



Limited Site Plan Amendment: 82004015I Park Potomac

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Completed: 07-13-12

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**Description**

**Limited Site Plan Amendment: 82004015I Park Potomac**

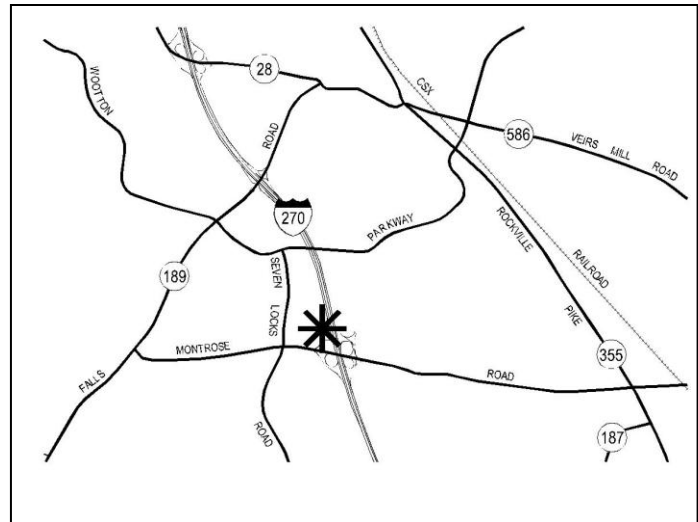
Amendments to the footprint, height, and unit mix for Buildings 3, 4, 5 and 6, modifications to the parking tabulations, the median on Cadbury Avenue and the lighting and landscaping, located northwest of the intersection of Montrose Road and I-270, approximately 20.28 acres, I-3 Zone, Potomac Sub-region Master Plan

**Staff Recommendation:** *Approval with Conditions*

**Applicant:** FP Park Potomac Apartments, LLC.

**Site Plan Filing Date:** March 29, 2012

**Review Basis:** Montgomery County Code Chapter 59 C-5 Industrial Zones.



**Summary**

- This application was originally designated as a Consent Site Plan Amendment; however, due to the amount of written community correspondence received (*Appendix D*) specifically requesting the ability to testify at the public hearing the application was changed to a Limited Site Plan Amendment.
- This amendment is mainly intended to finalize the site design details related to the construction of the multi-family units within Buildings 3, 4, 5 and 6. The site design is consistent with the previous approvals.

## RECOMMENDATION AND CONDITIONS

The modifications to the Site Plan will not negatively impact the overall design character of the development as it relates to the previous approvals, and the proposal remains compatible with existing developments adjacent to the site. This amendment proposes to revise the footprint, height and unit mix for Buildings 3, 4, 5 and 6; modify the parking tabulations; adjust the median on Cadbury Avenue as shown on the previously approved Site Plan; and revise the associated lighting and landscape plans. These modifications do not impact the efficiency, adequacy, or safety of the site with respect to vehicular and pedestrian circulation, open space, landscaping, or lighting.

Staff recommends approval of Site Plan No. 82004015I, Park Potomac, for the amendments delineated above. All site development elements shown on the site and landscape plans stamped "Received" by the M-NCPPC on May 11, 2012 are required except as modified by the following conditions.

### Conformance with Previous Approvals

1. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan No. 120030290 listed in the Planning Board Resolution dated July 25, 2003, and as amended by Preliminary Plan No. 12003029A listed in the Planning Board Resolution dated April 30, 2008, unless amended.

2. Site Plan Conformance

The development must comply with the conditions of approval for Site Plan No. 820040150 as listed in the Planning Board Resolution dated March 19, 2004, and as amended by Site Plan No. 82004015A listed in the Planning Board Resolution dated January 12, 2007, Site Plan No. 82004015B listed in the Planning Board Resolution dated September 19, 2007, Site Plan No. 82004015C listed in the Administrative Memorandum signed March 6, 2008, Site Plan No. 82004015D listed in the Administrative Memorandum signed June 6, 2008, Site Plan No. 82004015E listed in the Administrative Memorandum signed July 28, 2009, Site Plan No. 82004015F listed in the Planning Board Resolution dated October 26, 2012, Site Plan No. 82004015G listed in the Administrative Memorandum signed October 14, 2010, Site Plan No. 82004015H listed in the Administrative Memorandum signed January 13, 2012.

3. Stormwater Management (SWM)

The development is subject to the recommendations approved by DPS within a letter dated May 9, 2012, which are hereby incorporated as conditions of the Site Plan. The Applicant must comply with each recommendation, unless otherwise amended by DPS provided that the amendments do not conflict with other conditions of the Site Plan approval (*Appendix C*).

4. LEED Certification

- a. The Applicant commits to achieving, at a minimum, a LEED (Leadership in Energy and Environmental Design) Certified Rating Certification, as defined by the U.S. Green Building Council (USGBC) under the LEED Standard for New Construction & Major Renovation (LEED-NC).
- b. By Certified Site Plan, the Applicant will complete project registration with USGBC for LEED Certification.
- c. Before any Use and Occupancy Permit is issued, the Applicant must:
  - i. Complete a status report updating Staff on the LEED Certification process and achieving a Certified Rating Certification with USGBC.
  - ii. Furnish Staff with a copy of the final certification.

**Site Plan**

5. The exterior architectural drawings of Buildings 3, 4, 5 and 6 (i.e. the character, proportion, materials and articulations) will be re-submitted, reviewed and approved by Staff prior to the issuance of the first building permit. The architectural drawings should be generally consistent with the conceptual drawings submitted on July 26, 2012.

6. Lighting

- a. The lighting plan must be updated to include light locations and photometrics within the picnic and seating area (between Buildings 4 and 5), and shall be reviewed by Staff prior to the issuance of the first building permit.
- b. The new lighting distribution and photometric plan with summary report and tabulations must conform to Illuminating Engineer Society of North America ("IESNA") standards for residential development directly adjacent to multi-family Buildings 3, 4, 5 and 6 and within the picnic and seating areas. Any new lighting installed along the Right-of-Way and within parking areas must be consistent with the original lighting conditions.
- c. All new light fixtures must be full cut-off fixtures.
- d. Deflectors shall be installed on all existing fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- e. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
- f. The height of the new street light poles shall not exceed 22 feet including the mounting base.

7. Surety

Prior to issuance of first building permit and within each relevant phase of development, Applicant must provide a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a. Applicant must provide a cost estimate of the materials and facilities, which, upon staff approval, will establish the initial surety amount.
- b. The amount of the bond or surety must include plant material, on-site lighting, recreational facilities, site furniture, and entrance piers within the relevant phase of development.
- c. Applicant must enter into a Site Plan Surety & Maintenance Agreement with the Planning Board in a form approved by the Office of General Counsel that outlines the responsibilities of the Applicant and incorporates the cost estimate.

- d. Bond/surety must be tied to the development program, and completion of plantings and installation of particular materials and facilities covered by the surety for each phase of development will be followed by inspection and reduction of the surety.

8. Development Program

The Applicant must construct the development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities must be installed prior to release of any building occupancy permit.
- b. The development program must provide phasing for installation of on-site landscaping and lighting.
- c. Pedestrian pathways and seating areas associated with each facility must be completed as construction of each facility is completed.
- d. Provide each section of the development with necessary roads.
- e. The development program must include the construction phasing of for the vehicular ramp; which connects into the westbound lane on Montrose Road and the multi-family Buildings 3, 4, 5 and 6. The vehicular ramp will be completed within the first phase of construction.

9. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the final forest conservation approval, SWM concept approval (letter dated May 9, 2012), development program, inspection schedule, and Site Plan resolution on the cover sheet.
- b. Add a note to the site plan stating that "M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading".
- c. Modify data table to reflect development standards enumerated in the staff report.
- d. Ensure consistency off all details and layout between site plan and landscape plan.

## SITE DESCRIPTION

### Vicinity

The subject site is located directly west of Interstate 270, on the northeast quadrant of the Montrose Road and Seven Locks Road intersection. The City of Rockville's boundaries are located directly north of the property and along the western frontage of Seven Locks Road. Seven Locks shopping center, Potomac Woods East and Potomac Woods Park are all located directly adjacent to the property (within the Rockville city limits) connecting into Fortune Terrace; which terminates at the northern property line. Willerburn Acres residential development is located toward the southern boundary, along Montrose Road.



Aerial Photo

**Site Analysis**

The gross tract area of the entire property consists of 54.84 acres of land zoned I-3 and OM. There are two phases of construction directly associated with this property. Phase I (Site Plan No. 820040120) is fully constructed and was approved by the Planning Board on February 12, 2004 for 150 one-family attached units (including 75 MPDUs). The subject site is located within Phase II (Site Plan No. 820040150); which is still under construction. Upon dedication of the roadways the net lot area for the subject site is 20.28 acres of land zoned I-3.

**Previous Approvals**

	Approval Date	Brief Description
Preliminary Plan No. 120030290	Presented: July 3, 2003 (mailed July 25, 2003)	Approved the abandonment of an unimproved Public Right-of-Way, maximum 835,000 square feet of general office space, maximum 30,000 square feet of general retail, 15,000 square feet of restaurant or an equivalent increase in general office and/or retail uses (based on peak hour trips for the restaurant use), 450 garden apartment units, and 150 one-family attached units on 54.9 acres of land zoned I-3 and O-M.
Preliminary Plan Amendment 12003029A	Presented: June 21, 2007 (mailed April 30, 2008)	150 townhouse units, 450 High-rise apartment units, 145,000 square feet of general retail use, 570,000 square feet of general office use, 156 guest rooms for a hotel on 59.84 acres of land zoned I-3 and O-M.
Site Plan No. 820040150	Presented: March 18, 2004 (mailed March 19, 2004)	450 multi-family dwelling units (including 61 MPDUs), 820,000 square feet of office use, 30,000 square feet of retail use on 20.28 acres of land zoned I-3. Parking and building setback waivers were also approved (specifically between stations 541+01.93 to 541+55.95).
Site Plan No. 82004015A	Presented: May 4, 2006 (mailed January 12, 2007)	Approved the substitution of two 4-story apartment buildings with one 10-story and one 8-story condominium buildings in approximately the same locations. The maximum building height is 100 feet with a total of

		450 multi-family dwellings (including 61 MPDUs). Parking configuration and tabulations were changed to include below grade parking (Increased parking by 151 spaces).
Site Plan No. 82004015B	Presented: June 21, 2007 (mailed September 19, 2007)	Modifications to the allowable density of retail use in the multi-family Buildings 1, 2, 3, 4, 5, 6 at the ground-floor. Reductions to the amount of allowable density within the mixed-use Buildings A, B and D. Increase to the amount of allowable density (max 115,000 sf. of restaurant/ retail uses) within the mixed-use building C, E, and F, which includes a grocery store (46,026 sf.) and reduce the max gross floor area of retail for mixed-use Building G. Redesign of public plaza, pedestrian access and streetscape. Add a roadway connection from Montrose Rd (east-bound) thru the existing tunnel to Park Potomac Ave. Extension of median on Cadbury Ave.
Administrative Site Plan No. 82004015C	Approved March 6, 2008	Widen steps from the sidewalk to the public plaza; add SWM intake grates, and modifications to the landscape plan.
Administrative Site Plan No. 82004015D	Approved June 16, 2008	Redesign the main entrance of Buildings 1 and 2, the roundabout on Park Potomac Ave., revise the SWM, eliminate 5 parking spaces and modify the landscape planting at Building E.
Administrative Site Plan No. 82004015E	Approved July 28, 2012	Minor site adjustments to building heights (Building 1 and 2), grades for SWM pond, street lighting locations, bollard locations at the plaza (near Building E), surface parking layout (Building G), planters (Building E and G), and lighting photometrics. Revisions to plaza layout and the addition of a

		“zone of influence” for the condominiums and commercial buildings.
Limited Site Plan No. 82004015F	Presented: October 8, 2009 (mailed October 26, 2012)	Addition of roadway connection from Park Potomac Avenue to Fortune Terrace, wrought-iron fence around the pool pump room. Relocation of bike racks. Adjustments to the brick paver lead walks and landscape for Condo Building #1.
Administrative Site Plan No. 82004015G	Approved October 14, 2010	Adjustments to the outdoor seating areas at Building E and G. Addition of sidewalk ramp at the Clubhouse in Condo Building #1. Reallocation of retail/restaurant uses. Deletion of decorative walls.
Administrative Site Plan No. 82004015H	Approved January 13, 2012	Reallocation of office and retail uses, and addition of outdoor seating area for Building E. Adjustments to site tabulations.

**PROJECT DESCRIPTION**

**Proposal**

The Applicant requests the following modifications:

1- Revise the heights, footprints and unit mix for Buildings 3, 4, 5 and 6

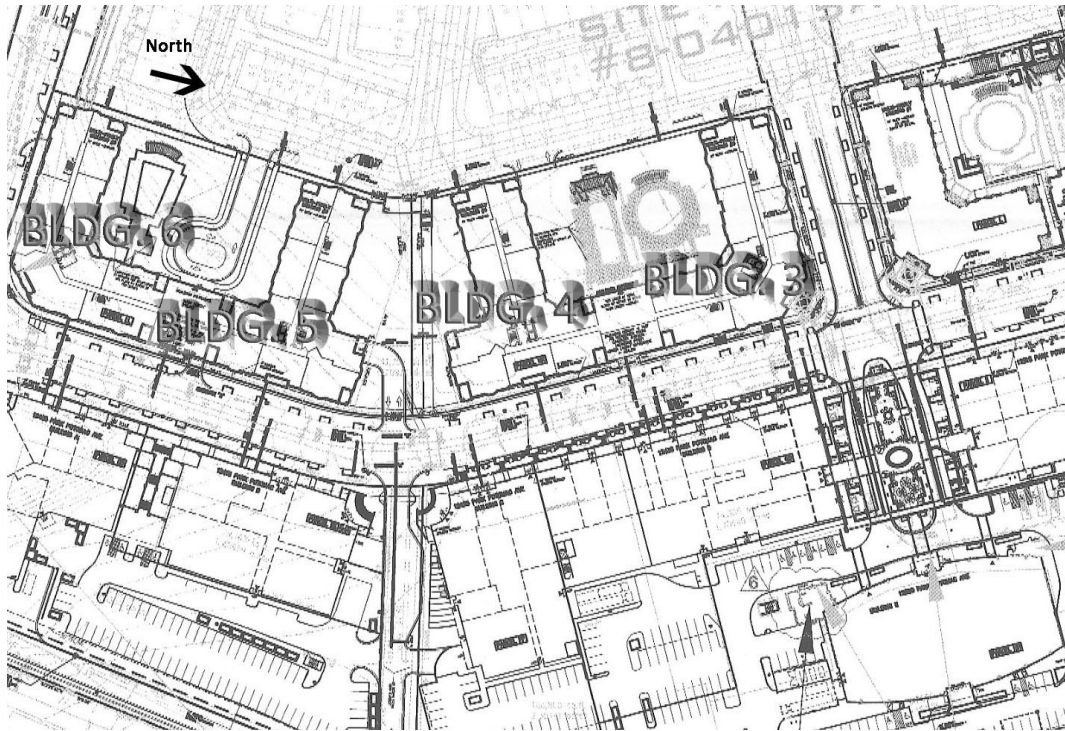
The original Site Plan approved 450 multi-family units (including 61 MPDUs), 820,000 square feet of office use, and 30,000 square feet of retail use. Pursuant to this approval approximately 240,000 square feet of non-residential uses (office, restaurant and retail), and 153 multi-family units are currently constructed onsite. The total number of units will not change, but the Applicant has the flexibility to select the type of multi-family and the unit mix as it relates to the overall intent and goals of the zone and the original approval. This amendment proposes to construct the remaining 297 multi-family units within Buildings 3, 4, 5 and 6; which are approved to be located on Parcels LL and KK. Buildings 3 and 4 (located on Parcel KK) will contain a total of 137 rental units; while Buildings 5 and 6 (located on Parcel LL) will contain 160 rental units. Both buildings will not exceed 5-stories (maximum height range 42 to 45 feet) and an average unit size of approximately 1,000 square feet. The retail gross floor area will be reduced on Parcel LL by 6,124 square feet (4,576 square feet proposed) and on Parcel KK by 3,345 square feet (5,995 square feet proposed). The building footprints will also be modified to reflect the reduction of the unit sizes, building heights, and retail gross floor areas.

2- Modify the parking tabulations

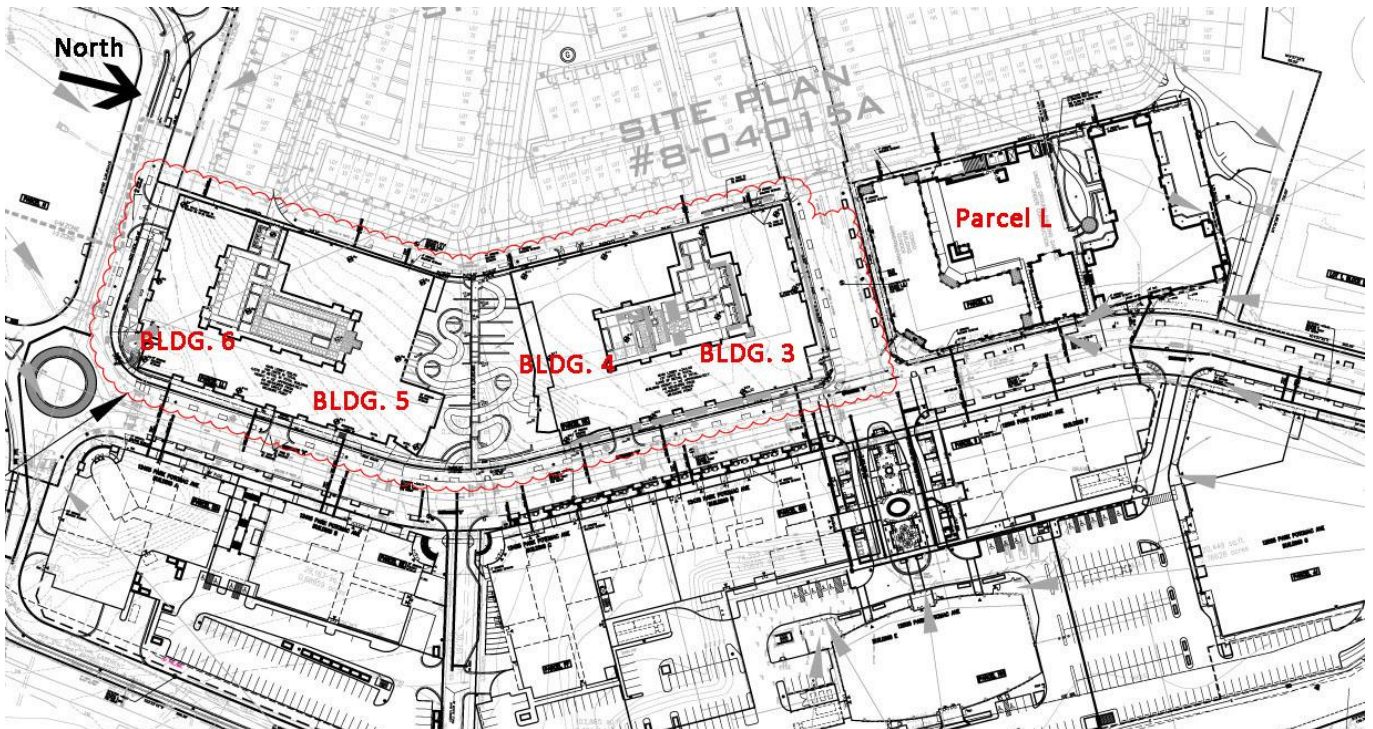
The parking tabulations are calculated based on the unit mix (i.e. the number of bedrooms) and the amount of retail gross floor area. Therefore, due to the changes in the unit mix, the total number of required parking spaces previously approved will be reduced by 49 spaces. However, the total number



of parking spaces provided for all three Parcels (KK, LL, and L) combined includes 71 additional parking spaces. The additional parking spaces currently exist in the parking garage of the Condominium building on Parcel L.



*Previous Approval  
(82004015H)*



*Amended Site Plan*







## FINDINGS

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.*

The subject property does not have an associated project plan and/or special exception, as this project was developed in accordance with the I-3 optional method for mixed-use development. Dwellings and hotel uses are permitted under the optional method, and do not require a special exception approval.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

### Development Standards

The subject site is zoned I-3. The purpose of the I-3 zone under the optional method of development (Section 59 C-5.4391) is to promote mixed-use, transit and pedestrian-oriented centers, which include housing and a commercial component with an employment emphasis. It is also the purpose of the zone to promote development that follows sound environmental principles and maximizes preservation of natural features. The development meets the purpose and requirements of the zone.

The gross tract area, building setbacks, maximum density, and off-street parking coverage will remain consistent with the previous approval. The following data table compares the building heights, unit mix, green area and parking tabulations required by the zone and the previous approval to the modifications proposed in this amendment. Only the standards that are affected by the proposed amendment are listed below; a comprehensive modified data table will be included on the certified Site Plan.

*Project Data Table for the I-3 Zone*

Development Standard	Permitted/Required by the Zoning Ordinance	Previously Approved by Site Plan Amendment No. 82004015H	Proposed by Site Plan No. 82004015I
<b>Maximum Building Heights</b>			
Buildings 3 and 4	100 feet	100 ft. (10 stories)	45 ft. (5 stories)
Buildings 5 and 6	100 feet	82 ft. (8 stories)	42 ft. (5 stories)
<b>Unit Mix for Buildings 3 and 4 (Parcel KK)</b>			
One bed rooms	N/A	18 units	70 units
Two bed rooms	N/A	108 units	61 units
Three bed rooms	N/A	29 units	6 units
Total No. of units	N/A	155 units	137 units
GSF of Retails	N/A	9,340 sf.	5,995 sf.
<b>Unit Mix for Buildings 5 and 6 (Parcel LL)</b>			
One bed rooms	N/A	16 units	82 units



Two bed rooms	N/A	100 units	68 units
Three bed rooms	N/A	26 units	10 units
Total No. of units	N/A	142 units	160 units
GSF of Retails	N/A	10,700 sf.	4,576 sf.
<b>Min. Green Area</b>	35%	30.4% <sup>1</sup>	29.8%
<b>Parking Tabulations<sup>2</sup></b>			
Parcel KK	N/A	290 spaces	221 spaces
Parcel LL	N/A	276 spaces	248 spaces
Parcel L	N/A	351 spaces	351 spaces
Total No. of spaces	N/A	917 spaces	820 spaces
Motorcycle Spaces	2% of the total	20 spaces (2%)	19 spaces (2%)
Bicycle Spaces	1 sp./ 20 parking sp.	47 spaces	44 spaces

3. *The locations of the buildings and structures, the open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

The optional method is specifically designed to provide a compatible mix of uses (including employment, housing, and retail), define and animate the streets, create a strong sense of place in the manner of traditional towns and urban neighborhoods, promote compact environmentally sensitive development that preserves natural features, provide high quality residential neighborhoods consisting of a mix of unit types with open spaces and community facilities that are centrally located and easily accessible, provide an interconnected street system that consists of short blocks and is designed to promote practical alternatives to automobile use for daily activities, encourage the efficient use of the center transit facilities by providing pedestrian and bicycle linkages to adjacent and convenient areas.

Buildings 3, 4, 5 and 6 are located in the approximate same locations as shown on the previous approvals. This amendment will revise the lighting and landscape plans in order to include the photometrics of the new light fixtures along Ansin Circle Drive and within the picnic and seating area. The private plaza areas, public picnic and seating areas have been designed to create a sense of community within each of the buildings, add to the overall quality of design and character of the property, and conveniently connect to the surrounding properties.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The reduction in the building heights from 10 stories to 5 stories is more compatible with the townhouse units (4 stories) along Ansin Circle Drive (directly adjacent to the western property boundary). In addition the access driveways to the structured parking garages will be relocated from Ansin Circle Drive to Park Potomac Avenue; which will reduce traffic in the front the of townhouses.

<sup>1</sup> The green area is calculated based on the same tract of land. The subject site is a smaller part to a large property; which has two associated Site Plans. The second Site Plan (No. 820040120) exceeds the total requirement by 22.7% (57.7% proposed). Therefore the total amount of green area for the entire property is 43.9%; which includes the modifications proposed in this application.

<sup>2</sup> In accordance with section 59E-3.7, the total number of required spaces is calculated based on the unit mix and the retail gross floor area.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

There are no changes proposed to the Final Forest Conservation Plan; which was originally approved with Preliminary Plan No. 120030290. The modifications proposed in this amendment were reviewed by DPS, and an administrative waiver for grandfathering was granted in accordance with the provisions of Section 19-21A for the Montgomery County Code and based on the preliminary project approval for the site as defined in the Code.

## **COMMUNITY OUTREACH**

The Applicant has met all proper signage, noticing, and submission meeting requirements. Notice of the subject amendment was sent to all parties of record on March 7, 2012 giving 15 days for comments. This application was originally designated as a Consent Site Plan Amendment; however, it was later reclassified in order to accommodate the specific request to testify at the public hearing (*Appendix D*). Staff has received written community correspondence mainly concerning the following issues: 1) the community would like the ability to require the developer to construct owner occupied units instead of rental units; however, this not a zoning requirement. 2) The community does not believe there is enough parking provided for the development as a whole. The developer will provide the minimum amount required by the Zoning Ordinance and has taken steps to further ensure that the commercial lots, on-street parking and structured parking facilities will be properly enforced. 3) The community is concerned about the left-turn movement into the structured parking facilities within Buildings 3, 4, 5 and 6 on Park Potomac Avenue. The community is also concerned that this movement may cause an accident and/or congestion on Park Potomac. A traffic study and analysis have been completed and approved for the entire development. The proposed changes to this roadway are minor in comparison to the previously approved plan. The parking garage entrances have shifted; however they are still shown in the approximate same location. Staff does not see an issue with the current configuration of the 2-lane roadway with parking on either side. Staff further concludes that the modifications proposed in this amendment will acts as traffic calming device to ensure a slower movement of vehicles along this roadway.

The Applicant and Staff have also met with the community (on July 10, 2012) to discuss their issues in person. Conditions of approval have incorporated within the Staff Report to specifically address their concerns. The Applicant also intends to present a comprehensive parking management plan at the public hearing that further re-emphasizes their consideration of the community's concerns, and clearly establishes a plan of action.

## **APPENDIX**

- A. Letter of Explanation
- B. Resolutions
- C. Other Agency Approval Letters
- D. Community Correspondence

**APPENDIX A (Letter of Explanation)**

**LINOWES**  
**AND BLOCHER LLP**  
ATTORNEYS AT LAW

RECEIVED  
MAY 11 2012

MEMORANDUM  
TO THE PLANNING

May 11, 2012

**Barbara A. Sears**  
301.961.5157  
bsears@linowes-law.com

**By Hand Delivery**

Ms. Molline Smith  
Maryland-National Capital Park  
and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Park Potomac – Limited Site Plan Amendment No. 820040<sup>151</sup>751 (the “Limited Amendment”); Letter of Explanation

Dear Ms. Smith:

As you are aware, this office represents Fortune Parc Development Partners, LLC (“FPDP”), the Applicant for the referenced Limited Amendment, which proposes modifications to the multifamily buildings approved for construction on Parcels LL and KK in Park Potomac pursuant to Site Plan No. 820040<sup>151</sup>750 as amended (the “Site Plan”). In response to your request, we have below provided additional information regarding the proposed revisions to the Site Plan, including the changes in unit mix and corresponding changes to the parking provided for the project. In addition, we have provided information regarding the deletion of a portion of a median strip on Cadbury Avenue that is shown on the Site Plan, but which has not yet been constructed and is not necessary for vehicular or pedestrian safety or circulation purposes.

By way of background, Park Potomac is approved pursuant to Preliminary Plan No. 120030290 and multiple site plans for the phased development of 150 townhouse units, 450 multifamily units, and 850,000 SF of non-residential uses in multiple buildings, and associated public and private amenities and infrastructure. The Site Plan, as amended, encompasses the multifamily and non-residential development at Park Potomac. Pursuant to the Site Plan, to date approximately 240,000 SF of non-residential uses (office, restaurant, retail) and 153 multifamily units in multiple buildings have been constructed in the multifamily/non-residential portion of Park Potomac. The remaining 297 approved multifamily units are proposed to be located on two record parcels known as Parcel LL and Parcel KK. Parcel KK is located in the southwest quadrant of the intersection of Cadbury Avenue and Park Potomac Avenue, the two public main streets in Park Potomac. Parcel LL is located adjacent to the south of Parcel KK and has frontage along Park Potomac Avenue.

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May 11, 2012

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Parcel LL is currently approved pursuant to the Site Plan for development of two buildings, identified as Buildings 5 and 6, up to 82 feet in height (8 stories) and containing a total of 142 units. Parcel KK is currently approved for development of two buildings, identified as Buildings 3 and 4, up to 100 feet in height (10 stories) and containing a total of 155 units. The approved buildings include structured parking located below the residential floors of the buildings, with access driveways located off of Ansin Circle Drive on the west side of the buildings. In addition, pursuant to the Site Plan, Parcel KK is approved for 9,340 square feet (SF) of retail uses and Parcel LL is approved for 10,700 SF of retail uses generally located along Park Potomac Avenue.

As originally approved, the multifamily buildings on Parcel LL and Parcel KK were proposed to be constructed as for-sale condominium buildings with a mix of predominantly two and three bedroom units, and unit sizes between 1,900 SF and 2,100 SF. FPDP has now determined that current market conditions are not amenable to developing the remaining approved multifamily units at Park Potomac as condominium units and, therefore, is instead proposing to develop the four buildings as a rental apartment project pursuant to the Limited Amendment.

While the total number of units approved for Buildings 3, 4, 5 and 6 (297) is not being changed in the Limited Amendment, the conversion from a condominium project to a rental project necessitates changes to the unit mix approved in the Site Plan to provide predominantly one and two bedroom units and fewer three bedroom units. In particular, as shown on Sheet SP-3 of the Limited Amendment, Buildings 3 and 4 are now proposed to contain a total of 137 units with an average size of approximately 1,000 SF, with the following unit mix: 70 one-bedroom units, 61 two-bedroom units, and 6 three-bedroom units. Buildings 5 and 6 on Parcel LL are proposed to contain a total of 160 units, also with an average unit size of approximately 1,000 SF, and the following unit mix: 82 one-bedroom units, 68 two-bedroom units, and 10 three-bedroom units. The Limited Amendment also proposes the reduction of retail gross floor area on Parcel LL to approximately 4,576 SF and on Parcel KK to approximately 5,995 SF, with the balance previously approved non-residential floor area in the buildings allocated to the non-residential areas of Park Potomac as shown on Sheet SP-3.

In addition to supporting the conversion of the proposed development to a rental project, the reduction in unit sizes allows for a reduction in building height from 10 stories to 5 stories (45') for Buildings 3 and 4 and from 8 stories to 5 stories (42') for Buildings 5 and 6. The reduction in the size and scale of the multifamily buildings allows for a better relation and compatibility between the portions of the buildings that front along Ansin Circle Drive, which are 4 stories in height in that location, and the townhouses directly across Ansin Circle Drive. In addition, the access driveways to the structured parking garages for the buildings have been moved from

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May 11, 2012

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Ansin Circle Drive to Park Potomac Avenue, which will reduce traffic in front of the townhouses on Ansin Circle Drive.

The reduced scale of the multifamily buildings also allows for the enhancement of the public amenity space between the buildings. As approved in the Site Plan, a relatively straight pedestrian pathway connecting Ansin Circle Drive and Park Potomac Avenue, with modest landscape and hardscape treatments, was provided between Buildings 4 and 5. Under the Limited Amendment, a meandering pathway with more elaborate hardscape and landscape amenities in a park setting is proposed, which will invite pedestrian activity between the townhouses to the west and the commercial uses to the east along Park Potomac Avenue, as well as facilitate easy access to the shared pool, fitness center and game room between Buildings 4 and 5. The revised design of the amenity space more gracefully resolves the extensive grade change of approximately 15' between Ansin Circle Drive and Park Potomac Avenue. The park setting will be planted with a wide variety of shade and ornamental trees, shrub and perennial plantings in sweeping masses of grasses and summer flowering plants.

The change from larger units with more bedrooms to smaller units with fewer bedrooms, and the reduction of the retail square footage in the multifamily buildings, also results in a reduction of 97 spaces from the parking requirements for Buildings 3, 4, 5, and 6 as approved in the Site Plan pursuant to the Parking Ordinance (Article 59-E of the County Code). In this regard, based on the unit mix and retail gross floor area proposed in the Limited Amendment, 221 parking spaces are required under the Parking Ordinance for Buildings 3 and 4 and 221 spaces are provided in the structured garage that will serve Buildings 3 and 4. (See Sheet SP-3.) (See Sheet SP-3.) For Buildings 5 and 6 on Parcel LL, 248 spaces are required under the Parking Ordinance and 248 spaces are provided in the parking garage for those buildings. (See Sheet SP-3.) The parking provided meets the required number of spaces under the Parking Ordinance for the mix of uses proposed in the Limited Amendment and will be adequate to meet the anticipated demand of the tenants and visitors to the apartment buildings.

Finally, the Limited Amendment proposes to maintain the existing median in the right-of-way of Cadbury Avenue, immediately south of Ansin Circle Drive and not extend the median east on Cadbury Avenue as shown on the Site Plan. The existing median on Cadbury Avenue south of Ansin Circle Drive is approximately 40 feet in length and 4 feet in width. The Site Plan shows the median extending from its current terminus approximately 175 feet east on Cadbury Avenue and terminating before the crosswalk at the intersection of Cadbury Avenue and Park Potomac Drive.

The extension of the median as shown on the Site Plan does not serve any safety purpose for vehicles or pedestrians and is inconsistent with the most recent right-of-way improvements plans

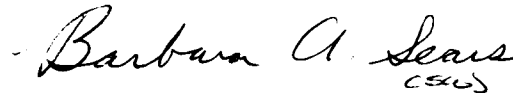
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May 11, 2012  
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approved by the County Department of Permitting Services (“DPS”). In this regard, FPDP has been advised by DPS that the existing striping along the center line of Cadbury Avenue can be maintained instead of constructing the median. Moreover, the median, if extended, would not be wide enough to provide a standard pedestrian refuge for pedestrians and, in fact, would hinder crossings by bicycles and strollers. Finally, the extension of the median would require the removal of approximately 18” of existing streetscape improvements along both sides of Cadbury Avenue for the length of the extension. This would unnecessarily interfere with the existing curb, sidewalk and streetscape and compromise the building envelopes for the multifamily buildings. For these reasons, the Limited Amendment proposes maintaining the existing median on Cadbury Avenue and deleting the extension of the median as shown on the Site Plan.

We hope this information is helpful to you. We look forward to presenting the Limited Amendment to the Board. In the interim, if you have any other questions or comments, please do not hesitate to contact me.

Very truly yours,

**LINOWES AND BLOCHER LLP**

Handwritten signature of Barbara A. Sears in cursive script, with the initials 'BAS' written below the signature.

Barbara A. Sears

BAS:cp

cc: Adam Davis  
Brig Bunker  
Ines Vega  
Scott Wallace

**APPENDIX B (Resolutions)**



**MONTGOMERY COUNTY PLANNING BOARD**  
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MCPB No. 09-130**  
**Site Plan No. 82004015F**  
**Project Name: Park Potomac**  
**Hearing Date: October 8, 2009**

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION**

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, the Fortune Parc site was developed in two phases under two separate Site Plans: phase one (Site Plan No. 820040150) which the Planning Board approved on March 18, 2004, for 150 townhouse units; and phase two (Site Plan No. 820040150) which the Board approved on March 18, 2004, for 450 multi-family dwelling units and up to 850,000 sf. of non-residential uses; and

WHEREAS, on May 4, 2006, the Board approved Site Plan Amendment No. 82004015A, which increased the amount of green space, modified building heights, and adjusted the dwelling unit distribution; and

WHEREAS, on June 21, 2007, the Board approved Site Plan Amendment No. 82004015B, which redistributed office, retail, and restaurant uses among the office and multi-family residential buildings, reduced the maximum allowable building height for two of the office buildings, allowed a 156-room hotel, added a free-standing grocery store, redesigned the central public plaza and retail sidewalk along Park Potomac Avenue, added a site entrance and an exit along Montrose Road, revised minor streetscape elements, and reduced the required setbacks from I-270 for one of the office buildings; and

Approved as to  
 Legal Sufficiency:

  
 M-NCPPC Legal Department



WHEREAS, the Planning Director approved Site Plan Amendments Nos. 82004015C-82004015E, for minor changes to the Site Plan on March 6, 2008, June 16, 2008, and July 28, 2009, respectively; and

WHEREAS, on August 26, 2009, Fortune Parc Development Partners, LLC, ("Applicant") filed a site plan amendment application designated No. 82004015F, Park Potomac (the "Amendment") for approval of the following modifications:

1. Add a roadway connection from Park Potomac Avenue to Fortune Terrace;
2. Move the bike racks from the front of Condo Building #1 to inside the garage of Condo Buildings #1 and #2;
3. Adjust brick paver lead walks of Condo #1 to match as-built conditions;
4. Add wrought-iron fence around the pool and the pool pump room;
5. Add structure for the pool pump room; and
6. Adjust landscaping at Condo #1.

WHEREAS, following a review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated September 28, 2009, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on October 8, 2009, Staff presented the Amendment to the Planning Board at a public hearing on the Amendment (the "Hearing") where the Planning Board heard testimony and received evidence submitted for the record on the Amendment; and

WHEREAS, on October 8, 2009, the Planning Board approved the Amendment subject to conditions on the motion of Commissioner Presley, seconded by Commissioner Wells-Harley, with a vote of 3-0, Commissioners Hanson, Presley, and Wells-Harley voting in favor, with Commissioner Alfandre recusing himself and Commissioner Cryor being absent.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board hereby APPROVES Site Plan Amendment No. 82004015F, subject to the following conditions:

1. Preliminary Plan Conformance

The proposed development must comply with the conditions of approval for Preliminary Plan No. 120030290 as listed in the Planning Board Resolution dated July 25, 2003, and amended by Preliminary Plan No. 12003029A as listed in the Planning Board Resolution dated April 30, 2008, unless amended. This includes but is not limited to all references to density, rights-of-way, dedications,

easements, transportation conditions, DPWT conditions, and DPS stormwater conditions.

2. Site Plan Conformance

The proposed development must comply with the conditions of approval for Site Plan No. 820040150 as listed in the Planning Board Resolution dated March 19, 2004, as amended by Site Plan No. 82004015A as listed in the Planning Board Resolution dated January 12, 2007, Site Plan No. 82004015B as listed in the Planning Board Resolution dated September 19, 2007, Site Plan No. 82004015C as listed in the Administrative Memorandum signed March 6, 2008, Site Plan No. 82004015D as listed in the Administrative Memorandum signed June 16, 2008, and Site Plan No. 82004015E as listed in the Administrative Memorandum signed July 28, 2009.

3. Transportation

- a. The Applicant must locate the inverted-U racks in front of the main entrances to the apartment and commercial buildings for visitor's short-term bicycle parking. Final location will be determined at Certified Site Plan.
- b. The Applicant's plan for the proposed traffic circle at Park Potomac Avenue and Fortune Terrace must include adequate handicapped ramps to be ADA accessible from all directions.

BE IT FURTHER RESOLVED, that the Planning Board adopts the Staff's recommendation and analysis as set forth in the Staff Report and FINDS that the Amendment is consistent with the provisions of § 59-D-3.7 of the Zoning Ordinance and that the Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in connection with the originally approved site plan; and

BE IT FURTHER RESOLVED, that all site development elements as shown on Park Potomac drawings stamped by M-NCPPC on August 26, 2009, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

**OCT 26 2009**  
BE IT FURTHER RESOLVED, that the date of this written resolution is \_\_\_\_\_ (which is the date that this resolution is mailed to all parties of record); and

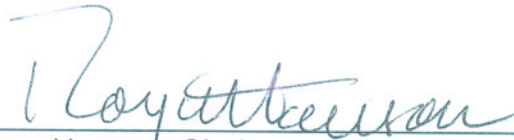


BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

\* \* \* \* \*

**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Wells-Harley, seconded by Commissioner Alfandre, with Chairman Hanson, Commissioners Wells-Harley and Alfandre present and voting in favor of the motion, and Commissioners Cryor and Presley absent at its regular meeting held on Thursday, October 22, 2009, in Silver Spring, Maryland.



Royce Hanson, Chairman  
Montgomery County Planning Board





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

**Memorandum**

**TO:** Rollin Stanley, Planning Director

**VIA:** Rose Krasnow, Chief *Rd K*  
Robert Kronenberg, Supervisor *RK*  
Development Review Division

**FROM:** Elza Hisel-McCoy, Assoc. AIA, LEED-AP *EH*  
Planner Coordinator  
Development Review Division

**RE:** Park Potomac  
SITE PLAN #82004015G

**DATE:** October 13, 2010

Pursuant to Montgomery County Code Division 59-D-3.7 (Minor Amendments), the Planning Director may approve in writing certain applications for an amendment to the Certified Site Plan. Administrative or "Director Level" Amendments are modifications to the approved Certified Site Plan that are considered minor in nature and do not alter the intent and objectives of the plan.

A Pre-Application meeting with the community/public/parties of record is not required. A Pre-Submittal meeting with the DRD Intake Section is also not required; however, submittal of the application to DRD is applicable. Administrative Amendments must satisfy the noticing and posting requirements as identified in Sections 4.C and 4.D (a) (ii) of the Development Manual and require approval of the Planning Director.

On September 9, 2010, Fortune Parc Development Partners, LLC, ("Applicant") filed a site plan amendment application designated Site Plan No. 82004015G ("Amendment") for approval of the following modifications:

1. Illustrate location of outdoor seating areas at Building E and Building G;
2. Add a sidewalk ramp in front of the Clubhouse at Condo #1/#2;
3. Reallocate retail/restaurant uses between buildings (within the approved overall maximum); and
4. Delete decorative walls at Sandfilters #1-3.

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on September 3, 2010. The notice gave the interested parties 15 days to review and

comment on the contents of the amended site plan. Staff received an inquiry, but no comment, from the parties of record.

The proposed amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved site plan.

This Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8. The Applicant is responsible for submitting a certified site plan after approval by the Director for the specific modifications.

ACCEPTED & APPROVED BY:



---

Rollin Stanley, Planning Director

10-14-10

---

Date Approved



Date: 01-13-12

TO: Rollin Stanley, Planning Director,  
VIA: John Carter, Area 3, Chief  
FROM: Molline Smith, Area 3, Senior Planner  
SUBJECT: Administrative Site Plan Amendment No. 82004015H: Park Potomac

---

#### RECOMMENDATION

Staff recommends **Approval** of the Administrative Amendment to Certified Site Plan 82004015H: Park Potomac

#### PROJECT DESCRIPTION

On August 12, 2011, Fortune Parc Development Partners, LLC., ("Applicant") filed an application for an Administrative Amendment to the Certified Site Plan designated No. 82004015H, Park Potomac ("Application"). The Application requests approval of the following modifications:

- 1) The relocation of Building E office and restaurant/retail areas;
- 2) Increase to the surface parking facility associated with Building E by 2 spaces;
- 3) Addition of outside patio area for Building E; and
- 4) Revision to the site tabulations.

#### DISCUSSION

As required, the Applicant placed proper signage on the property and sent notices regarding the amendments to all required parties on August 8, 2011. The notice gave interested parties 15 days to review and comment on the contents of the Application. Staff did not receive any correspondence from the interested parties.

#### FINDINGS

In accordance with the Montgomery County Zoning Ordinance: Section 59-D-3.7(d), Staff finds that the Certified Site Plan Amendment meets the following:

- (1) *The proposed modifications do not increase the building height, the floor area, the number of dwelling units and/or prevent circulation on any street or path.*

In accordance with the Site Plan (82004015G) and the amended Preliminary Plan (12003029A) the development was approved for 715,000 square feet of non-residential uses (570,000 square feet of office and 145,000 square feet of retail). The overall office use proposed for Buildings A and B (Parcels DD and EE) will be increased by 5,919 square feet; while the overall office use proposed for Buildings C, D, E, F and G (Parcels FF, GG, HH and JJ) will be decreased by 5,919 square feet. Therefore, the total amount of non-residential development remains the same.

The retail square footage proposed for Buildings C, D, E, F and G will be increased by 8,432 square feet; thereby increasing the overall amount of retail to 116,403 square feet. The total amount of retail uses is under the total amount permitted by 71,403 square feet. The building heights and locations will not change.

- (2) *The Applicant proposed to also modify the parking facility and green spaces areas. The proposed modifications will have a minimal affect on the basic elements of the plan. The overall design, layout quality and intent of the Site Plan will not be adversely altered.*

The parking facility and outdoor seating area associated with Building E will also be modified. Adequate landscape screening is provided; which will increase the amount of green space by 1,300 square feet.

## CONCLUSION

Staff recommends Approval of the Amendment to the Certified Site Plan in accordance with the required findings. This Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8. The Applicant is responsible for submitting a certified site plan, after approval, for the specific modifications.

ACCEPTED & APPROVED BY:



Rollin Stanley, Planning Director

113-12

Date Approved

**APPENDIX C (Other Agency Approval Letters)**



Ed

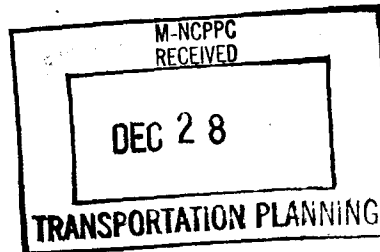
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett  
County Executive

May 29, 2007

Arthur Holmes, Jr.  
Director

Ms. Catherine Conlon, Subdivision Supervisor  
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: Preliminary Plan No. 1-2003029A  
Site Plan No. 8-2004015B  
Parc Potomac

Dear Ms. Conlon and Mr. Kronenberg:

We have completed our review of the preliminary plan dated October 19, 2006. This plan was reviewed by the Development Review Committee at its meeting on January 2, 2007. We recommend approval of the plan subject to the following comments:

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

1. Previous comments contained in our letters dated June 23, 2003, February 4, 2004, and March 30, 2007 remain applicable unless modified below.
2. We support allowing the proposed modifications to the existing eastbound ramp system (on the south side of Montrose Road) to allow an eastbound ramp into the site. Geometric details to be finalized at the permit stage.
3. We support approval of the applicant's proposed reconfigured southbound right turn ramp on Montrose Road; a sketch of the recently proffered revision is enclosed with this letter for your information and reference. The revised ramp design will improve traffic operations and visibility by having the ramp intersect Montrose Road at a right angle. We encourage the applicant to continue their discussions with the owner of the adjacent (Willco building) property to allow south- and westbound exiting traffic (from that site) to utilize the Parc Potomac ramp system. We reserve the right to restrict the exit hours of operation if necessary for traffic operations and/or safety reasons. Prior to issuance of the driveway permit for this ramp, we will need the applicant to submit a revised Sight Distances Evaluation using the County form.
4. The Cadbury Drive/Park Potomac Avenue/Plaza intersection design should provide visual cues to guide motorists between Cadbury Drive and the plaza entrance, while minimizing conflicts with turning vehicles and pedestrian movements. Design details for this intersection and the proposed median extension on Cadbury Drive to be determined at the permit stage.

Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878  
240-777-6000 • 240-777-6013 TTY • 240-777-6030 FAX  
[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

Ms. Catherine Conlon and Mr. Robert Kronenberg  
Preliminary Plan No. 1-2003029A  
Site Plan Amendment No. 8-2004015B  
May 29, 2007  
Page 2

5. We understand the plans have been revised to delete the previously proposed connection of Park Potomac Avenue to Fortune Terrace. As a result, we are not offering any new comments on the previously proposed cul-de-sac. We are willing to revisit this design if the connection is made in the future.
6. We support the proposed widening of Seven Locks Road to the east to avoid relocating the existing bikepath. A Design Exception package, to address the lane widths and widening needed to create a southbound left turn storage lane at Cadbury Drive, remains under review with our office at this time.
7. The sight distances study for the new internal entrances (less the exit onto Montrose Road) has been accepted. A copy of each of the accepted Sight Distances Evaluation certification forms is enclosed for your information and reference.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at [greg.leck@montgomerycountymd.gov](mailto:greg.leck@montgomerycountymd.gov) or (240) 777-6000.

Sincerely,



Gregory M. Leck, Manager  
Development Review Group  
Traffic Engineering and Operations Section

m:/subd/gml/docs/1-2003029A, Parc Potomac

Enclosures (3)

cc: Bryant Foulger; Fortune Parc Development Partners, LLC  
Adam Davis; Fortune Parc Development Partners, LLC  
Charles A. Irish, Jr.; VIK A, Inc.  
Wes Guckert; The Traffic Group, Inc.  
Shulin Li; The Traffic Group, Inc.  
Richard A. Weaver; M-NCPPC Development Review  
Elza Hisel-McCoy; M-NCPPC Development Review  
Shahriar Etemadi; M-NCPPC Transportation Planning  
Raymond A. Burns; MSHA Engineering Access Permits  
Joseph Y. Cheung; DPS Right-of-Way Permitting & Plan Review  
Sarah Navid; DPS Right-of-Way Permitting & Plan Review  
Emil J. Wolanin; DPWT Traffic Engineering and Operations  
Fred Lees; DPWT Traffic Engineering and Operations  
Kyle Liang; DPWT Traffic Engineering and Operations  
Sam Farhadi; DPWT Traffic Engineering and Operations  
David C. Adams; DPWT Traffic Engineering and Operations



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## FIRE MARSHAL COMMENTS

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**DATE:** 04-Jun-12  
**TO:** Ines Vega  
VIKA, Inc  
**FROM:** Marie LaBaw  
**RE:** Park Potomac  
8-2004015B 82004015I

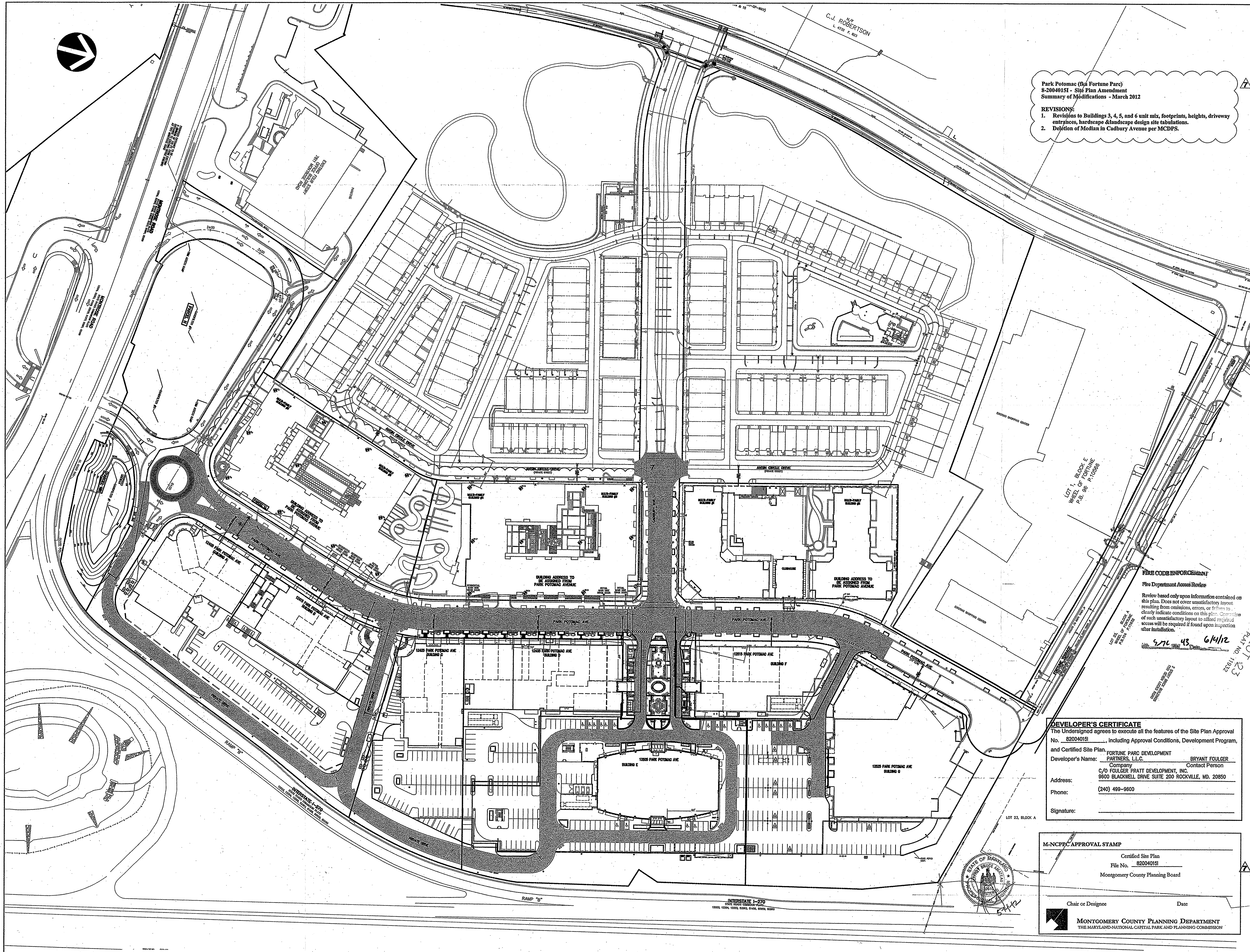
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### PLAN APPROVED

1. Review based only upon information contained on the plan submitted 16-May-12. 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.

**\*\*\* Approval of site plan amendment I \*\*\***





**Park Potomac (by Fortune Parc)**  
 8-20040151 - Site Plan Amendment  
 Summary of Modifications - March 2012

**REVISIONS:**  
 1. Revisions to Buildings 3, 4, 5, and 6 unit mix, footprints, heights, driveway entrances, hardscape & landscape design site tabulations.  
 2. Deletion of Median in Cadbury Avenue per MCDPS.

**VIKA**  
 ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ GPS SERVICES  
 VIKI INCORPORATED  
 20251 CENTURY BOULEVARD SUITE 400 ■ GERMANTOWN, MD 20874  
 (301)916-4100 ■ FAX (301)916-2882  
 GERMANTOWN, MD ■ McLEAN, VA ■ LEESBURG, VA

**PARK POTOMAC SITE PLAN**  
**MULTI FAMILY/COMMERCIAL**  
 PARCELS L, CC, DD, EE, FF, GG, HH, II, JJ, KK & LL  
 BLOCK F  
 4TH ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND

**FIRE DEPARTMENT ACCESS**

**FIRE CODES ENFORCEMENT**  
 Fire Department Access Review  
 Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors, or omissions. Clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.

DATE: 5/16/12  
 BY: [Signature]

**DEVELOPER'S CERTIFICATE**  
 The Undersigned agrees to execute all the features of the Site Plan Approval No. 820040151, including Approval Conditions, Development Program, and Certified Site Plan.  
 Developer's Name: FORTUNE PARC DEVELOPMENT PARTNERS, LLC.      BRYANT FOULGER, Contact Person  
 C/O FOULGER PRATT DEVELOPMENT, INC.      9600 BLACKWELL DRIVE SUITE 200 ROCKVILLE, MD. 20850  
 Address: (240) 499-9600  
 Phone:  
 Signature:

**M-NCPPC APPROVAL STAMP**  
 Certified Site Plan  
 File No. 820040151  
 Montgomery County Planning Board

Chair or Designee \_\_\_\_\_ Date \_\_\_\_\_  
**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

VIKA REVISIONS	
ADDRESS DRC COMMENTS	02/08/07
RESUBMIT TO MNCPPC	04/09/07
CERTIFIED SITE PLAN	SUB. 07/07/07
ADDRESS MNCPPC	COMMENTS 09/30/07
FINAL SUBMISSION TO	MNCPPC 10/18/07
SITE PLAN AMENDMENT "C"	12-19-07
SITE PLAN AMENDMENT "E"	02-12-08
SITE PLAN AMENDMENT "F"	07-29-09
SITE PLAN AMENDMENT "G"	07-26-10
SITE PLAN AMENDMENT "H"	08-27-11
SITE PLAN AMENDMENT "I"	MARCH 2012
DATE	FEB. 01, 2007
DES.	DWN.
JBA	BJ
SCALE:	1"=60'
PROJECT/FILE NO.	6601
SHEET NO.	FA-5

LAYOUT: OVERALL FIRE ACCESS FA-5, Plotted by: Sores



## **APPENDIX D (Community Correspondence)**

12500 Park Potomac Ave.  
#407N  
Potomac, Md 20854

April 19, 2012

Maryland- National Park and Planning Commission  
Development Review Division  
8787 Georgia Ave.  
Silver Spring, Md. 20910

RECEIVED  
MNCPPC  
APR 19 2012  
MONTGOMERY COUNTY  
PLANNING DEPARTMENT

Dear Sir:

I am writing regarding Foulger-Pratt property at the intersection of Montrose Road and Seven Locks Roads in Montgomery County. The site plan is #820040151 and amendment is #8-040151.

We purchased a condo in the development coming up on 2 years ago. The reason we were interested in moving there we had watched the townhouses go up and the north and south condo building plus the office building in the center and Harris Teeter grocery store. After inquiring, we were told there would be another condo unit like ours , a petite hotel, and a couple of office buildings across from the new condo building, that would go up. It was advertised as a luxury development and upon seeing and hearing what the future plans were we became very interested and purchased a condo. We had spent several years of looking and comparing and found this very much to our liking.

Much to our disappointment and frankly quite upset, we found after attending a special meeting in March that they are now going to put RENTALS in the spot where the condos like ours were to be put. This might be OK if we had been told up front this was going to, or at least might happen. As it is, we spent a lot of money on property where we were planning on the value of it hopefully going up or at least holding its own for the time being. This is why we spent years looking and waiting to see how the area was going to shape up before making our decision to move here.

Everyone is aware, regardless of price, that this will effect the value of the townhouses and condos. The properties here are very expensive and I feel pretty confident in saying that over half of the owners here would thought twice about purchasing in Foulger-Pratt "luxury development".

This will also increase the traffic flow that is getting out of hand even without breaking ground on future properties.

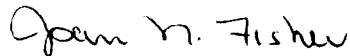
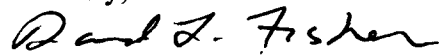
Parking is a major problem with the addition of a popular restaurant and the completion of occupancy of the office building we now have. Because people have to pay to park in the three level garage, they do not use it. The employees don't even make use

of the garage. Therefore, the street parking is no longer. Guests that come for a visit have no place to park. Parking was definitely not considered in the planning of this development.

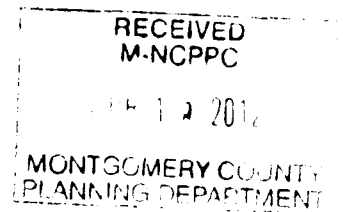
We have a traffic signal to enter onto Seven Locks Road that can be very long but quite short time frame to get through. If we use the exit onto Montrose going east there is no merge lane and is also getting to be a little difficult to enter at certain times of the day with the traffic addition.

Instead of Foulger-Pratt working with their original plans and correcting some of the problems that now exist, they are like any other developer looking out for their interest only. However, it is interesting, at these meetings regarding problems, they have always said they are interested in their tenants. But, as usual, actions speak louder than words.

Sincerely,



David and Joan Fisher



12500 Park Potomac Avenue  
Apartment 606N  
Potomac, MD 20854

April 17, 2012

Maryland-National Capital Park and Planning Commission  
Development Review Division  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Ref: site plan 82004015I and amendment #8-04015I

We are extremely concerned regarding approval of the above-referenced site plan. When Foulger Pratt sold us our condominium it was held forth to us that they intended to build similar luxury condominiums on the adjacent property.

1. These modifications change the character of the neighborhood as originally designed, permitted, built and sold to the current owners of record.
2. It increases the congestion of both the parking and traffic flow on the two lane Park Potomac Avenue by providing garage exits for about 500 vehicles directly onto Park Potomac Avenue in addition to the proposed parking exits for the office buildings on the opposite side of the same street.
3. It will present a significant safety hazard for Montrose east traffic by not providing a merge lane for this increased traffic volume. The contemplated traffic backup will be horrendous because of this.

Yours truly,

A handwritten signature in cursive script, appearing to read "Leslie N. Grinspoon".

(Mr.) Leslie N. Grinspoon

**Smith, Molline**

---

**From:** Murray, Callum  
**Sent:** Friday, April 20, 2012 9:57 AM  
**To:** Smith, Molline  
**Subject:** FW: CTRACK #2012-0319/New/Park Potomac  
**Attachments:** 2012-0319-Incoming.pdf

Second one

**From:** MCP-CTRACK  
**Sent:** Wednesday, April 18, 2012 12:54 PM  
**To:** Carter, John  
**Cc:** Murray, Callum; Boone, Rebecca; Stanley, Rollin; McGrew, Christine; MCP-CTRACK  
**Subject:** CTRACK #2012-0319/New/Park Potomac

**CTRACK ROUTING SLIP  
MONTGOMERY COUNTY PLANNING BOARD  
CHAIRMAN'S OFFICE**

<b>File Number:</b>	2012-0319	<b>Date Received:</b>	4/18/2012
<b>Correspondence Type:</b>	Email	<b>Date Of Letter:</b>	4/16/2012
<b>Agenda Date:</b>	N/A		
<b>To:</b>	Françoise Carrier		
<b>From:</b>	Ronald New		
<b>Description:</b> Park Potomac			
<b>Transmitted To:</b>	<b>Director and Chairman</b>		
<b>Action For:</b>	Carter, John		
<b>Copies To:</b>	Murray, Callum; Boone, Rebecca		
<b>Date Due:</b>	N/A		
<b>Remarks From Chairman's Office:</b>			
FYI			

## Smith, Molline

---

**From:** Murray, Callum  
**Sent:** Wednesday, April 18, 2012 11:07 AM  
**To:** ronnew@jhu.edu; ronnew@comcast.net  
**Cc:** MCP-Chair; Smith, Molline; Carter, John; Garcia, Joyce  
**Subject:** RE: Park Potomac

Hello Dr. New:

I refer to your phone message of last evening which I believe you inadvertently transmitted to a different Area Team. The message was passed to me and I was able to locate your email.

Site Plan Amendment # 820040151 has not yet been reviewed or scheduled for the Planning Board. We have heard from numerous citizens and we understand that the applicant has a meeting tomorrow with Mr. Fonoroff, which we hope will be productive.

Thank you for your comments. They will be entered into the public record, and we will notify you of the date of the Planning Board's hearing, as soon as it is scheduled.

Best regards,

Callum Murray, Area 3  
301-495-4733

---

**From:** MCP-Chair  
**Sent:** Wednesday, April 18, 2012 10:38 AM  
**To:** Murray, Callum  
**Subject:** FW: Park Potomac

FYI -

---

**From:** Ron New [<mailto:ronnew@comcast.net>]  
**Sent:** Monday, April 16, 2012 5:40 PM  
**To:** MCP-Chair  
**Cc:** 'ron new'  
**Subject:** FW: Park Potomac

2<sup>nd</sup> attempt.

*Ronald New*  
[ronnew@jhu.edu](mailto:ronnew@jhu.edu)  
(301) 762-6645

---

**From:** Ron New [<mailto:ronnew@comcast.net>]  
**Sent:** Monday, April 16, 2012 4:26 PM  
**To:** 'MCP-Chair@mncppc-mc.org/development'  
**Cc:** 'ron new'  
**Subject:** Park Potomac

Ladies and/or Gentlemen,

## MCP-Chair

**From:** Ron New <ronnew@comcast.net>  
**Sent:** Monday, April 16, 2012 5:40 PM  
**To:** MCP-Chair  
**Cc:** 'ron new'  
**Subject:** FW: Park Potomac

RECEIVED  
0319  
APR 18 2012

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

2<sup>nd</sup> attempt.

**Ronald New**  
[ronnew@jhu.edu](mailto:ronnew@jhu.edu)  
(301) 762-6645

---

**From:** Ron New [mailto:[ronnew@comcast.net](mailto:ronnew@comcast.net)]  
**Sent:** Monday, April 16, 2012 4:26 PM  
**To:** 'MCP-Chair@mncppc-mc.org/development'  
**Cc:** 'ron new'  
**Subject:** Park Potomac

Ladies and/or Gentlemen,

I represent a large group of owners at the Park Potomac Condominiums who are very interested in what you are doing in planning the site (#820040151). We are also appreciative of your efforts on behalf of our Potomac Community.

We know that our HOA has submitted some thoughts to your group. Our group would like to add one critical plea for your study:

Once our site is completely developed, the increased auto and traffic density will be huge. We will learn to adapt to that if, and only if, the ingress and egress is correspondingly enhanced.

- ~~1. access to an exit to Montrose Road, via the circle, going west,~~  
~~2. an entrance to Park Potomac Ave. for autos coming east on Montrose,~~  
~~3. completion of the exit road behind the planned office buildings down to the main traffic circle for exit to Montrose Rd.~~

Each of these items above have been promised, suggested, or shown on drawings by our builder. But little of recent note has been discussed or implemented.

Our group feels that unless **all** of these traffic features are added, we will soon live in gridlock! The intersection of Cadbury and Ansin Circle Dr. will become a "nightmare." Neither we nor the MNCPPC wants to hear or see comparisons of our plan to the problems at Clarksburg, MD.

Thank you for reading of our concerns,



**Ronald New, Ph.D.**  
**12500 Park Potomac Ave, 702N**  
**Potomac, MD 20854**  
**ronnew@ihu.edu**  
**(301) 762-6645**

**Smith, Molline**

---

**From:** Murray, Callum  
**Sent:** Friday, April 20, 2012 9:58 AM  
**To:** Smith, Molline  
**Subject:** FW: CTRACK #2012-0323 - Fonoroff/Park Potomac  
**Attachments:** 2012-0323-Incoming.pdf

Last one.

---

**From:** Carter, John  
**Sent:** Friday, April 20, 2012 9:45 AM  
**To:** Murray, Callum  
**Subject:** FW: CTRACK #2012-0323 - Fonoroff/Park Potomac

---

**From:** MCP-CTRACK  
**Sent:** Thursday, April 19, 2012 5:00 PM  
**To:** Carter, John  
**Cc:** Boone, Rebecca; Stanley, Rollin; McGrew, Christine; MCP-CTRACK  
**Subject:** CTRACK #2012-0323 - Fonoroff/Park Potomac

**CTRACK ROUTING SLIP  
MONTGOMERY COUNTY PLANNING BOARD  
CHAIRMAN'S OFFICE**

<b>File Number:</b>	2012-0323	<b>Date Received:</b>	4/19/2012
<b>Correspondence Type:</b>	Email	<b>Date Of Letter:</b>	4/18/2012
<b>Agenda Date:</b>	N/A		
<b>To:</b>	Françoise Carrier		
<b>From:</b>	Bruce M. Fonoroff		
<b>Description:</b>	Site Plan 820040151, Park Potomac		
<b>Transmitted To:</b>	<b>Director and Chairman</b>		
<b>Action For:</b>	Carter, J		
<b>Copies To:</b>	Boone, R		
<b>Date Due:</b>	N/A		
<b>Remarks From Chairman's Office:</b>			
For staff action			

# PARK POTOMAC HOMEOWNERS ASSOCIATION, INC.

April 18, 2012

Board of Directors

Bruce M. Fonoroff  
*President*

Robert Balchun  
*Vice President*

Diane Schweber  
*Secretary*

Betsy Weintraub  
*Treasurer*

Gerry Holtz  
*Member-at-large*

Management by  
Legum & Norman, Inc.

Lisa Kelly  
*Community Manager*

Tami Feltenberger  
*On-site Manager*

Bill Pratt  
*Building Engineer*

Maryland -National Capital Park and Planning Commission  
ATTN: Roland Stanley  
Director, Montgomery County Planning Department  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

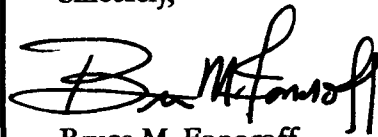
RE. Site Plan 820040151, Park Potomac

Dear Mr. Stanley:

I am writing to you on behalf of The Park Potomac Homeowners Association, representing the 153 condominium unit owners located in the Park Potomac community in Potomac, Maryland. We are a diverse group of people and there is a wide variety of views--both for and against the subject application for amendment to the site plan. The one thing we are all agreed upon, however, is that the changes requested by Foulger-Pratt will have a significant impact on our residents and our community.

The purpose of the this letter is to confirm a conversation I had today with Mr. Collum Murray of your Department who assured me that the Planning Board will hold a public hearing on this matter and not treat it as a consent item. We believe that it is important that our residents, and others affected by the proposed changes, have an opportunity to express their views and concerns directly to the Board. We believe that only in this way will the Board get the critical feedback it needs to make a sound decision.

Sincerely,



Bruce M. Fonoroff  
President

CF: Françoise Carrier, Planning Board Chair  
John Carter, Chief, Area 3  
Collum Murray, Department Head  
Moline Smith, Staff Reviewer  
Bryant F. Foulger, Principal, The Foulger-Pratt Companies

Montgomery County  
RECEIVED

★ APR 19 2012 ★

Planning Department

## Smith, Molline

---

**From:** Murray, Callum  
**Sent:** Friday, April 20, 2012 9:56 AM  
**To:** Smith, Molline  
**Subject:** FW: CTRACK #2012-0318/Cohen/Park Potomac Site Plan  
**Attachments:** 2012-0318-Incoming.pdf

Molly:  
Just got 4 more. I'll reply to them with a copy to you.  
Callum ☺

---

**From:** MCP-CTRACK  
**Sent:** Wednesday, April 18, 2012 12:51 PM  
**To:** Carter, John  
**Cc:** Murray, Callum; Boone, Rebecca; Stanley, Rollin; McGrew, Christine; MCP-CTRACK  
**Subject:** CTRACK #2012-0318/Cohen/Park Potomac Site Plan

### CTRACK ROUTING SLIP MONTGOMERY COUNTY PLANNING BOARD CHAIRMAN'S OFFICE

<b>File Number:</b>	2012-0318	<b>Date Received:</b>	4/18/2012
<b>Correspondence Type:</b>	Email	<b>Date Of Letter:</b>	4/16/2012
<b>Agenda Date:</b>	N/A		
<b>To:</b>	Françoise Carrier		
<b>From:</b>	Allyn Cohen		
<b>Description:</b>	Park Potomac Site Plan		
<b>Transmitted To:</b>	Director and Chairman		
<b>Action For:</b>	Carter, John		
<b>Copies To:</b>	Murray, Callum; Boone, Rebecca		
<b>Date Due:</b>	4/25/2012		
<b>Remarks From Chairman's Office:</b>			
Prepare response for staff signature; copy Chair's Office.			

## MCP-Chair

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**From:** bens29@aol.com  
**Sent:** Thursday, April 12, 2012 1:46 PM  
**To:** Richard Johnson; MCP-Chair  
**Subject:** Re: Park Potomac Site Plan 820040151

**RECEIVED**  
APR 12 2012

OFFICE OF THE CHAIRMAN  
THE BOARD OF ZONING OFFICIALS  
PUBLIC PLANNING COMMISSION

Beautifully written

Sent from my Samsung Epic™ 4G

Richard Johnson <riskreports@comcast.net> wrote:

The developer - builder, Foulger-Pratt, has filed a Consent Agenda Amendment with the Planning Commission, captioned as above.

As a resident and member of Park Potomac Brownstones Homeowners Association, a group of 150 homeowners, I would like to request that a public hearing be held so that the concerns of a large number of our residents can be addressed to the planning director.

Our community consists of three separate Associations - the Brownstone Townhouses, the Condos and the Commercial. I, along with many other residents, am concerned about the insufficiency of adequate parking. During a meeting with Foulger-Pratt several weeks ago, they acknowledged this growing problem and indicated they had some ideas about how to alleviate some of that problem, but their focus was on trying to manage it, rather than providing a sufficient number of spaces. The parking problem has become more pronounced since the opening of the Founding Farmers restaurant, and we anticipate that it will grow larger still with the planned opening this month of a new restaurant on the property. Further, there currently exists a parking lot on the grounds which are going to be developed for the multi-family units to be built by Foulger-Pratt. A sign at that lot states that it is for visitors of condo residents. It has recently been observed that up to 28 vehicles are parked in that lot throughout the night, after the office building and restaurants are closed, suggesting that this is over-flow parking by condo residents. The question to be answered is: "Where will those 28 vehicles park once the lot is replaced by the new residential construction?" Within the Brownstone community of 150 homes there also exists parking issues as the garages are for two cars and many residents own more than two cars, necessitating that the extra vehicles be parked on our private streets. The Foulger-Pratt Consent Agenda Amendment seeks approval to reduce the number of previously approved parking for their planned multi-family buildings by approximately 70, or more spaces. The rationale is that there will be more one bedroom units than were previously approved, suggesting that there would be fewer automobiles to contend with. We find that rationale to be flawed as many one bedroom units are occupied by two residents, with two vehicles, and sometimes even more. It is worth noting that in our Brownstone community, a large percentage of our units are occupied by two persons, all of whom own at least two vehicles and some with as many as four. Clearly, the reduction of two bedroom units and increase in number of one bedroom units does not support the idea of fewer vehicles. Consider the condos - there are at least 28 vehicles that are parked on the existing outdoor lot and even more parked on Ansin Circle Drive. Will not the new multi-family occupants have a similar overflow of vehicles as do the condos and the Brownstones? Where will all of those vehicles park? Recall also that most of the streets within the Brownstone community are 'private' streets. It is not unreasonable to imagine that the condos and the new rental residents will begin parking on the Brownstone's private streets, causing significant stress in the community. Another parking issue concerns the commercial occupancies planned for the new buildings. There has been no provision identified for parking associated with

**Smith, Molline**

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**From:** Murray, Callum  
**Sent:** Friday, April 20, 2012 9:57 AM  
**To:** Smith, Molline  
**Subject:** FW: CTRACK #2012-0326 - Cohen/Park Potomac  
**Attachments:** 2012-0326-Incoming.pdf

No. 3

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**From:** Carter, John  
**Sent:** Friday, April 20, 2012 9:45 AM  
**To:** Murray, Callum  
**Subject:** FW: CTRACK #2012-0326 - Cohen/Park Potomac

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**From:** MCP-CTRACK  
**Sent:** Friday, April 20, 2012 9:31 AM  
**To:** Carter, John  
**Cc:** Boone, Rebecca; Stanley, Rollin; McGrew, Christine; MCP-CTRACK  
**Subject:** CTRACK #2012-0326 - Cohen/Park Potomac

**CTRACK ROUTING SLIP  
MONTGOMERY COUNTY PLANNING BOARD  
CHAIRMAN'S OFFICE**

<b>File Number:</b>	2012-0326	<b>Date Received:</b>	4/20/2012
<b>Correspondence Type:</b>	Email	<b>Date Of Letter:</b>	4/19/2012
<b>Agenda Date:</b>	N/A		
<b>To:</b>	Françoise Carrier		
<b>From:</b>	Linda Cohen		
<b>Description:</b>	Park Potomac, Site Plan #820040151		
<b>Transmitted To:</b>	<b>Director and Chairman</b>		
<b>Action For:</b>	Carter, J		
<b>Copies To:</b>	Boone, R		
<b>Date Due:</b>	N/A		
<b>Remarks From Chairman's Office:</b>			
For staff action			



## MCP-Chair

From: Linda Cohen <scendo@verizon.net>  
Sent: Thursday, April 19, 2012 8:49 PM  
To: MCP-Chair  
Subject: Re: Park Potomac Site Plan # 820040151

RECEIVED  
0326  
APR 20 2012

THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Ms. Francoise Carrier  
Board Chair  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

Dear Ms. Courier:

As one of One Hundred and Fifty homeowners in the Park Potomac Brownstones and a member of the Homeowners' Association, ~~we would like to request a public hearing on the sponsored Park Potomac Site Plan # 820040151.~~ We feel it is important for the Planning Board to hear the concerns of the residents.

Foulger-Pratt Development, Inc., the developer and builder, has filed a Consent Agenda Amendment with the Planning Commission.

The Park Potomac community consists of The Brownstones, Park Potomac Place Condominiums, Office Buildings (12505 & 12435 Park Potomac Avenue), Retail Shopping Center and per the Park Potomac web-site a soon to be built Kimpton Hotel & Spa. ~~Foulger-Pratt has recently proposed adding multi-family housing to the development, something not proposed when marketing the original development.~~ Their argument for adding apartments to the development is it will take several more years for them to complete the project if they continue to build owner-owned residences versus investor owned apartments. They presented this plan to our community under the guise that this would benefit us, but clearly, it only benefits Foulger-Pratt. They will rent the apartments until the economic climate changes and then perhaps, convert to condominiums, Certainly a big plus for them.

~~We fail to see how these apartments will benefit the existing community of Park Potomac and we are, frankly, appalled at the "bait and switch" tactics of the builder.~~ We were so happy to move to a neighborhood where you could walk places, have everything nearby and have a real sense of community. ~~- if we wanted parking difficulties and a bus coming thru the community (as suggested that for people going to the Metro), we would have moved to Bethesda.~~

In the amendment to the site plan, Foulger-Pratt is asking for several changes which we believe will negatively impact the development we bought into and have come to love.

The first item of concern is the insufficiency of adequate parking. The Foulger-Pratt Consent Agenda Amendment seeks approval to reduce the number of previously approved parking for their planned multi-family buildings ~~by approximately 70% or more spaces.~~ During a meeting with Foulger-Pratt several weeks ago, they acknowledged this growing problem and indicated they had some ideas about how to alleviate the problem. ~~Their focus was on trying to manage the parking rather than providing a sufficient number of spaces. The parking problem has become more pronounced since the opening of the Founding Farmers restaurant and is likely to worsen with the planned opening of another new restaurant this month.~~

In addition to the current parking overflow, there currently exists a parking lot on the ground to be developed for the multi-family units to be built by Foulger-Pratt. A sign at

that lot states that it is for visitors of condo residents. Where are those cars to park in the future?

One rationale for reducing the number of parking spaces is that there will be more one bedroom units than were previously approved, suggesting that there would be fewer automobiles to contend with. ~~We find that rationale to be flawed as many one bedroom units are occupied by two residents, with two vehicles, and sometimes even more. Clearly, the reduction of two bedroom units and increase in number of one bedroom units does not support the idea of fewer vehicles.~~

Another Amendment sought by Foulger-Pratt is ~~the elimination of a median in the center of Cadogan Avenue between the intersections of Ansin Circle Drive and Park Potomac Avenue. Many feel this median is essential for vehicular and pedestrian safety. Elimination of this median will significantly increase the danger to pedestrians.~~

We trust that the Planning Director will schedule a public hearing so that the residents of the Park Potomac community can make their concerns known to the Planning Board.

Thank you in advance for your consideration in this matter.

Sincerely,

Dr. Steven and Linda Cohen

## Smith, Molline

---

**From:** Boone, Rebecca  
**Sent:** Thursday, April 12, 2012 4:03 PM  
**To:** Smith, Molline  
**Subject:** FW: CTRACK #2012-0297 - Johnson/820040151  
**Attachments:** 2012-0297-Incoming.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** MCP-CTRACK  
**Sent:** Thursday, April 12, 2012 2:48 PM  
**To:** Carter, John  
**Cc:** Boone, Rebecca; Stanley, Rollin; McGrew, Christine; MCP-CTRACK  
**Subject:** CTRACK #2012-0297 - Johnson/820040151

### CTRACK ROUTING SLIP MONTGOMERY COUNTY PLANNING BOARD CHAIRMAN'S OFFICE

<b>File Number:</b>	2012-0297	<b>Date Received:</b>	4/12/2012
<b>Correspondence Type:</b>	Email	<b>Date Of Letter:</b>	4/12/2012
<b>Agenda Date:</b>	N/A		
<b>To:</b>	Françoise Carrier		
<b>From:</b>	Richard Johnson, et al		
<b>Description:</b>	Two (2) letters regarding Park Potomac Site Plan 820040151		
<b>Transmitted To:</b>	Director and Chairman		
<b>Action For:</b>	Carter, J		
<b>Copies To:</b>	Boone, R		
<b>Date Due:</b>	N/A		
<b>Remarks From Chairman's Office:</b>			
For staff action			

**Smith, Molline**

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**From:** Boone, Rebecca  
**Sent:** Thursday, April 12, 2012 4:04 PM  
**To:** Smith, Molline  
**Subject:** FW: CTRACK #2012-0300 - Kopstein/820040151  
**Attachments:** 2012-0300-Incoming.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**From:** MCP-CTRACK  
**Sent:** Thursday, April 12, 2012 3:45 PM  
**To:** Carter, John  
**Cc:** Boone, Rebecca; Stanley, Rollin; McGrew, Christine; MCP-CTRACK  
**Subject:** CTRACK #2012-0300 - Kopstein/820040151

**CTRACK ROUTING SLIP  
MONTGOMERY COUNTY PLANNING BOARD  
CHAIRMAN'S OFFICE**

<b>File Number:</b>	2012-0300	<b>Date Received:</b>	4/12/2012
<b>Correspondence Type:</b>	Email	<b>Date Of Letter:</b>	4/12/2012
<b>Agenda Date:</b>	N/A		
<b>To:</b>	Françoise Carrier		
<b>From:</b>	Melvyn Kopstein		
<b>Description:</b>	Park Potomac Site Plan 820040151		
<b>Transmitted To:</b>	Director and Chairman		
<b>Action For:</b>	Carter, J		
<b>Copies To:</b>	Boone, R		
<b>Date Due:</b>	N/A		
<b>Remarks From Chairman's Office:</b>			
For staff action			

## MCP-Chair

**From:** mjkopstein@comcast.net  
**Sent:** Thursday, April 12, 2012 2:59 PM  
**To:** MCP-Chair  
**Subject:** Fwd: Park Potomac Site Plan 820040151

**RECEIVED**  
0300  
APR 12 2012

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

As a homeowner on Cadbury Avenue I am in agreement with Richard Johnson's email regarding Foulger Pratt's proposal. Moreover, at the community meeting Foulger Pratt made numerous verbal representations regarding parking, economic circumstances that justify their proposal to build apartments rather than condos (i.e., something to the effect that it would not be feasible to sell condos until 2020), ingress and egress from Montrose Road East and exiting to Montrose Road W. This issue was glossed over at the community meeting. Many here are concerned that traffic (especially if the Montrose Road access is not to be) will be an issue because the number of proposed apartment dwellings will be much more than the number of condos in the current plan. We were not shown a traffic study report and I am concerned that one has not been done. The County should require one before considering the proposal. Another important representation was that the apartment projects will be up to the standards of what is already in the plan. I would ask that Foulger Pratt be required to put these (and other) verbal representations in writing before the County considers their proposed changes - which are substantive. For instance, the number of 1 BR apartments is not equivalent to the situation in the condos, where the average number of BRs/condo and square feet per unit significantly exceeds the average in the proposal. Moreover, I would ask that Foulger Pratt be required by the County to provide written support for their representations. To the extent written support does not exist I am requesting that the County require written details from Foulger Pratt before acting on their proposal.

I am happy with Foulger Pratt's projects to date in the neighborhood and agree it would be a good thing to develop residences on the vacant lots. I could support Foulger Pratt's proposed project if they can allay community concerns as discussed in my comments.

Melvyn Kopstein  
7818 Cadbury Avenue  
mjkopstein@comcast.net

---

**From:** "Richard Johnson" <riskreports@comcast.net>  
**To:** MCP-Chair@mncppc-mc.org  
**Sent:** Thursday, April 12, 2012 11:39:32 AM  
**Subject:** Park Potomac Site Plan 820040151

The developer - builder, Foulger-Pratt, has filed a Consent Agenda Amendment with the Planning Commission, captioned as above.

As a resident and member of Park Potomac Brownstones Homeowners Association, a group of 150 homeowners, I would like to request that a public hearing be held so that the concerns of a large number of our residents can be addressed to the planning director.

Our community consists of three separate Associations - the Brownstone Townhouses, the Condos and the Commercial. I, along with many other residents, am concerned about the insufficiency of adequate parking. During a meeting with Foulger-Pratt several weeks ago, they acknowledged this

growing problem and indicated they had some ideas about how to alleviate some of that problem, but their focus was on trying to manage it, rather than providing a sufficient number of spaces. The parking problem has become more pronounced since the opening of the Founding Farmers restaurant, and we anticipate that it will grow larger still with the planned opening this month of a new restaurant on the property. Further, there currently exists a parking lot on the grounds which are going to be developed for the multi-family units to be built by Foulger-Pratt. A sign at that lot states that it is for visitors of condo residents. It has recently been observed that up to 28 vehicles are parked in that lot throughout the night, after the office building and restaurants are closed, suggesting that this is over-flow parking by condo residents. The question to be answered is: "Where will those 28 vehicles park once the lot is replaced by the new residential construction?" Within the Brownstone community of 150 homes there also exists parking issues as the garages are for two cars and many residents own more than two cars, necessitating that the extra vehicles be parked on our private streets. The Foulger-Pratt Consent Agenda Amendment seeks approval to reduce the number of previously approved parking for their planned multi-family buildings by approximately 70, or more spaces. The rationale is that there will be more one bedroom units than were previously approved, suggesting that there would be fewer automobiles to contend with. We find that rationale to be flawed as many one bedroom units are occupied by two residents, with two vehicles, and sometimes even more. It is worth noting that in our Brownstone community, a large percentage of our units are occupied by two persons, all of whom own at least two vehicles and some with as many as four. Clearly, the reduction of two bedroom units and increase in number of one bedroom units does not support the idea of fewer vehicles. Consider the condos - there are at least 28 vehicles that are parked on the existing outdoor lot and even more parked on Ansin Circle Drive. Will not the new multi-family occupants have a similar overflow of vehicles as do the condos and the Brownstones? Where will all of those vehicles park? Recall also that most of the streets within the Brownstone community are 'private' streets. It is not unreasonable to imagine that the condos and the new rental residents will begin parking on the Brownstone's private streets, causing significant stress in the community. Another parking issue concerns the commercial occupancies planned for the new buildings. There has been no provision identified for parking associated with these businesses, leaving the assumption that they will have to compete with residential occupant overflow street parking.

At this point it is important to note a remark made by Foulger-Pratt at the community meeting several weeks ago when they stated: "We lose money on every parking space". That statement is likely the most well remember remark made that evening, and clearly underscores their objective for requesting a reduction in the number of parking spaces.

Another Amendment sought by Foulger-Pratt is the elimination of a median in the center of Cadbury Avenue, between the intersections of Ansin Circle Drive and Park Potomac Avenue. Many feel this median is essential for vehicle and pedestrian safety. Cadbury Ave narrows at this point where it intersects with the eastern part of Ansin Circle Dr. Vehicles turning into and out of Ansin Circle Dr at that point are safely managed by virtue of the existence of this island median. Elimination of this median will create a danger to both pedestrian and vehicular traffic.

We believe that Foulger-Pratt did not adequately plan for the parking needs of the existing three Association entities causing a growing parking problem and that their request to reduce the number of parking spaces in the new residential buildings will create a very overstressed parking problem and request that instead of reducing the number of parking spaces that they be made to provide some adequate means of resolving the inevitable parking chaos.

We trust that the Planning Director will schedule a public hearing so that the residents of the Park Potomac community can make their concerns known to the Planning Board.



Richard Johnson, President  
Risk Reports Group  
Potomac, MD. 20854  
Mobile: 954-347-1628  
riskreports@comcast.net  
<http://www.riskreportsgroup.com>

*Robert K. ...*

*Received  
April 17, 2012*

Judith I. Abrams  
12500 Park Potomac Avenue  
Unit 308 N  
Potomac, Maryland 20854  
April 17, 2012

Planning Director  
Development Review Division  
Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Re: site plan 820040151 and amendment #8-040151

As a home owner in the Park Potomac Condominium, I am concerned with the revisions to the Site Plan for future development for site plan 820040151, and am requesting a public hearing on this plan.

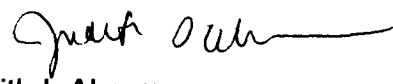
Park Potomac was marketed to prospective home buyers as a 3 building condominium development, not rental units. I understand that this rental possibility was included in Foulger-Pratt's original prospective. However, not only was this not discussed with future homeowners, but the developer had been accepting down payments for the 2<sup>nd</sup> building (site plan # 3 and 4), as a home owner condominium building.

Street parking is already a problem in the area. With the office complex charging for parking in that office building, many employees now park along Park Potomac and Cadbury Avenues, rather than paying for parking underground. Diners at the restaurants and customers of the retail shops create additional parking difficulties. As I understand the site plan, 1.5 parking spaces would be allotted for each 2 bedroom rental apartment. I feel that most 2 bedroom apartments in this suburban area would include a married couple. Traditionally, in our suburban life style, these couples have 2 cars per family, not 1.5 and that second car would have to find street parking, something that is not available, even now.

Furthermore, the proposed traffic changes will create additional congestion, especially with the entrances to the proposed development directly across the street from the proposed office buildings.

Thank you for your consideration of this matter.

Sincerely,



Judith I. Abrams

**From:** Panjshiri, Atiq [<mailto:Atiq.Panjshiri@montgomerycountymd.gov>]

**Sent:** Monday, October 03, 2011 9:42 AM

**To:** Scott Russell

**Cc:** Wolfe, Ralph

**Subject:** RE: Park Potomac 4-Way Intersection

Hi Scott:

It was nice meeting you last week at the Park Potomac site.

I am getting back to you regarding the two modification requests you had for the punch list. As requested, the existing median on Cadbury Avenue would be acceptable if remain in place, however the brick paver's waiver to stay on sand base instead of concrete base is not acceptable and needs to be changed to concrete base per design standard.

Regards

*Atiq Panjshiri*

Acting Manager, Right of Way Plan Review

Division of Land Development, MCDPS

Montgomery County, Maryland

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