervious areas Citywide.
Green construction methods	Resolution 2018-11: line 480	Green construction methods such as the use of best available control technologies to minimize air pollution from diesel equipment during construction.	The GC will use US Environmental Protection Agency (EPA)'s Clean Construction suggestions. Work with subcontractors with highly skilled labor and newer, lower emitting diesel equipment. Prior to beginning construction, General Contractor will create and enforce rules for minimizing idle time, this will also greatly reduce air pollution. General Contractor will be required to track, and grade contractors throughout the life of the project.	N/A	The construction will be subject to Montgomery County's adopted 2018 International Green Construction Code, in addition to what is covered by LEED and EPA suggestions. The IGCC compliance addresses idling of construction equipment, moisture control, sediment control, and waste management during construction in addition to a large number of other areas.

Energy-neutral building	Resolution 2018-11: line 484	Creation of an energy neutral building through on-site methods or off-site renewable energy credits.	<p>Based on Section 6.a. of the LDA, NDC to consult with the City and use its best effort to incorporate green building strategies. There are many factors like the site, programming, and budget constraints influence whether or not a net-zero building is achievable. Energy modeling of the building will first be performed, including various energy efficiency measures, to assess the most cost-effective path to reduce the energy density of the building by the Montgomery County minimum of 20% (8 pts) and beyond. Energy efficient HVAC systems and lighting design, thermal and lighting controls, and ventilation will be explored as strategies. Once the energy density and load of the building is reduced as much as possible, renewables will be considered for further savings. An extensive solar photovoltaic system would be required for the building to achieve energy neutrality. Such a PV system is being considered, but before it is incorporated energy density reduction and energy load minimization must be achieved. Balancing the competing priorities of stormwater management, a vegetated roof, and open green space are also considerations when deciding to implement a solar PV system. Another possibility to assist in achieving energy neutrality is purchasing renewable energy certificates (RECs) to offset a portion of the building's annual energy usage.</p>	N/A	This goal is going to be met through on-site physical design means and the purchase of renewable energy credits.
-------------------------	------------------------------	--	---	-----	--