MCPB
Item No.
Date: 09-06-12

Consent Item - Site Plan Amendment, 82004015I: Park Potomac

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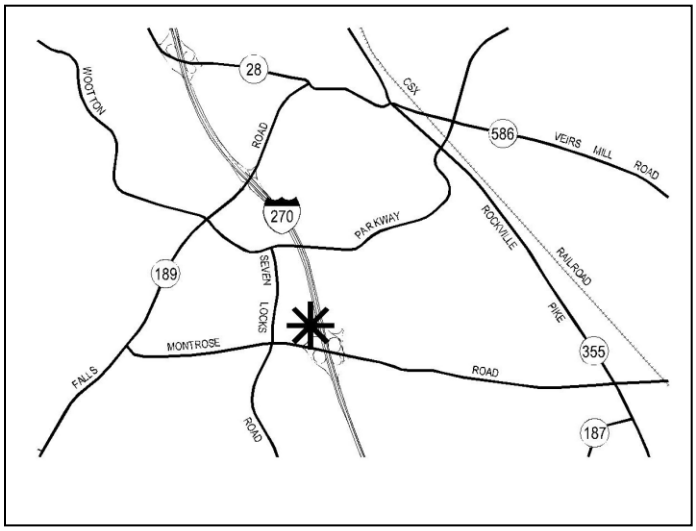
Completed: 08-24-12

Description

Consent Site Plan Amendment, 82004015I: Park Potomac
Corrections to the Staff Report of the Limited Site Plan Amendment (dated July 13, 2012) and the conditions of approval for the Resolution.

Staff Recommendation: approval of the revised Staff Report and conditions of approval.

Review Basis: Montgomery County Code Chapter 59H Amendment Procedures (Section 4.5).



Summary

On July 26, 2012 this project was presented to the Planning Board as a Limited Site Plan Amendment. The approval this application was deferred in order to add more specific information on the building facades, total height, and the background details. The Planning Board requesting that the following information is revised in the Staff Report.

- Revise condition 2 of the Staff Report;
- Revise condition 4c of the Staff Report;
- Revise the Previous Approvals chart starting on page 6;
- Delete the third sentence of the first paragraph after the Proposal title;
- Revise the Project Data Table starting on page 12;
- Revise Finding 4 to add a more details regarding the building facades and height; and
- Revise the Appendix to include the original certified Site Plan (820040150) and Resolution.

Attachment: Revised Staff Report

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

MCPB
Item No.
Date: 07-26-12

REVISED STAFF REPORT

Limited Site Plan Amendment, 82004015I Park Potomac

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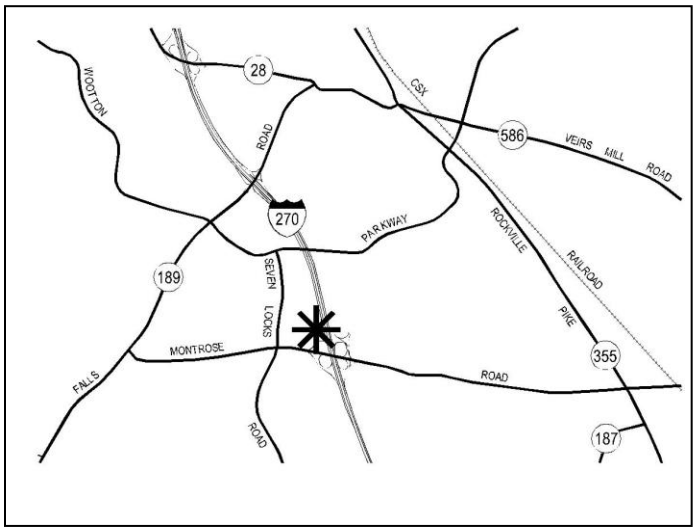
Completed: 07-13-12

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[1]
   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 16, 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~~2009, 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)*.

[1] The original Site Plan Resolution and plans are attached, per the Planning Board's request at the public hearing.

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 the final Use and Occupancy Permit is issued, the Applicant must complete a status report updating Staff on the LEED Certification process and status of achieving a Certified Rating Certification with USGBC.
    d. The Applicant must comply with the County's Green Buildings law and will submit a copy of the final LEED Certification to MNCPPC Staff.

Site Plan

5. The exterior architectural drawings of Buildings 3, 4, 5 and 6 (i.e. the character, proportion, materials and articulations) will be reviewed by Staff prior to the issuance of the first building permit. The architectural drawings should be generally consistent with the conceptual drawings as presented on July 26, 2012 and submitted on July ~~26~~30, 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

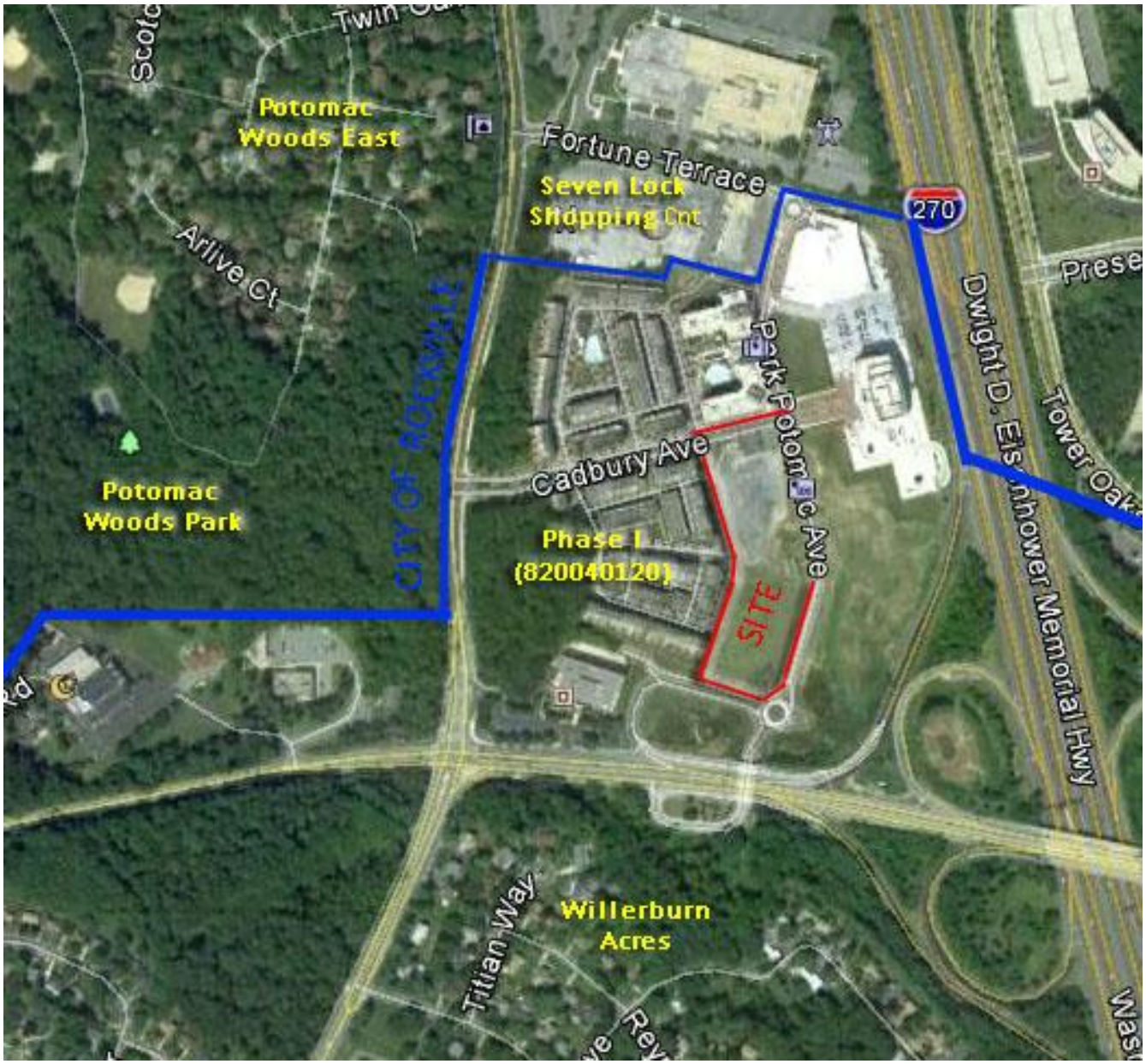
Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

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~~2009	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~~2009)	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

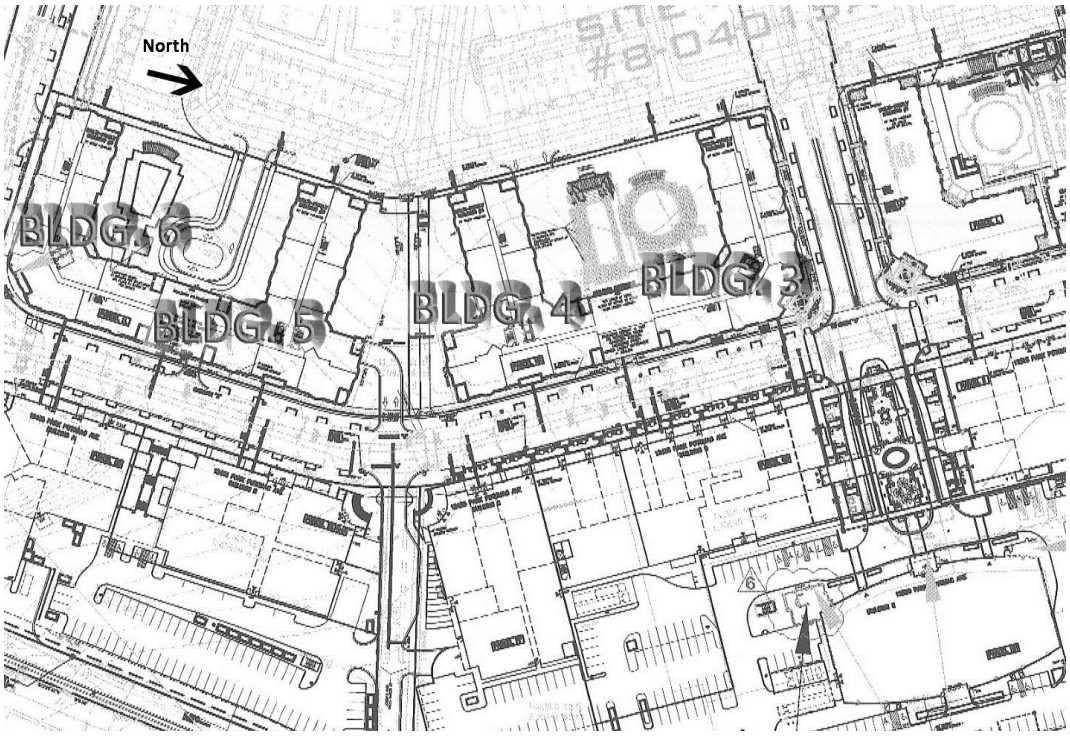
The Applicant requests the following modifications:

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

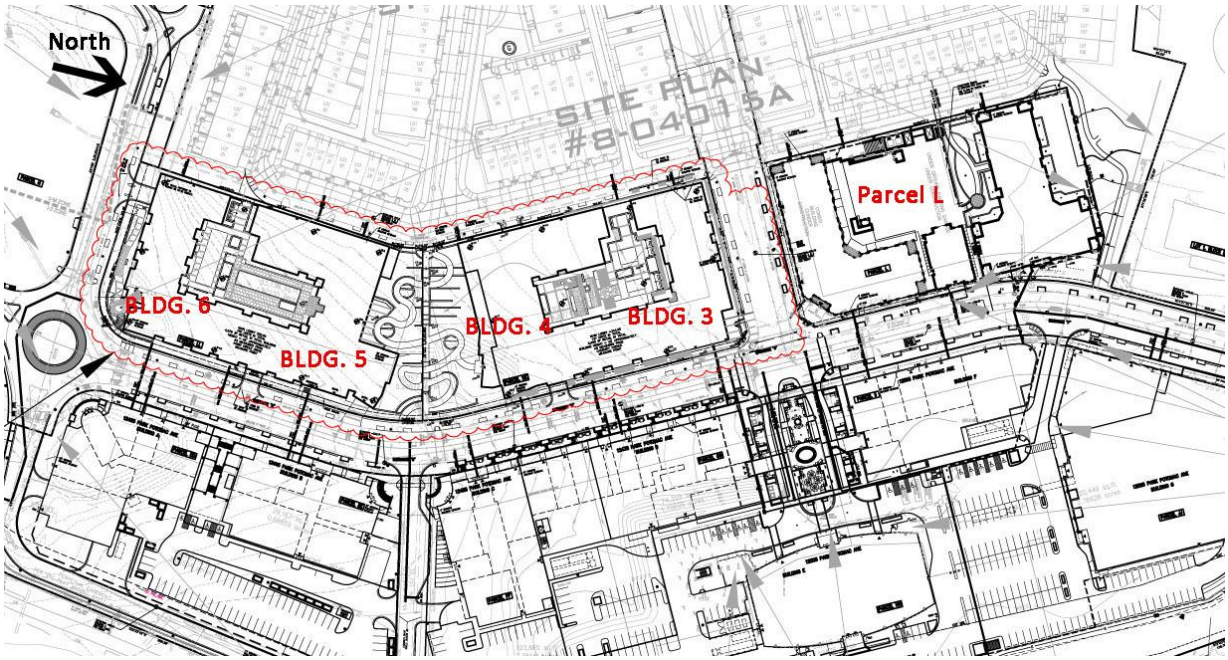
The original Site Plan approved 450 multi-family units (including 61 MPDUs), 820,000 square feet of office use, and 30,000 square feet of retail use. Pursuant to this approval approximately 240,000 square feet of non-residential uses (office, restaurant and retail), and 153 multi-family units are currently 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)



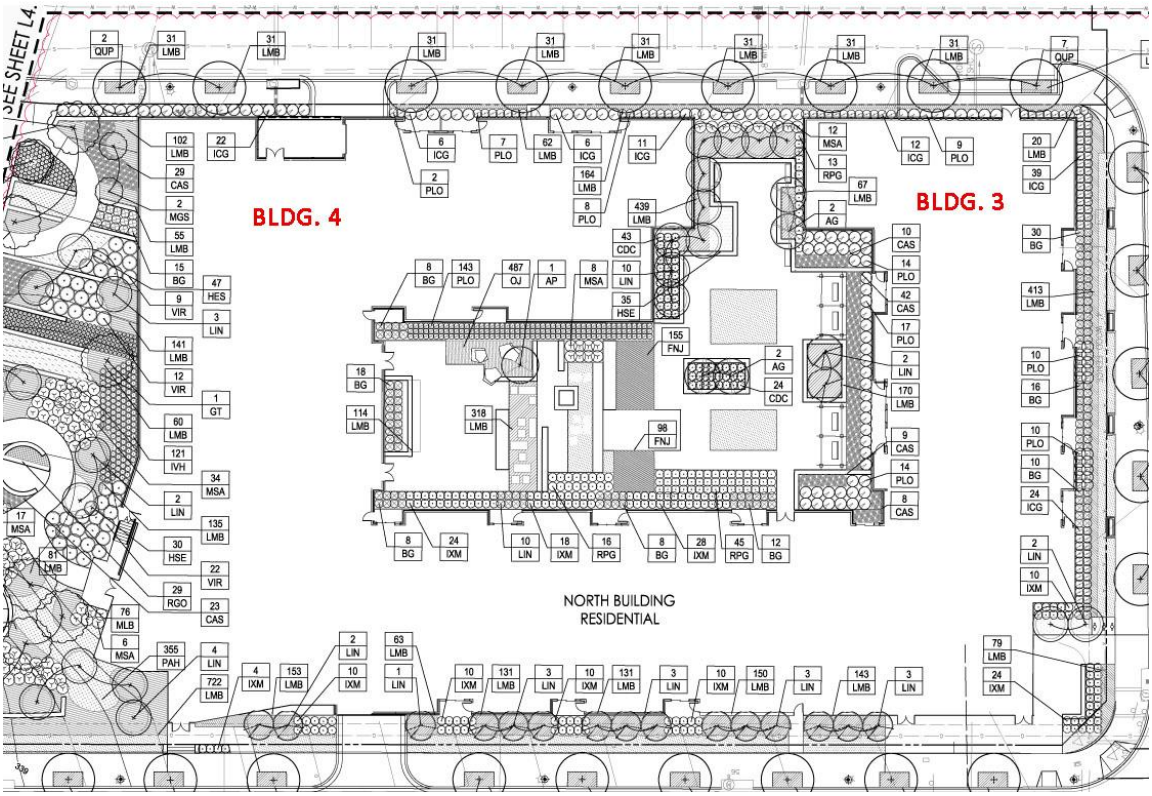
Amended Site Plan

3- Modify the median on Cadbury Avenue

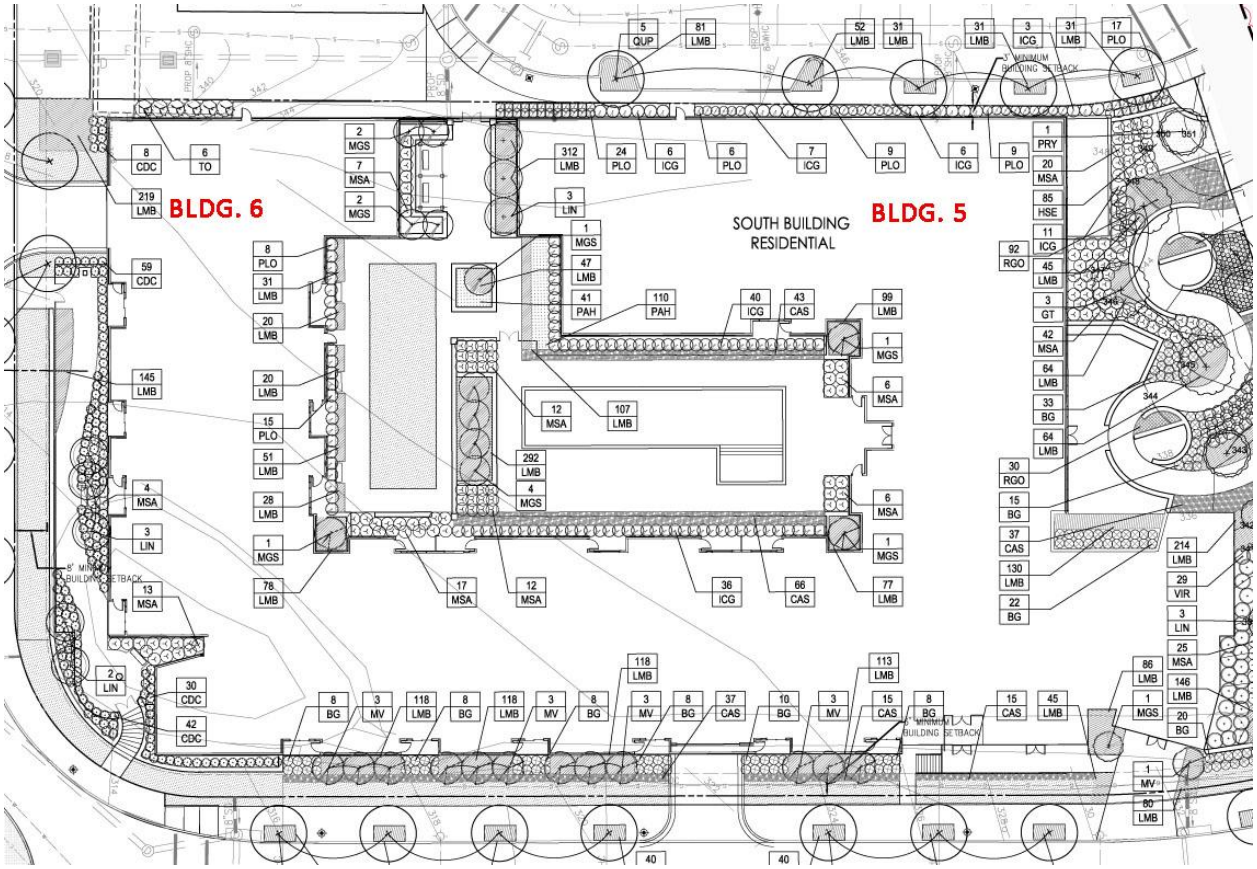
The section of roadway specifically impacted by this modification is located on Cadbury Avenue between Building 6 and existing condominium building on Parcel L. The existing median on Cadbury Avenue (40 feet by 4 feet) will remain; however will not be extended toward Park Potomac Avenue as shown on the previously approved plan. The median will remain as it currently exists onsite in order to accommodate easier access by emergency vehicles (i.e. the Department of Fire and Rescue), and avoid the removal of 18 inches of existing streetscape improvements along Cadbury Avenue. The overall dimension of this section of roadway is approximately 24 feet (wide) by 160 feet (length).

4- Revise the associated lighting and landscape plans.

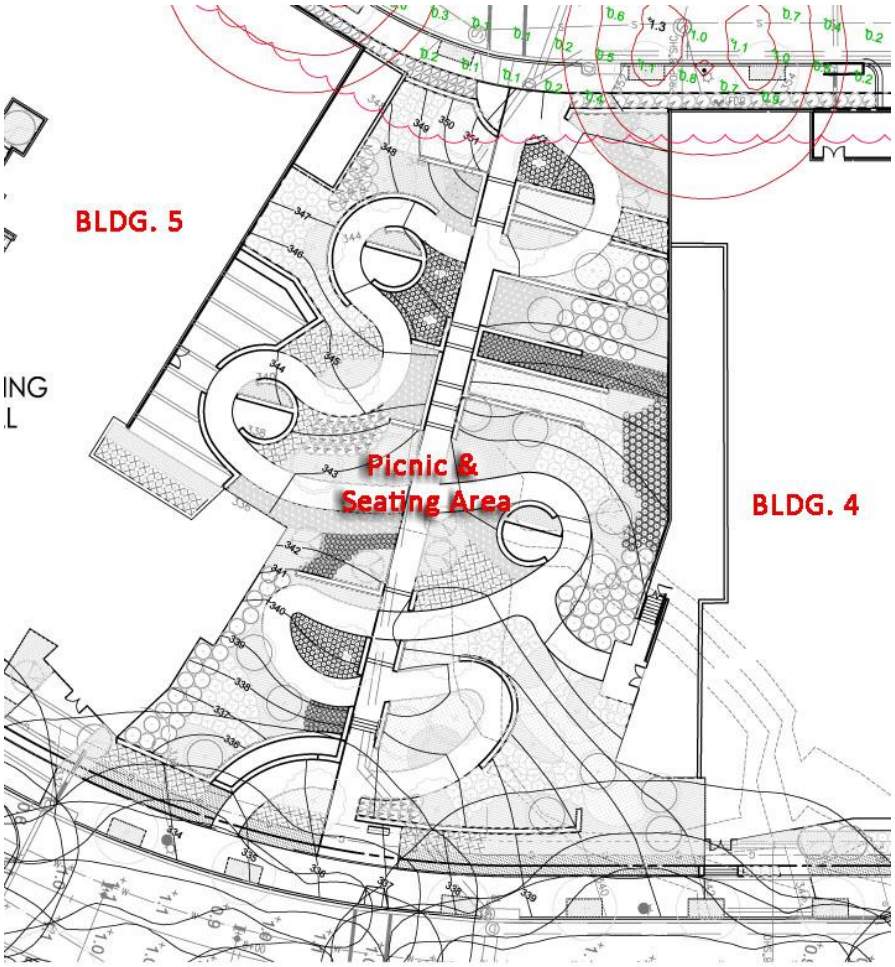
The interior private plaza areas within Buildings 3, 4, 5 and 6 have been redesigned to accommodate the modifications applied to the building footprints. The site amenities provided in each plaza area will be shared between the apartment buildings, and are further connected by the redesign of the picnic and seating area located between the buildings. All three spaces are intended to offer a unique experience to the residents. The central plaza area in Buildings 3 and 4 (Parcel KK) is designed with mostly hardscape materials in order to accommodate a pool and adequate seating along the perimeter. The central plaza area in Buildings 5 and 6 (Parcel LL) is also design with mostly hardscape materials in order to accommodate seating and an outdoor fireplace. Foundations planting and lawn areas have been added to emphasis major views, soften edges, provide seasonal color and supply adequate shade. The picnic and seating area is strategically designed to function as a major pedestrian connection (in the east/west direction), and as a meet-up location for the surrounding residents. Considering the central location of the space (between the buildings) and the garden character of the landscape design, this space is intended to provide both public access and private retreat areas. This space will be also heavily activated by the surrounding retail at the street level.



Plaza Area for Buildings 3 and 4



Plaza Area for Buildings 5 and 6



Picnic and Seating Area

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 building heights for Buildings 3, 4, 5 and 6 are varied along Ansin Circle Drive. On Ansin Circle Drive, the maximum building heights for Buildings 3 and 4 are 47 feet and steps back to approximately 37 feet. The maximum height for Buildings 5 and 6 along Ansin Circle Drive are 45 feet and step back to approximately 35 feet. On Park Potomac Avenue the maximum building heights of Buildings 3 and 4 are 47 feet, and Buildings 5 and 6 are 45 feet.

   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 820040150**	**Previously Approved by Site Plan No. 82004015B**	**Previously Approved by Site Plan No. 82004015H**	**Site Plan No. 82004015I**
Net Lot Area	N/A	20.28 ac.	20.28 ac.	20.28 ac.	20.28 ac.

Site Density					
Non-Residential[2]	N/A	850,000 sf.	850,000 sf.	850,000 sf.	850,000 sf.
Multi-Family Units	N/A	450 units	450 units	450 units	450 units
MPDUs	12.5 units/gross tract area	61 units	61 units	61 units	61 units
Maximum Building Heights					
Buildings 3 and 4	100 feet	100 feet	100 feet	100 ft. (10 stories)	47 feet
Buildings 5 and 6	100 feet	100 feet	82 feet	82 ft. (8 stories)	45 feet
Unit Mix for Buildings 3 and 4 (Parcel KK)					
One bed rooms	N/A	N/A	18	18 units	70 units
Two bed rooms	N/A	N/A	108	108 units	61 units
Three bed rooms	N/A	N/A	29	29 units	6 units
Total No. of units	N/A	151 units	155 units	155 units	137 units
GSF of Retails	N/A	N/A	9,340 sf.	9,340 sf.	5,995 sf.
Unit Mix for Buildings 5 and 6 (Parcel LL)					
One bed rooms	N/A	N/A	16 units	16 units	82 units
Two bed rooms	N/A	N/A	100 units	100 units	68 units
Three bed rooms	N/A	N/A	26 units	26 units	10 units
Total No. of units	N/A	139 units	142 units	142 units	160 units
GSF of Retails	N/A	N/A	10,700 sf.	10,700 sf.	4,576 sf.
Min. Green Area	35%	26.6%[3]	30.3%[4]	30.4%[5]	29.8%

[2] The maximum allowable retail density is 30,000sf. The minimum allowable employment density is 820,000sf.
[3] The total green area provided for both Site Plans (820040120 and 820040150) equals 44.5%.
[4] The total green area provided for both Site Plans (820040120 and 820040150) equals 45.7%.

Parking Tabulations[6]					
Parcel KK	N/A	N/A	290 spaces	290 spaces	221 spaces
Parcel LL	N/A	N/A	276 spaces	276 spaces	248 spaces
Parcel L	N/A	N/A	351 spaces	351 spaces	351 spaces
Total No. of spaces	N/A	N/A	917 spaces	917 spaces	820 spaces
Motorcycle Spaces	2% of the total	2% of the total	20 spaces	20 spaces (2%)	19 spaces (2%)
Bicycle Spaces	1 sp./ 20	1 sp./20	47 spaces	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 maximum height specified on the approved Site Plan for Buildings 3, 4, 5 and 6 is 100 feet (approximately 10 stories). This amendment will reduce the approved maximum height by more

[5] 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.

[6] 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.

than half (approximately 53 feet) of the size of the building; which are more compatible with the existing 4 story townhouses along Ansin Circle Drive. The finishings of the buildings are intended to enhance the character of the overall community by creating diversity and interest in the building facades. The rear facades of the buildings are setback approximately 10 feet from the curb and will included window and balcony treatments that establishes a setting that is intended to encourage safe and efficient pedestrian and vehicular circulation. 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. The intent of design for the corner of Building 6, at the intersection of the existing circle and Park Potomac Avenue, is to provide a gateway entrance into the community. The design of the front building facades for Buildings 3, 4, 5 and 6, along Park Potomac Avenue are intended to complement the future development the retail and office uses. The retail component on the ground floor of the buildings will establish an active streetscape that will slow traffic and encourage a walkable lifestyle.

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 (820040150, 82004015B, 82005015F, 82004015G, and 82004015H)
C. Original Certified Site Plan
D. Other Agency Approval Letters
E. Community Correspondence

APPENDIX A (Letter of Explanation)

LINOWES | AND | BLOCHER LLP
ATTORNEYS AT LAW

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. 82004015I (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. 820040150, 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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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 from10 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

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 4and 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

approved by the County Department of Permitting Services ("DPS"). In this regard, FPDP has been advised by DPS that the exiting 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

Barbara A. Sears

Barbara A. Sears

BAS:cp

cc: Adam Davis
Brig Bunker
Ines Vega
Scott Wallace

APPENDIX B (Resolutions)

M-NCPPC

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

MONTGOMERY COUNTY PLANNING BOARD

OPINION

DATE MAILED: March 19, 2004

SITE PLAN REVIEW #: 8-04015

PROJECT NAME: Fortune Parc

Action: Approval subject to conditions. Motion was made by Commissioner Robinson, seconded by Commissioner Perdue, with a vote of 3-0, Commissioners Berlage, Robinson, Perdue voting for. Commissioners Bryant and Wellington were necessarily absent.

The date of this written opinion is March 19, 2004, (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before April 19, 2004 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, this Site Plan shall remain valid for as long as Preliminary Plan #1-03029 is valid, as provided in Section 59-D-3.8.

On March 18, 2004, Site Plan Review #8-04015 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report, which is made a part hereof, the Montgomery County Planning Board finds:

1. *The Site Plan is consistent with the approved development plan or a project plan for the optional method of development if required;*
2. *The Site Plan meets all of the requirement of the I-3 Zone;*
3. *The location of the buildings and structures, the open spaces, the landscaping, and the pedestrians and vehicular circulation systems are adequate, safe, and efficient;*
4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development;*
5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation;*

STAFF RECOMMENDATION FOR SITE PLAN: Approval of 450 multi-family dwelling units, including 61 MPDUs, 820,000 square feet of office use and 30,000 square feet of retail use in the I-3 Zone on 20.28 acres, and a waiver to reduce parking and building setbacks of 15 feet between stations 541+01.93 to 541+55.95, with the following conditions:

1. Site Plan Enforcement Agreement

   Submit a Site Plan Enforcement Agreement, Development Review Program for review and approval prior to approval of the signature set as follows:

   a. Development Program to include phasing as follows:
      1) Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
      2) Coordination of each section of the development of roads;
      3) Street tree planting must progress as street construction is completed, but no later than six months after completion of the buildings;
      4) Phasing of dedications, stormwater management, sediment and erosion control, or other features;
      5) Community-wide facilities, including the clubhouse and pool on Park Potomac Boulevard shall be completed prior to occupancy of the two apartment buildings, unless approved by M-NCPPC staff. Applicant to provide M-NCPPC staff Use and Occupancy permit issued by Montgomery County;
      6) The plaza/open area between buildings D and F shall be completed with construction of Buildings D, E and F.
      7) Prior to occupancy of any building for the proposed development, the applicant shall install a "super" bus shelter within the subject site, subject to approval of the Montgomery County Department of Public Works and Transportation (DPWT)-Transit Services Division. Applicant shall provide M-NCPPC with notice of application of occupancy permit at time of filing;
      8) Site Plan Enforcement Agreement to include recreation facility maintenance.

   b. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and the Montgomery County Department of Permitting Services issuance of sediment and erosion control permit.

   c. No clearing or grading prior to M-NCPPC approval of forest conservation plan and sediment and erosion control plan.

2. Signature Set

   Prior to signature set approval of site/landscape plans, the following revisions shall be made, subject to staff review and approval:

   a. Site Plan:
      1) Show all easements, Limits of Disturbance, Rights-of-Way, Forest Conservation Areas and Stormwater Management Parcels, Condo Association Parcel and trails, planning board opinion, development program inspection schedule, numbers and dates of approval on the drawing.
      2) The location of all recreation facilities shall be clearly identified on both the site and landscape plans. Complete details and specifications demonstrating full conformance with the Recreation Guidelines shall be added to the plans.

3) Location of the Moderately Priced Dwelling Units (MPDUs).
4) Revise the MPDU/TDR computations to indicate the requirement to provide sixty-one (61) MPDU units on the subject site (8-04015) in accordance with Chapter 25A of the Montgomery County Code. The remaining fourteen (14) MPDU units will be located within the townhouse units for Site Plan 8-04012. Revise the TDR computations to indicate the requirement to provide fifty-one (51) transferable density rights (TDRs) for the one hundred and two (102) TDR units required within the entire proposed development, which includes Site Plans 8-04012 and 8-04015.
5) Retaining walls shall compliment or match adjacent building materials. Details of the retaining walls to be reviewed and approved by M-NCPPC staff.
6) All internal sidewalks to be a minimum of 5 feet;

b. Landscape and Lighting Plan:

1) Provide a soil depth analysis of the area above the structured parking to determine the appropriate plant material to be installed. Details of the planting technique, material and location of the appropriate tree within the islands shall be reviewed and approved by staff prior to signature set approval;
2) Provide a detail of the amenity element to be installed within the raised planter east of the pool and clubhouse and between the two apartment buildings;
3) Planting islands to be a minimum of 8-foot wide;
4) Provide the "calc" zones for the lighting distribution areas. Coordinate with M-NCPPC staff to reduce the max./min. and ave./min. computations in "calc" zone 8 once the zones are established. Lighting standards to conform to the IESNA standards for lighting in commercial parking areas.
5) Provide shields on all light fixtures causing negative glare for vehicular traffic on I-270. Provide a detail of the shields on the lighting plan.
6) Correct the wattage provided for the 14 and 16 foot poles in the summary report.
7) Revise the light pole standards and details on sheet L2.3 to reflect the actual height, wattage and lumens of the proposed lights in the project.

3. Maintenance Responsibilities

Applicant shall provide documentation to prospective buyers of the multi-family units with regard to maintenance and responsibility of the plant material and hardscape materials within the public utility easement (PUE).

4. Stormwater Management

Conditions of Montgomery County Department of Permitting Services (DPS) stormwater management concept approval for Phase II dated March 11, 2003 and conditions of the Maryland Department of the Environment letter of approval dated October 8, 2003.

5. Transportation Planning

Applicant shall comply with the conditions of approval as set forth in the Transportation Planning Memorandum dated March 9, 2004.

6. Forest Conservation

Applicant shall comply with the following conditions of approval of the Forest Conservation Plan. Final Forest Conservation Plan (including grading and tree protection information) shall satisfy all conditions referenced in the M-NCPPC

Environmental Planning Memorandum dated February 2, 2004, prior to recording plat and the Montgomery County Department of Permitting Services (DPS) issuance of sediment and erosion control permit:

a. Category I conservation easements to be placed over forest retention areas, forest planting areas and environmental buffer areas. Easements to be shown on record plats.

7. Moderately Priced Dwelling Units (MPDUs)

Applicant to provide (61) sixty-one MPDUs on the subject site in accordance with Chapter 25A of the Montgomery County Code. The remaining (14) fourteen MPDUs shall be located within the one-family attached units for site plan #8-04012.

8. Transferable Density Rights (TDRs)

Prior to recording of plats, the applicant shall provide verification of the availability of the required (51) fifty-one transferable density rights (TDRs) for the (102) one hundred two TDR units within the entire Fortune Parc development, which includes site plans #8-04012 and #8-04015.

9. Public Utility Easement

Applicant to provide conduit within the public utility easement (PUE) adjacent to the public right-of-way in accordance with the letter from Verizon dated January 21, 2004.

MCPB No. 07-159
Site Plan No. 82004015B
Project Name: Park Potomac
Hearing Date: June 21, 2007

SEP 19 2007

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, on October 19, 2006, Fortune Parc Development Partners, LLC, et al ("Applicant"), filed a site plan amendment application designated Site Plan No. 82004015B ("Amendment") for approval of the following modifications:

1. Modify multi-family buildings 1 and 2 to allow up to 8,557 square feet of ground-floor retail;

2. Modify multi-family buildings 3 and 4 to allow up to 9,340 square feet of ground-floor retail;

3. Modify multi-family buildings 5 and 6 to reduce the maximum height from 100 to 82 feet and allow up to 10,700 square feet of ground-floor retail;

4. Modify mixed-use building A to decrease the maximum amount of gross floor area of retail and commercial uses from 168,000 square feet of office space to 143,703 square feet, including a maximum of 135,000 square feet of office and 8,703 square feet of restaurant/retail uses;

5. Modify mixed-use building B to reduce the maximum building height from 100 to 80 feet and decrease the maximum amount of gross floor area for commercial uses from 100,000 square feet, including 95,000 square feet of office and 5,000 square feet of retail, to 61,000 square feet of office space;

6. Modify mixed-use building C to increase the maximum amount of gross floor area for retail and commercial uses from 89,000 square feet, including 84,000 square feet of office and 5,000 square feet of retail, to 108,000 square feet, including a maximum of 101,000 square feet of office and 7,000 square feet of retail uses;

7. Modify mixed-use building D to decrease the maximum amount of gross floor area of retail and commercial uses from 124,100 square feet, including 119,100

square feet of office space and 5,000 square feet of retail, to 117,000 square feet, including a maximum of 96,000 square feet of office, 15,000 square feet of retail, and 6,000 square feet of restaurant/retail uses;

8. Modify mixed-use building E to increase the maximum amount of gross floor area of retail and commercial uses from 172,200 square feet, including 167,200 square feet of office and 5,000 square feet of retail, to 184,000 square feet, including a maximum of 177,000 square feet of office and 7,000 square feet of restaurant/retail uses;

9. Modify mixed-use building F to allow a 156-room hotel and increase the maximum amount of gross floor area of retail and commercial uses from 111,300 square feet, including 106,300 square feet of office and 5,000 square feet of retail, to 151,700 square feet, including a maximum of 133,000 square feet of hotel, 2,000 square feet of hotel meeting room, 12,000 square feet of retail, and 4,700 square feet of restaurant/retail uses;

10. Modify mixed-use building G to include a grocery store with a maximum building height of 40 feet and decrease the maximum amount of gross floor area of retail and commercial uses from 107,200 square feet, including 102,200 square feet of office and 5,000 square feet of retail, to 56,000 square feet, including a maximum of 46,026 square feet of grocery retail and 9,974 square feet of retail uses;

11. Redesign the public plaza on the east side of Park Potomac Avenue across from the intersection with Cadbury Avenue;

12. Redesign the sidewalk on the east side of Park Potomac Avenue between the transit facility and the public plaza;

13. Add an entrance to the site from east-bound Montrose Road through the existing tunnel to the roundabout at Park Potomac Avenue;

14. Add a right-out exit from the site onto west-bound Montrose Road;

15. Extend the median on Cadbury Avenue from Ansin Circle to Park Potomac Avenue;

16. Revise streetscape improvements to reflect new building and driveway configurations;

17. Reduce the required setback from I-270 for a portion of Building E and the structured parking lot, between stations 541+01.93 and 541+55.95 (a distance of 54.02 feet), from the approved 85 feet to 80 feet for the building, and from the approved 35 feet to 28 feet for the parking lot; and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other governmental agencies, Staff issued a memorandum to the Planning Board dated June 11, 2007, setting forth its analysis and finding the amendment to be consistent with the provisions of Section 59-D-3.7 of the Montgomery County Zoning Ordinance for site plan amendments, and recommending approval of the Amendment with conditions;

WHEREAS, on June 21, 2007, Staff presented the Amendment to the Planning Board for its review and action (the "Hearing"); and

WHEREAS, on June 21, 2007, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Bryant; seconded by Commissioner Robinson; with a vote of 3-0, Commissioners Bryant, Hanson, and Robinson voting in favor commissioner Perdue and Wellington absent;

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and approves Site Plan No. 82004015B subject to the following conditions:

1. The Applicant will, for the portions of Buildings D, E, and F fronting onto Park Potomac Avenue or the plaza, provide a minimum of two full stories, or 35 feet, of building height or datum line from the sidewalk in front of that building. For building frontages already taller than two full stories or 35 feet, the Applicant will provide a continuous visual expression of that datum. For the portion of the one-story Building G fronting Park Potomac Avenue, the Applicant will provide a minimum parapet height of 20 feet from the sidewalk in front of the building;

2. Along the portions of Buildings D, E, and F fronting the plaza, the Applicant will provide pedestrian-scaled projecting elements at the ground floor, such as awnings or similar embellishments, to help activate the restaurant and retail frontage;

3. The Applicant will revise the streetscape design along the Park Potomac Avenue frontage of Buildings C and D per the Planning Board's recommended Streetscape Options, subject to DPWT approval. The Applicant understands that failure to obtain DPWT approval for a streetscape alternative will require the Applicant to amend the Site Plan accordingly

As conditioned the Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved site plan.

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

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

BE IT FURTHER RESOLVED, that the date of this written resolution is SEP 19 2007 (which is the date that this opinion 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).

* * * * * * * * * * * *

At its regular meeting, held on Thursday, September 6, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on motion of Commissioner Robinson, seconded by Commissioner Bryant, with Commissioners Hanson, Bryant, and Robinson voting in favor, and Commissioners Cryor and Lynch abstaining, ADOPTED the above Resolution, which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for Preliminary Plan No. 120060290- The Rugby Condominium.

Royce Hanson, Chairman
Montgomery County Planning Board

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: TH/by CS
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

BE IT FURTHER RESOLVED, that the date of this written resolution is OCT 26 2009 (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
Robert Kronenberg, Supervisor
Development Review Division

FROM: Elza Hisel-McCoy, Assoc. AIA, LEED-AP
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

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

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:

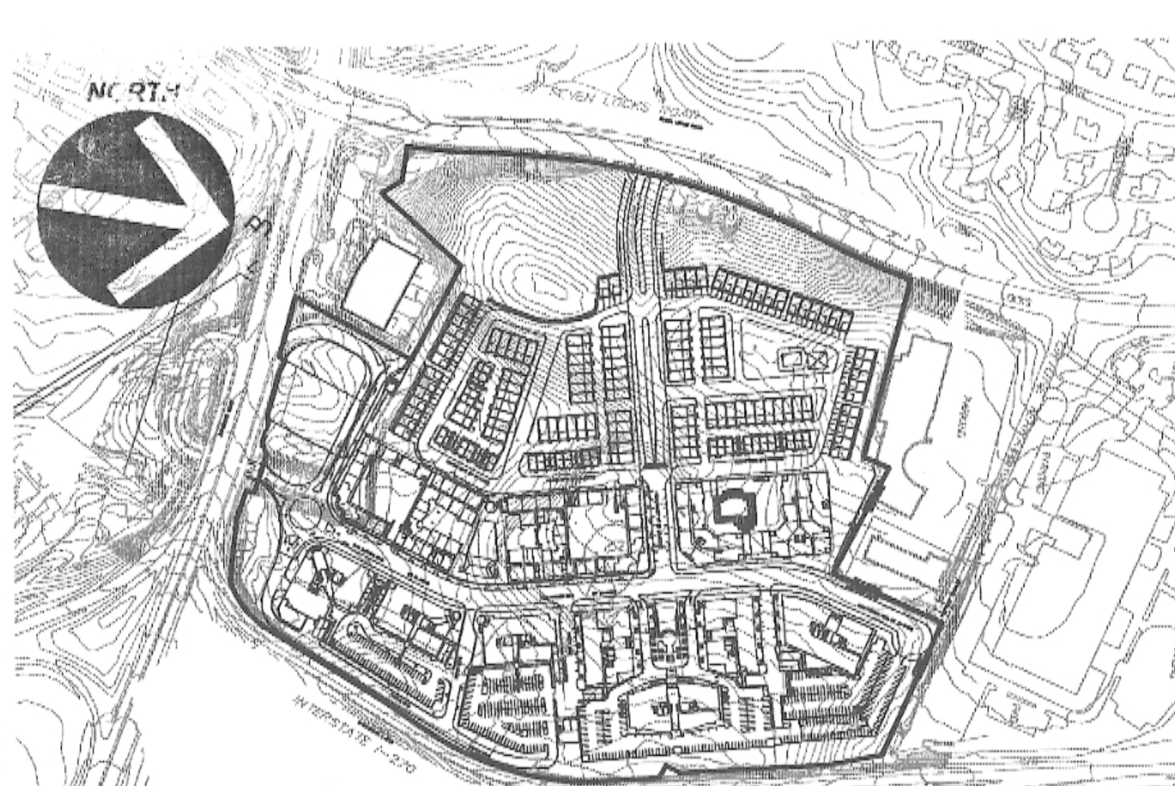
Rollin Stanley, Planning Director

1/3-12

Date Approved

APPENDIX C (Original Certified Site Plan)

SIGNATURE SET
FORTUNE PARC
MULTI-FAMILY/OFFICE/RETAIL
SITE PLAN #8-04015
APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ON 18 MARCH 2004
4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND



VICINITY MAP
Scale:1"=400'

GENERAL NOTES

1. THE PROPERTY SHOWN ON THIS SITE PLAN WAS APPROVED PURSUANT TO PRELIMINARY PLAN NUMBER 1-03029 FOR THE PHASED DEVELOPMENT OF 600 DWELLING UNITS, INCLUDING 150 SINGLE-FAMILY ATTACHED UNITS AND 450 MULTI-FAMILY UNITS, AND 850,000 SQUARE FEET OF COMMERCIAL USES, INCLUDING 820,000 SQUARE FEET OF OFFICE USES AND 30,000 SQUARE FEET OF RETAIL USES. THIS PHASE 2 SITE PLAN IS SUBMITTED FOR THE DEVELOPMENT OF 450 MULTI FAMILY UNITS AND 850,000 SQUARE FEET OF COMMERCIAL USES, AND ASSOCIATED STORM WATER MANAGEMENT FACILITIES.
2. THE PROPERTY IS LOCATED IN ZONE "C" (AREA OF MINIMAL FLOODING) AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 240049 0125 C AS REVISED JUNE 16, 1992.
3. THE BOUNDARY SHOWN HEREON IS BASED ON AN ALTA SURVEY PREPARED BY LOIEDERMAN SOLTESZ ASSOCIATES DATED SEPTEMBER 13, 2001, AND RE-CONFIRMED BY VIKA, INC. IN OCTOBER 2002. THE TOPOGRAPHIC INFORMATION IS BASED ON A INFORMATION PROVIDED BY LOIEDERMAN SOLTESZ ASSOCIATES.
4. THE SITE IS LOCATED IN THE BOGLEY BRANCH SUBWATERSHED OF CABIN JOHN CREEK, AND IS CLASSIFIED AS USE 1-P.
5. THERE ARE NO HISTORIC STRUCTURES LOCATED ON THE SITE BASED ON THE "LOCATIONAL ATLAS AND INDEX OF HISTORIC SITES IN MONTGOMERY COUNTY MARYLAND" (M-NCP&PC 1976).
6. THE SOILS ON THE SITE, BASED ON THE "SOIL SURVEY OF MONTGOMERY COUNTY, MARYLAND" (USDA, NRCS, JULY 1995) INCLUDE GLENELG SILT LOAM, GAILA SILT LOAM, BLOCKTOWN CHANNERY SILT LOAM, AND HATBORO SILT LOAM.
7. THE PROJECT IS PROPOSED TO BE SERVED BY WSSC PUBLIC WATER AND SEWER SYSTEMS, AND IS CURRENTLY IN SERVICE CATEGORIES W-1 AND S-1 RESPECTIVELY.
8. NATURAL RESOURCES INVENTORY / FOREST STAND DELINEATION #4-03060 HAS BEEN APPROVED BY THE ENVIRONMENTAL PLANNING DIVISION OF THE M-NCP&PC.
9. A CONCEPT STORM WATER MANAGEMENT PLAN FOR THIS PROJECT HAS BEEN APPROVED BY THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES, WATER RESOURCES GROUP. ON-SITE WATER QUALITY CONTROLS ARE BEING PROVIDED THROUGH SAND FILTERS, BIO-FILTRATION AREAS, AND STRUCTURAL FILTERS. CHANNEL PROTECTION VOLUME CONTROLS ARE BEING PROVIDED IN A POND TO BE CONSTRUCTED IN THE I-270 / MONTROSE ROAD IN ACCORDANCE WITH THE APPROVED SWM CONCEPT PLAN.
10. THIS PROPERTY IS SHOWN AS BEING ZONED I-3 AND O-M ON MONTGOMERY COUNTY ZONING MAPS #GQ123 & 343, AND IS LOCATED ON WSSC 200 SHEET NUMBERS 216-NW-7&8.
11. PUBLIC UTILITY EASEMENTS AND RIGHTS OF WAYS WILL BE PROVIDED WHERE NEEDED ON SITE TO ALLOW FOR WATER, SEWER, GAS, ELECTRIC, TELEPHONE AND CABLE SERVICES TO THE PROPOSED BUILDINGS.
12. THE ROADWAY CONNECTION TO FORTUNE TERRACE IS ILLUSTRATIVE ONLY AND SUBJECT TO COORDINATION WITH THE CITY OF ROCKVILLE. IF NOT CONNECTED, A CUL-DE-SAC WILL BE PROVIDED IN THIS LOCATION.
13. A STORMWATER MANAGEMENT EASEMENT AND MAINTENANCE COVENANT AS WELL AS A TYPE 2 FOREST CONSERVATION EASEMENT SHALL BE RECORDED ON A PORTION OF PARCELS R, T & V IN ACCORDANCE WITH THE SITE PLAN, STORWATER MANAGEMENT PLAN AND FINAL FOREST CONSERVATION PLAN PRIOR TO ISSUANCE OF A BUILDING PERMIT ON PARCELS R, T & V.

PARKING TABULATION SUMMARY

PARKING REQUIRED
PARKING WILL BE PROVIDED IN ACCORDANCE WITH ARTICLE 59-E OF THE MONTGOMERY COUNTY ZONING ORDINANCE, AS SHOWN IN THE PARKING TABULATION INCLUDED HEREON, AND AS MAY BE AMENDED AT THE TIME OF SITE PLAN.

MULTI-FAMILY RESIDENTIAL PARKING REQUIREMENT

UNITS	UNIT TYPE	RATE	TOTAL
153	ONE BR UNITS	1.25	191.3
245	TWO BR UNITS	1.5	367.5
52	THREE BR UNITS	2	104.0
	TOTAL MULTI-FAMILY RESIDENTIAL REQUIREMENT		663
	TOTAL MULTI-FAMILY RESIDENTIAL SPACES PROVIDED		789

NON-RESIDENTIAL PARKING REQUIREMENT

OFFICE PARKING REQUIREMENT

820,000 GSF OFFICE @ 2.9 PER 1000	2.9	2378
53,800 SF NON-FAR OFFICE @ 2.9 PER 1000	2.9	156
TOTAL OFFICE REQUIREMENT		2534

RETAIL PARKING REQUIREMENT

30,000 GSF RETAIL @ 5.0 PER 1000	5.0	150
TOTAL RETAIL REQUIREMENT		150

TOTAL NON-RESIDENTIAL PARKING REQUIREMENT: 2684
TOTAL NON-RESIDENTIAL PARKING PROVIDED: 3030

SITE PLAN DRAWING INDEX

LANDSCAPE & LIGHTING PLAN INDEX

RECEIVED
MAR 1 2 2003
BOWMAN CONSULTING

DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

March 11, 2003

Mr. Marwan Mustafa
Bowman Consulting Group
2121 Eisenhower Ave. Suite 302
Alexandria, VA 22314

Re: Stormwater Management *CONCEPT* Request for Fortune Parc
Preliminary Plan #: 1-03029
SM File #: 206882
Tract Size/Zone: 50.5 acres/I-3
Total Concept Area: 50.5 acres
Watershed: Cabin John Creek

Dear Mr. Mustafa:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of off-site channel protection measures via upgrading of the existing State Highway Administration pond; on-site water quality control via biofiltration, surface sand filters and Stormfilters; and onsite recharge via storage beneath the sand filters and the biofiltration.

The following **conditions** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. All areas which drain to the Stormfilters will also be treated within the State Highway Administration pond wetlands. Please make sure you size the wetlands accordingly. Submit the wetland design computations with your sediment control plan submittal.
4. An asbuilt of the SHA pond will be submitted to this office. If the Maryland Department of the Environment does not require an asbuilt plan, then one will be submitted to this office for review and approval.
5. The construction on the existing SHA pond must be started before any impervious surfaces are constructed on this site.
6. The water quality volume will be flow split to all quality facilities.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Nadine Vurdelja Piontka at 240-777-6334.

Sincerely,

Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:enm 206882

cc: M. Shaneman
S. Federline
SM File # 206882

QN - offsite; Acres: 50.5 acres
QL - onsite; Acres: 50.5 acres
Recharge is provided

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850-4166

SETBACK & HEIGHT TABULATION

MAXIMUM BUILDING HEIGHT

ALLOWED	100 FT
PROVIDED	< 100 FT

BUILDING SETBACKS

FROM ABUTTING RESIDENTIALLY ZONED PROPERTY RECOMMENDED FOR ONE-FAMILY ZONE DEVELOPMENT	REQUIRED	100 FT
	PROVIDED	NA FT
FROM ABUTTING RESIDENTIALLY ZONED PROPERTY RECOMMENDED FOR OTHER THAN ONE-FAMILY ZONE	RESIDENTIAL REQUIRED	30 FT
	RESIDENTIAL PROVIDED	NA FT
	NON-RESIDENTIAL REQUIRED	100 FT
	NON-RESIDENTIAL PROVIDED	NA FT
FROM ABUTTING RESIDENTIALLY ZONED PROPERTY RECOMMENDED FOR NON-RESIDENTIAL DEVELOPMENT	REQUIRED	25 FT
	PROVIDED	NA FT
FROM EXISTING OR PLANNED LIMITED ACCESS PARKWAY		
BUILDING SETBACK	REQUIRED	100 FT
BUILDING SETBACK	PROVIDED	100 FT+
PARKING SETBACK	REQUIRED	50 FT
PARKING SETBACK	PROVIDED	50 FT+*
FROM A MAJOR HIGHWAY	REQUIRED	50 FT
	PROVIDED	NA FT

* SETBACK WAIVER REQUESTED

THE OFFICE BUILDING SETBACK FROM I-270 (LIMITED ACCESS FREEWAY) IS 100 FT OR GREATER, EXCEPT BETWEEN STATIONS 541 + 01.93 TO 541 + 55.95 (A DISTANCE OF 54.02 FT. WHERE THE RIGHT OF WAY EXTENDS UP TO 30.5 FT. WIDER IN A TRIANGULAR SHAPE. ACCORDINGLY, THE APPLICANT IS REQUESTING THAT THE 100 FT. MINIMUM BUILDING SETBACK BE REDUCED TO 85 FT. ONLY BETWEEN STATIONS 541 + 01.93 TO 541 + 55.95.

THE PARKING GARAGE (BUILDING) SETBACK FROM I-270 (LIMITED ACCESS FREEWAY) IS 50 FT OR GREATER, EXCEPT BETWEEN STATIONS 536 + 00 TO 543 + 75, (A DISTANCE OF 775 FT.), EXCEPT BETWEEN STATIONS 541 + 01.93 TO 541 + 55.95 (A DISTANCE OF 54.02 FT.), WHERE THE RIGHT OF WAY EXTENDS UP TO 30.5 FT. WIDER IN A TRIANGULAR SHAPE. ACCORDINGLY, TO THE EXTENT THAT THE 100 FOOT MINIMUM BUILDING SETBACK IS APPLIED TO PARKING GARAGES, THE APPLICANT IS ALSO REQUESTING THAT THE MINIMUM BUILDING SETBACK BE REDUCED TO 50 FEET ALONG THE ENTIRE I-270 FRONTAGE, AND FURTHER REDUCED TO 35 FEET, ONLY BETWEEN STATIONS 541 + 01.93 TO 541 +55.95.

MCPB Opinion

M-NCPPC
MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

MONTGOMERY COUNTY PLANNING BOARD

OPINION

DATE MAILED:	March 19, 2004
SITE PLAN REVIEW #:	8-04015
PROJECT NAME:	Fortune Parc

Action: Approval subject to conditions. Motion was made by Commissioner Robinson, seconded by Commissioner Perdue, with a vote of 3-0, Commissioners Berlage, Robinson, Perdue voting for. Commissioners Bryant and Wellington were necessarily absent.

The date of this written opinion is March 19, 2004, (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before April 19, 2004 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, this Site Plan shall remain valid for as long as Preliminary Plan #1-03029 is valid, as provided in Section 59-D-3.8.

On March 18, 2004, Site Plan Review #8-04015 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report, which is made a part hereof, the Montgomery County Planning Board finds:

1. *The Site Plan is consistent with the approved development plan or a project plan for the optional method of development if required;*
2. *The Site Plan meets all of the requirement of the I-3 Zone;*
3. *The location of the buildings and structures, the open spaces, the landscaping, and the pedestrians and vehicular circulation systems are adequate, safe, and efficient;*
4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development;*
5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation;*

SP Opinion #8-04015

STAFF RECOMMENDATION FOR SITE PLAN: Approval of 450 multi-family dwelling units, including 61 MPDUs, 820,000 square feet of office use and 30,000 square feet of retail use in the I-3 Zone on 20.28 acres, and a waiver to reduce parking and building setbacks of 15 feet between stations 541+01.93 to 541+55.95, with the following conditions:

1. Site Plan Enforcement Agreement
Submit a Site Plan Enforcement Agreement, Development Review Program for review and approval prior to approval of the signature set as follows:
   a. Development Program to include phasing as follows:
      1) Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
      2) Coordination of each section of the development of roads;
      3) Street tree planting must progress as street construction is completed, but no later than six months after completion of the buildings;
      4) Phasing of dedications, stormwater management, sediment and erosion control, or other features;
      5) Community-wide facilities, including the clubhouse and pool on Park Potomac Boulevard shall be completed prior to occupancy of the two apartment buildings, unless approved by M-NCPPC staff. Applicant to provide M-NCPPC staff Use and Occupancy permit issued by Montgomery County;
      6) The plaza/open area between buildings D and F shall be completed with construction of Buildings D, E and F.
      7) Prior to occupancy of any building for the proposed development, the applicant shall install a "super" bus shelter within the subject site, subject to approval of the Montgomery County Department of Public Works and Transportation (DPWT)-Transit Services Division. Applicant shall provide M-NCPPC with notice of application of occupancy permit at time of filing;
      8) Site Plan Enforcement Agreement to include recreation facility maintenance.
   b. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and the Montgomery County Department of Permitting Services issuance of sediment and erosion control permit.
   c. No clearing or grading prior to M-NCPPC approval of forest conservation plan and sediment and erosion control plan.
2. Signature Set
Prior to signature set approval of site/landscape plans, the following revisions shall be made, subject to staff review and approval:
   a. Site Plan:
      1) Show all easements, Limits of Disturbance, Rights-of-Way, Forest Conservation Areas and Stormwater Management Parcels, Condo Association Parcel and trails, planning board opinion, development program inspection schedule, numbers and dates of approval on the drawing.
      2) The location of all recreation facilities shall be clearly identified on both the site and landscape plans. Complete details and specifications demonstrating full conformance with the Recreation Guidelines shall be added to the plans.

SP Opinion #8-04015

      3) Location of the Moderately Priced Dwelling Units (MPDUs).
      4) Revise the MPDU/TDR computations to indicate the requirement to provide sixty-one (61) MPDU units on the subject site (8-04015) in accordance with Chapter 25A of the Montgomery County Code. The remaining fourteen (14) MPDU units will be located within the townhouse units for Site Plan 8-04012. Revise the TDR computations to indicate the requirement to provide fifty-one (51) transferable density rights (TDRs) for the one hundred and two (102) TDR units required within the entire proposed development, which includes Site Plans 8-04012 and 8-04015.
      5) Retaining walls shall compliment or match adjacent building materials. Details of the retaining walls to be reviewed and approved by M-NCPPC staff.
      6) All internal sidewalks to be a minimum of 5 feet;
   b. Landscape and Lighting Plan:
      1) Provide a soil depth analysis of the area above the structured parking to determine the appropriate plant material to be installed. Details of the planting technique, material and location of the appropriate tree within the islands shall be reviewed and approved by staff prior to signature set approval;
      2) Provide a detail of the amenity element to be installed within the raised planter east of the pool and clubhouse and between the two apartment buildings;
      3) Planting islands to be a minimum of 8-foot wide;
      4) Provide the "calc" zones for the lighting distribution areas. Coordinate with M-NCPPC staff to reduce the max./min. and ave./min. computations in "calc" zone 8 once the zones are established. Lighting standards to conform to the IESNA standards for lighting in commercial parking areas.
      5) Provide shields on all light fixtures causing negative glare for vehicular traffic on I-270. Provide a detail of the shields on the lighting plan.
      6) Correct the wattage provided for the 14 and 16 foot poles in the summary report.
      7) Revise the light pole standards and details on sheet L2.3 to reflect the actual height, wattage and lumens of the proposed lights in the project.
3. Maintenance Responsibilities
Applicant shall provide documentation to prospective buyers of the multi-family units with regard to maintenance and responsibility of the plant material and hardscape materials within the public utility easement (PUE).
4. Stormwater Management
Conditions of Montgomery County Department of Permitting Services (DPS) stormwater management concept approval for Phase II dated March 11, 2003 and conditions of the Maryland Department of the Environment letter of approval dated October 8, 2003.
5. Transportation Planning
Applicant shall comply with the conditions of approval as set forth in the Transportation Planning Memorandum dated March 9, 2004.
6. Forest Conservation
Applicant shall comply with the following conditions of approval of the Forest Conservation Plan. Final Forest Conservation Plan (including grading and tree protection information) shall satisfy all conditions referenced in the M-NCPPC

SP Opinion #8-04015

Environmental Planning Memorandum dated February 2, 2004, prior to recording plat and the Montgomery County Department of Permitting Services (DPS) issuance of sediment and erosion control permit:
   a. Category I conservation easements to be placed over forest retention areas, forest planting areas and environmental buffer areas. Easements to be shown on record plats.
7. Moderately Priced Dwelling Units (MPDUs)
Applicant to provide (61) sixty-one MPDUs on the subject site in accordance with Chapter 25A of the Montgomery County Code. The remaining (14) fourteen MPDUs shall be located within the one-family attached units for site plan #8-04012.
8. Transferable Density Rights (TDRs)
Prior to recording of plats, the applicant shall provide verification of the availability of the required (51) fifty-one transferable density rights (TDRs) for the (102) one hundred two TDR units within the entire Fortune Parc development, which includes site plans #8-04012 and #8-04015.
9. Public Utility Easement
Applicant to provide conduit within the public utility easement (PUE) adjacent to the public right-of-way in accordance with the letter from Verizon dated January 21, 2004.

ENGINEERING DESIGN
OPPE MD DC

verizon
3901 Calverton Blvd. Floor 3RD
Beltsville MD 20705-3421

January 21, 2004

Mr. Robert A. Kronenberg, RLA
Development Review Division
MNCPPC
8787 Georgia Ave
Silver Spring, MD.20910

RE: Fortune Parc Site Plan # 8-04015

Dear Robert;

This is to letter is to summarize the meeting I had with Mr. J. Wyndham Robertson of Eakin Youngentob and Mr. Gary Sullivan of Richter& Assoc. to address Verizon's concerns in the Fortune Parc Project.

It is my understanding from this meeting that the developer intends to install conduit to Verizon standards and will submit the plans for our approval before it is built. Verizon will determine the number of conduits needed to serve this development and the developer will make provisions in the HOA documents to obligate the HOA to restore the hardscape and landscape if in the future the these areas need to be excavated to repair the conduit. A certified land surveyor will stake the alignment of all Verizon conduits.

It is also my understanding that the developer will grant all necessary easements to provide telephone service to the project and they will make provisions in the HOA documents for any future easements that are needed for upgrades to the telephone system to be granted.

The developer will copy the HOA documents once they are finalized
If you have any questions I can be reached on 301 595-6052.

Very Truly Yours

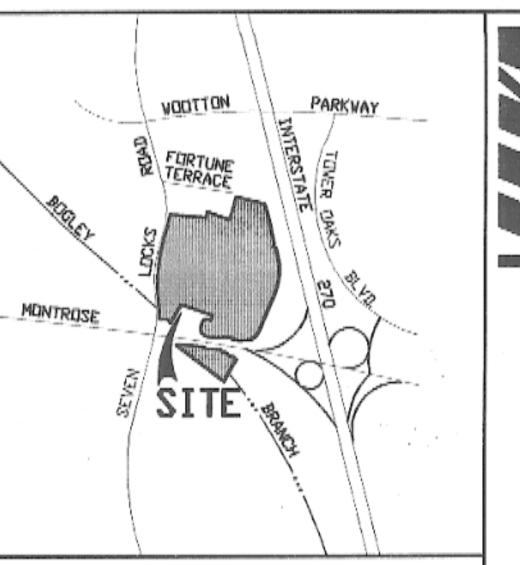
Robert E. Thompson

APPLICANT'S AGREEMENT

THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES AND REQUIREMENTS OF THIS SITE PLAN IN ACCORDANCE WITH THE AGREEMENT BETWEEN THE MONTGOMERY COUNTY PLANNING BOARD AND THE UNDERSIGNED.

FORTUNE PARC DEVELOPMENT PARTNERS, L.L.C.

BY: BRYANT FOULGER — AGENT (TITLE) — 25 June, 2004 (DATE)



VICINITY MAP
Scale:1"=2000'

AREA TABULATION

AREA TABULATION	SITE PLAN #8-04012		SITE PLAN #8-04015		TOTAL	
GROSS TRACT AREA I-3 ZONE	29.74181 AC	1,295,553 SF	23.18713 AC	1,010,032 SF	52.92895 AC	2,305,585 SF
GROSS TRACT AREA O-M ZONE	1.91191 AC	83,283 SF	0.00000 AC	0 SF	1.91191 AC	83,283 SF
LESS PREVIOUS DEDICATION	0.75037 AC	32,686 SF	2.90606 AC	126,588 SF	3.65643 AC	159,274 SF
LESS PROPOSED DEDICATION	7.80429 AC	339,955 SF	0.00000 AC	0 SF	7.80429 AC	339,955 SF
NET LOT AREA	23.09907 AC	1,006,195 SF	20.28107 AC	883,444 SF	43.30014 AC	1,889,639 SF

THE GROSS TRACT AREA INCLUDES AN UNBUILT PORTION OF WATKINS AVENUE, WHICH WAS APPROVED FOR ABANDONMENT WITH PRELIMINARY PLAN #1-03029.

SITE DENSITY & UNIT TABULATION

MAXIMUM DENSITY OF DEVELOPMENT

NON-RESIDENTIAL DENSITY UNDER OPTIONAL METHOD OF DEVELOPMENT

MAXIMUM ALLOWABLE		850,000 SF	
PROVIDED		850,000 SF	
RETAIL / SERVICES MAXIMUM ALLOWABLE		170,000	20.0%
	PROVIDED	30,000* (*May range from 15,000 to 30,000 GSF)	3.5%
EMPLOYMENT MINIMUM REQUIRED		510,000	60.0%
	PROVIDED	820,000* (*May range from 820,000 to 835,000 GSF)	96.5%

OVERALL FORTUNE PARC RESIDENTIAL DENSITY -- SITE PLANS #8-04012 & #8-04015

MASTER PLAN CAP ON ALLOWABLE NUMBER OF UNITS WITH USE OF MPDU's & TDRs	600 DU's
LESS MPDU's PROVIDED @ 12.5% x 600 =	75 MPDU's
LESS BASE DENSITY PER ZONING ORDINANCE WITHOUT MPDU's AND TDR's	423 DU's
TDR REQUIREMENT	102
MULTI-FAMILY TDR's REQUIRED = 1/2 x TDR REQUIREMENT (600 D.U.s - 423 (base) - 75 = 102)	51 TDR's

UNITS APPROVED ON SITE PLAN #8-04012

TOWNHOUSE UNITS	150 DU's
MPDU TOWNHOUSE UNITS INCLUDED	14 DU's
TOTAL UNITS PROVIDED	150 DU's

UNITS PROPOSED ON THIS SITE PLAN #8-04015

MULTI-FAMILY UNITS	450 DU's **
MPDU MULTI-FAMILY UNITS INCLUDED	61 DU's
TOTAL UNITS PROVIDED	450 DU's

** INCLUDES 51 TDR's

TOTAL DWELLING UNITS PROPOSED SITE PLANS #8-04012 & #8-04015 — 600 DU's

MPDU'S REQUIRED

REQUIRED = 12.5% OF TOTAL UNITS PROVIDED	
REQUIRED = 12.5% (600) =	75 UNITS
LESS TOWNHOUSE MPDU's PROVIDED UNDER SITE PLAN #8-04015	14 UNITS
MULTI-FAMILY MPDU'S PROVIDED =	61 UNITS
TOTAL MPDU'S PROVIDED =	75 UNITS

FINAL NUMBER OF MPDU'S PROVIDED WILL BE 12.5% OF NUMBER OF UNITS APPROVED AT SITE PLAN AND ACTUALLY CONSTRUCTED.

GREEN AREA & OFF-STREET PARKING COVERAGE TABULATIONS

MINIMUM GREEN AREA*	SITE PLAN #8-04012		SITE PLAN #8-04015		TOTAL	
% OF GROSS TRACT AREA REQUIRED	35.0%	453,444 SF	35.0%	353,511 SF	35.0%	806,955 SF
PROVIDED	58.7%	760,000 SF	26.6%	269,000 SF	44.6%	1,029,000 SF

MAXIMUM OFF-STREET PARKING COVERAGE*	SITE PLAN #8-04012		SITE PLAN #8-04015		TOTAL	
% OF GROSS TRACT AREA ALLOWED	45.0%	582,999 SF	45.0%	454,514 SF	45.0%	1,037,513 SF
PROVIDED	0.0%	0 SF	20.7%	209,000 SF	9.1%	209,000 SF

* THE CALCULATIONS SHOWN ARE BASED ON THE I-3 PORTION OF THE SITE ONLY. THE MINIMUM GREEN AREA AND THE MAXIMUM OFF-STREET PARKING COVERAGE ONLY REQUIRED TO BE MET CUMULATIVELY OVER THE ENTIRE I-3 PORTION OF THE SITE, AND NOT NECESSARILY ON INDIVIDUAL PARCELS.

PROPOSED DEVELOPMENT

LOT OR PARCEL#	PROPOSED USE	LAND AREA	UNITS / GFA
INCLUDED IN PHASE 1 SITE PLAN #8-04012:			
1-150 & A - H	TOWNHOUSE LOTS & PARCELS	19.692 AC	150 DU
PARCELS M, N & W	COMMON AREA & SWM	3.407 AC	
STREET DEDICATION	STREETS A B, RAMP & MONTROSE	7.804 AC	
INCLUDED IN THIS SITE PLAN #8-04015:			
I	3 - 5 STORY MULTI-FAMILY APTS	1.825 AC	139 DU
J	MULTI-FAMILY RECREATION AREA	0.442 AC	
K	3 - 5 STORY MULTI-FAMILY APTS	1.807 AC	151 DU
L-1	3 - 9 STORY MULTI-FAMILY APTS / CONDOS	1.271 AC	80 DU
L-2	3 - 9 STORY MULTI-FAMILY APTS / CONDOS	0.774 AC	80 DU
O	COMMON AREA, SWM & PRIVATE STREET	0.913 AC	
P	OFFICE / RETAIL UP TO 8 STORIES	2.055 AC	168,000 SF
Q	OFFICE / RETAIL UP TO 8 STORIES	0.670 AC	100,000 SF
R	OFFICE / RETAIL UP TO 8 STORIES	2.384 AC	89,000 SF
S	OFFICE / RETAIL UP TO 8 STORIES	1.707 AC	124,100 SF
T	OFFICE / RETAIL UP TO 8 STORIES	2.195 AC	172,200 SF
U	OFFICE / RETAIL UP TO 8 STORIES	1.472 AC	111,300 SF
V	OFFICE / RETAIL UP TO 8 STORIES	2.765 AC	107,200 SF
	TOTAL THIS SITE PLAN	20.281 AC	850,000 SF
	TOTAL FOR FORTUNE PARC	51.184 AC	600 DU

APPROVED SITE PLAN
FILE NO. 8-04015
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN OR DESIGNEE — DATE 8/10/04

M-NCP&PC SITE INSPECTION CHECKLIST

M-NCP&PC APPROVAL SIGNATURE	DATE	TASK PERFORMED
		PRE-CONSTRUCTION MEASURES IN PLACE BEFORE CLEARING AND GRADING.
		AFTER CONSTRUCTION PROTECTION PRIOR TO PLANTING (REFORESTATION).
		AFTER INSTALLATION OF LANDSCAPING, LIGHTING, PAVING (PRIVATE) AND RECREATION AMENITIES.
		AFTER REFORESTATION - BEGINNING OF TWO YEAR MAINTENANCE PERIOD.
		AFTER TWO YEAR MAINTENANCE PERIOD -- MUST MEET SURVIVABILITY RATE.

PARKING TABULATION BY PARCEL

PARCEL:	I	K	L	P	Q	R	S	T	U	V	#8-04015 TOTAL	
BUILDING #:	APT A	APT B	CONDO	OB A	OB B	OB C	OB D	OB E	OB F	OB G		
1BR UNITS	73	80	0	-	-	-	-	-	-	-	153	UNITS
2BR UNITS	54	58	133	-	-	-	-	-	-	-	245	UNITS
3BR UNITS	12	13	27	-	-	-	-	-	-	-	52	UNITS
TOTAL RESIDENTIAL UNITS	139	151	160	0	0	0	0	0	0	0	450	UNITS
GFA OFFICE	-	-	-	168,000	95,000	75,000	106,300	167,200	106,300	102,200	820,000	GSF OFFICE
RETAIL	-	-	-	-	5,000	5,000	5,000	5,000	5,000	5,000	30,000	GSF RETAIL
TOTAL GROSS SQUARE FEET NON-RESIDENTIAL	-	-	-	168,000	100,000	80,000	111,300	172,200	111,300	107,200	850,000	GSF
NON FAR FLOOR AREA OFFICE	-	-	-	32,000	-	9,000	12,800	-	-	-	53,800	NON-FAR SF
VEHICULAR SPACE REQUIREMENT (INCLUDED ACCESSABLE & VAN SPACES)												
REQUIRED:	197	213	254	580	301	269	371	510	334	322	3351	SPACES
PROVIDED SURFACE:	0	0	0	69	0	116	5	123	16	163	492	SPACES
PROVIDED GARAGE:	244	265	280	591	330	189	405	447	354	222	3327	SPACES
PROVIDED TOTAL:	244	265	280	660	330	305	410	570	370	385	3819	SPACES
ACCESSIBLE SPACE REQUIREMENT (INCLUDES VAN ACCESSABLE SPACES)												
REQUIRED:	7	7	7	14	8	8	9	12	8	8	88	SPACES
PROVIDED SURFACE:	0	0	0	3	0	5	3	1	2	6	20	SPACES
PROVIDED GARAGE:	7	7	7	11	8	3	6	11	6	2	68	SPACES
PROVIDED TOTAL:	7	7	7	14	8	8	9	12	8	8	88	SPACES
VAN ACCESSIBLE SPACE REQUIREMENT												
REQUIRED:	1	1	1	1	1	1	2	2	1	2	12	SPACES
PROVIDED SURFACE:	0	0	0	1	0	1	2	0	2	2	8	SPACES
PROVIDED GARAGE:	1	1	1	1	1	1	1	2	1	1	11	SPACES
PROVIDED TOTAL:	1	1	1	2	1	2	3	2	3	3	19	SPACES
MOTORCYCLE PARKING SPACE REQUIREMENT 2% of provided automobile spaces - 10 maximum												
REQUIRED:	5	6	6	10	7	7	9	10	8	8	76	SPACES
PROVIDED GARAGE:	5	6	6	10	7	7	9	10	8	8	76	SPACES
BICYCLE PARKING SPACE REQUIREMENT 1 per 20 automobile spaces provided - 20 maximum												
REQUIRED:	13	14	14	20	17	16	20	20	19	20	173	SPACES
PROVIDED SURFACE:	11	11	8	4	4	8	4	8	4	4	66	SPACES
PROVIDED GARAGE:	2	4	6	16	14	8	16	12	16	16	110	SPACES
PROVIDED TOTAL:	13	15	14	20	18	16	20	20	20	20	176	SPACES
LOADING SPACE REQUIREMENT Per MCDOT Policy - Off-Street Loading Space - January 1989												
REQUIRED:	0	0	2	2	1	1	2	2	1	1	12	SPACES
PROVIDED:	0	0	2	2	2	2	2	2	1	2	15	SPACES
PHASE See Development sequence note below	2-A	2-A	2-B	2-C	2-D	2-E	2-F	2-G	2-H	2-I		

DEVELOPMENT SEQUENCE

THIS PHASE 2 OF THE SITE IS INTENDED TO BE DEVELOPED IN TWO OR MORE SUB-PHASES. THE FIRST SUB PHASE WILL INCLUDE ONE OR MORE OF THE MULTI-FAMILY PARCELS I, J, K & L. ALL SUBPHASES WILL BE DEVELOPED WITH ASSOCIATED RECREATION, LANDSCAPING & STORMWATER MANAGEMENT AMENITIES.

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VIKA INCORPORATED
20251 CENTURY BOULEVARD SUITE 400 ■ GERMANTOWN, MD 20874
(301)916-4100 ■ FAX (301)916-2262
GERMANTOWN, MD McLEAN, VA LEESBURG, VA

FORTUNE PARC SITE PLAN
MULTI FAMILY/OFFICE/RETAIL
PARCELS I-L & O-V BLOCK F
4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

COVER SHEET-NOTES & TABULATIONS

VIKA REVISIONS
4. SIGNATURE SET SUBMISSION 6-25-04
3. SIGNATURE SET SUBMISSION 6-2-04
2. revised mpdu/tdr tabs 2-18-04
1. address MNCPPC staff comments 2-10-04

DATE	NOV. 24th, 2003
DES. CAI	DWN. CAD
SCALE:	AS SHOWN
PROJECT/FILE NO.	6601
SHEET NO.	SP-1

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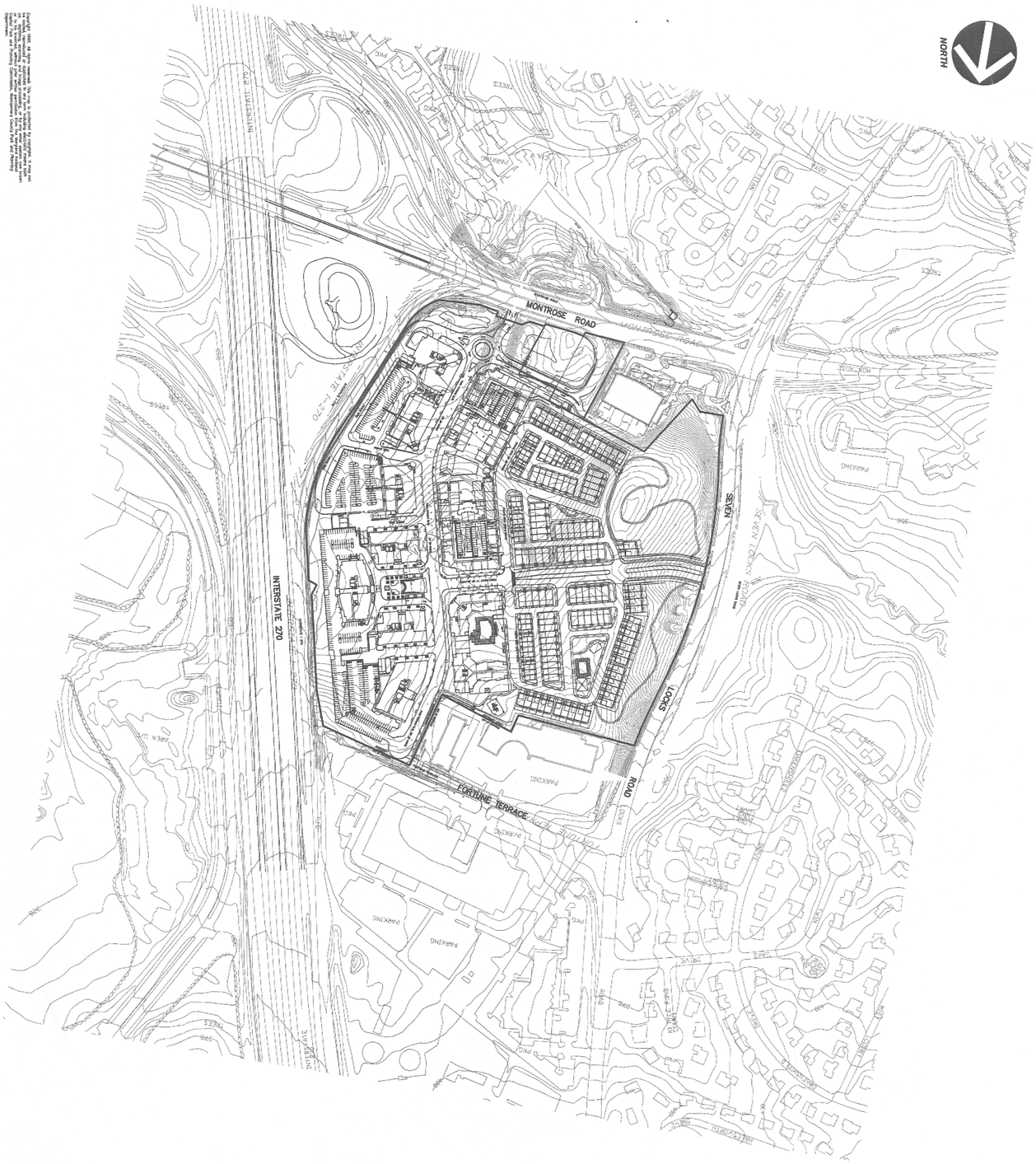


APPLICANT'S AGREEMENT

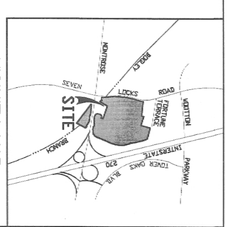
THE APPLICANT AGREES TO CONSTRUCT ALL THE FEATURES AND REQUIREMENTS OF THIS SITE PLAN IN ACCORDANCE WITH THE AGREEMENT BETWEEN THE MONTGOMERY COUNTY PLANNING BOARD AND THE UNDERSIGNED.

FORTUNE PARC DEVELOPMENT PARTNERS, L.L.C.

BY: BRYANT FOURNIER — AGENT/TITLE — 26 APRIL 2004 DATE

APPROVED SITE PLAN
FILE NO. 8-04015
MONTGOMERY COUNTY PLANNING BOARD
Richard Hawthorne 6/11/04
CHAIRMAN OR DESIGNEE — DATE

VICINITY MAP
Scale: 1"=2000'



VIKA REVISIONS	
1. address MNCPPC staff comments 2-10-04	
2. SIGNATURE SET SUBMISSION 6-25-04	
3. SIGNATURE SET SUBMISSION 6/2/04	
DATE: NOV. 24th, 2003	
DES: CAI / DWN: CAD	
SCALE: 1" = 200'	
PROJECT/FILE NO. 6601	
SHEET NO. SP-1A	

LOCAL VICINITY MAP

FORTUNE PARC SITE PLAN
MULTI FAMILY/OFFICE/RETAIL

PARCELS I-L & O-V BLOCK F
4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

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FORTUNE PARC SITE PLAN
MULTI FAMILY/OFFICE/RETAIL
PARCELS I-L & O-V BLOCK F
4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

APPROVED SITE PLAN
MONTGOMERY COUNTY PLANNING BOARD
FILE NO. 8-04001

SITE AND ADJACENT AREA PLAN

VIKA REVISIONS	
3. SIGNATURE SET SUBMISSION 6-25-04	
2. SIGNATURE SET SUBMISSION 6/2/04	
1. address MNCPPC staff comments 2-10-04	

DATE NOV. 24th, 2003
DES. CAI DWN. CAD
SCALE: 1"=80'
PROJECT/FILE NO. 6601
SHEET NO. SP-2

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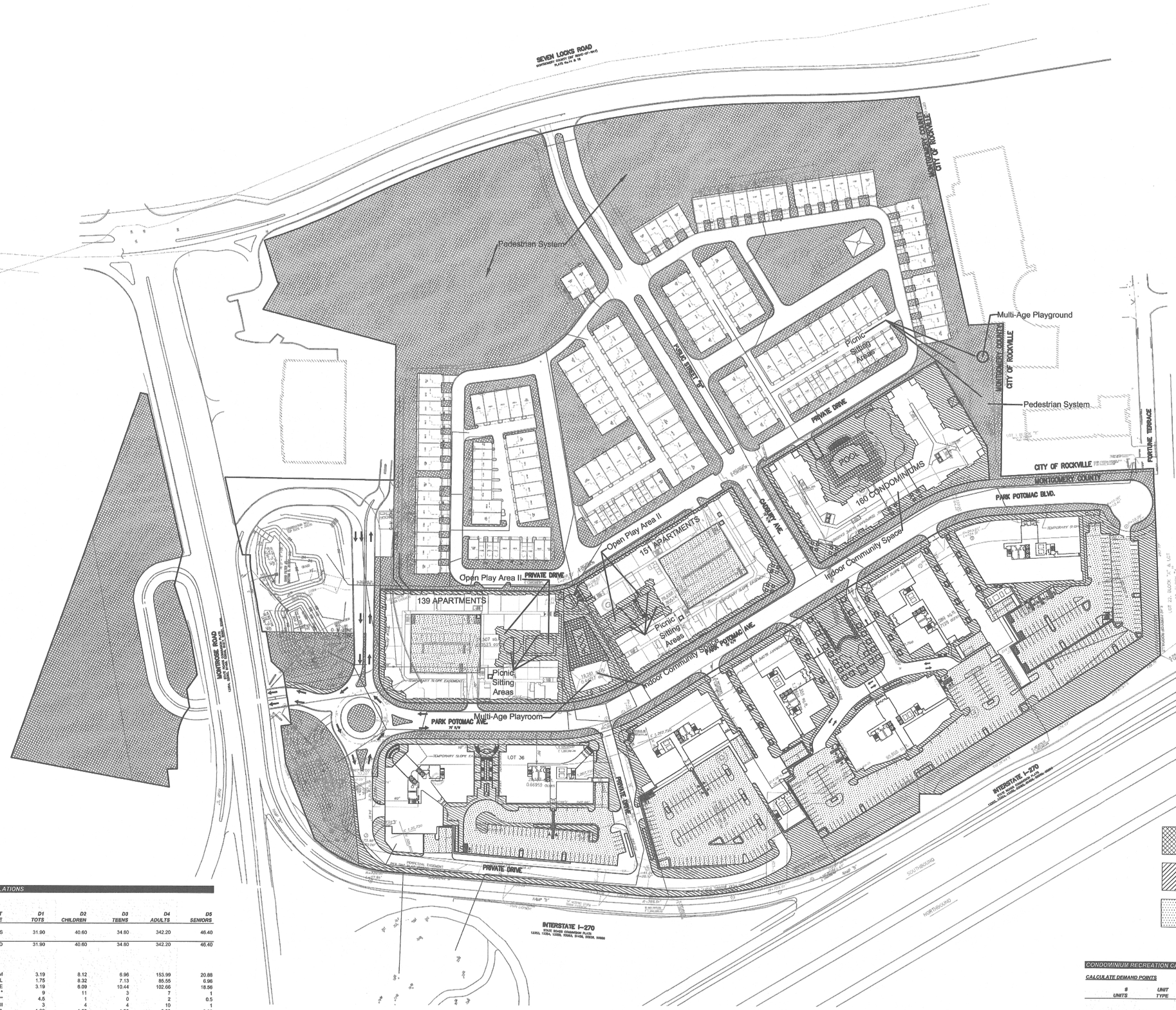
GRAPHIC SCALE
1 inch = 60 ft. (IN FEET)
80 0 40 80 120 160 320

APPLICANT'S AGREEMENT
THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES AND REQUIREMENTS OF THIS SITE PLAN AS SHOWN AND AS SET FORTH IN THE AGREEMENT BETWEEN THE MONTGOMERY COUNTY PLANNING BOARD AND THE UNDERSIGNED.

FORTUNE PARC DEVELOPMENT PARTNERS, L.L.C.
BY: BRYANT FOULGER — AGENT/TITLE — 25 June 2004 DATE



GREEN AREA PHASE I
#8-04012
760,000 SF

GREEN AREA THIS PLAN
269,000 SF

OFFSTREET PARKING COVERAGE
209,000 SF

GRAPHIC SCALE

80 0 40 80 160 320

(IN FEET)
1 inch = 80 ft.

APARTMENT RECREATION CALCULATIONS

CALCULATE DEMAND POINTS

# UNITS	UNIT TYPE	D1 TOTS	D2 CHILDREN	D3 TEENS	D4 ADULTS	D5 SENIORS
290	GARDENS	31.90	40.60	34.80	342.20	46.40
	TOTAL DEMAND	31.90	40.60	34.80	342.20	46.40

CALCULATE SUPPLY POINTS ON SITE

PEDESTRIAN SYSTEM	3.19	8.12	6.96	153.99	20.88
SWIMMING POOL	1.75	8.32	7.13	85.55	6.96
INDOOR COMMUNITY SPACE	3.19	6.09	10.44	102.66	18.56
MULTI-AGE PLAYROOM *	9	11	3	7	1
PLAY SCULPTURE **	4.5	1	0	2	0.5
OPEN PLAY AREA II	3	4	4	10	1
PICNIC / SITTING AREA	1.00	1.00	1.50	5.00	2.00
PICNIC / SITTING AREA	1.00	1.00	1.50	5.00	2.00
PICNIC / SITTING AREA	1.00	1.00	1.50	5.00	2.00
PICNIC / SITTING AREA	1.00	1.00	1.50	5.00	2.00
TOTAL ON-SITE SUPPLY	28.63	42.53	37.53	381.20	56.90
TOTAL DEMAND	31.90	40.60	34.80	342.20	46.40
SHORTAGE IN POINTS	3.27	0.00	0.00	0.00	0.00
ON-SITE SHORTAGE IN %	10%	0%	0%	0%	0%

NOTE: * A MULTI-AGE PLAYROOM HAS BEEN INCLUDED IN THE PLAN. SINCE THE M-NCP&PC RECREATION GUIDELINES DO NOT INCLUDE SUPPLY VALUES FOR THIS, WE HAVE USED THE SAME SUPPLY POINTS AS FOR A MULTI-AGE PLAYGROUND.

** A PLAY SCULPTURE HAS BEEN INCLUDED IN THE PLAN. SINCE THE M-NCP&PC RECREATION GUIDELINES DO NOT INCLUDE SUPPLY VALUES FOR THIS, WE HAVE USED ONE-HALF THE SUPPLY POINTS FOR A TOT LOT.

APPLICANT'S AGREEMENT

THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES AND REQUIREMENTS OF THIS SITE PLAN IN ACCORDANCE WITH THE AGREEMENT BETWEEN THE MONTGOMERY COUNTY PLANNING BOARD AND THE UNDERSIGNED.

FORTUNE PARC DEVELOPMENT PARTNERS, L.L.C.

BY: BRYANT FOULGER — AGENT — 25 June, 2004 (DATE)

CONDOMINIUM RECREATION CALCULATIONS

CALCULATE DEMAND POINTS

# UNITS	UNIT TYPE	D1 TOTS	D2 CHILDREN	D3 TEENS	D4 ADULTS	D5 SENIORS
160	HR APTS	6.40	6.40	6.40	123.20	73.60
	TOTAL DEMAND	6.40	6.40	6.40	123.20	73.60

CALCULATE SUPPLY POINTS ON SITE

PEDESTRIAN SYSTEM	0.64	1.28	1.28	55.44	33.12
SWIMMING POOL	0.35	1.31	1.31	30.80	11.04
INDOOR COMMUNITY SPACE	0.64	0.96	1.92	36.96	29.44
TOT LOT	9	2	0	4	1
PICNIC / SITTING AREA	1.00	1.00	1.50	5.00	2.00
PICNIC / SITTING AREA	1.00	1.00	1.50	5.00	2.00
TOTAL ON-SITE SUPPLY	12.63	7.55	7.51	137.20	78.60
TOTAL DEMAND	6.40	6.40	6.40	123.20	73.60
SHORTAGE IN POINTS	0.00	0.00	0.00	0.00	0.00
ON-SITE SHORTAGE IN %	0%	0%	0%	0%	0%

APPROVED SITE PLAN
FILE NO. 8-04012
MONTGOMERY COUNTY PLANNING BOARD
6/10/04
DATE

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FORTUNE PARC SITE PLAN
MULTI FAMILY/OFFICE/RETAIL

PARCELS I-L & O-V BLOCK F
4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

RECREATION/GREEN AREA AND OFF STREET PARKING PLAN

VIKA REVISIONS

3. SIGNATURE SET	
SUBMISSION 6-25-04	
2. SIGNATURE SET	
SUBMISSION 6/2/04	
1. ADDRESSED STAFF	
COMMENTS 2-10-04	
DATE: NOV. 24th, 2003	
DES. CAI	DRAWN BY: CAD
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PROJECT/FILE NO. 6601	
SHEET NO. SP-3	

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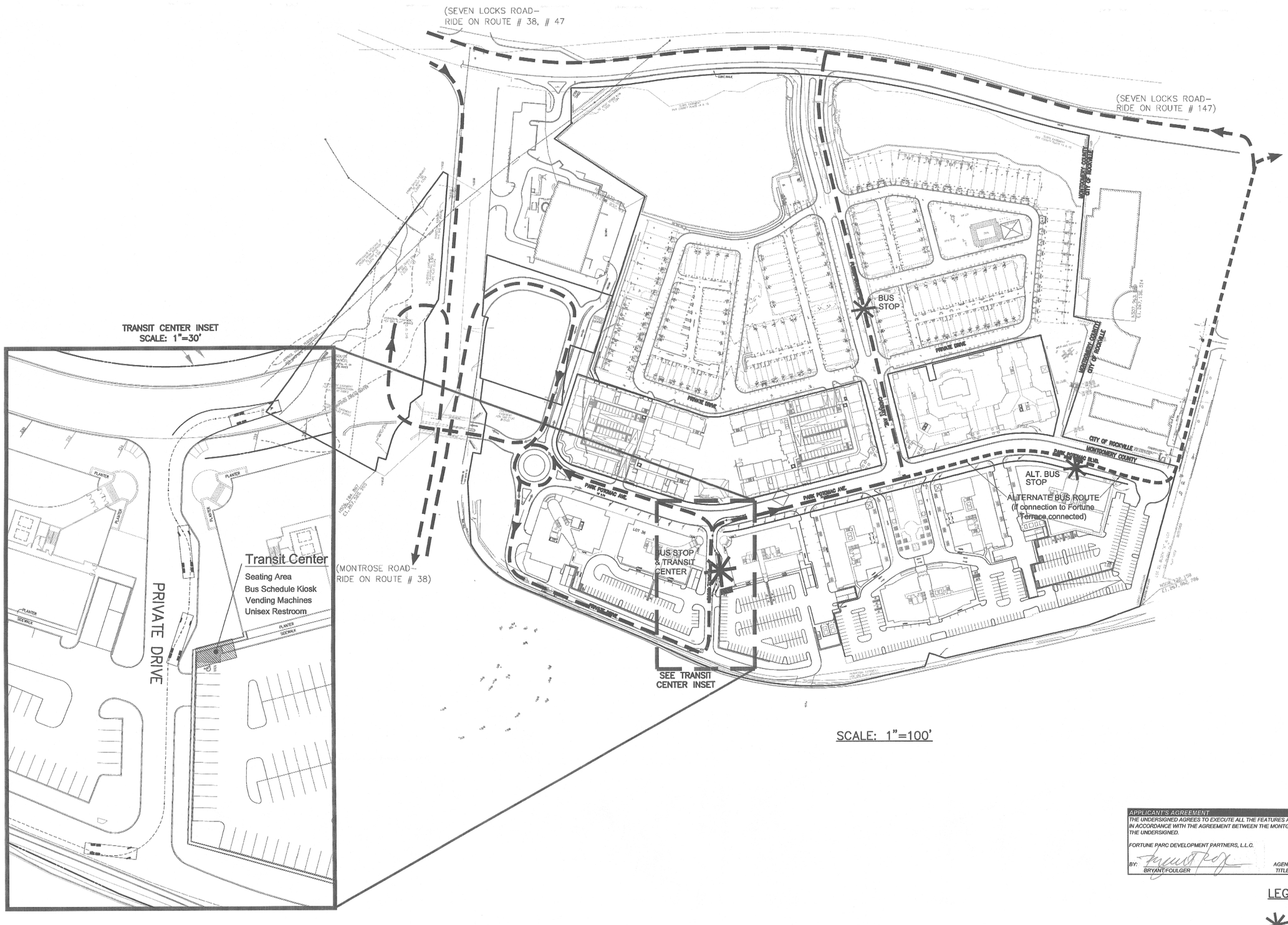

APPLICANT'S AGREEMENT

THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES AND REQUIREMENTS OF THIS SITE PLAN IN ACCORDANCE WITH THE AGREEMENT BETWEEN THE MONTGOMERY COUNTY PLANNING BOARD AND THE UNDERSIGNED.

FORTUNE PARC DEVELOPMENT PARTNERS, L.L.C.

BY: BRYANT FOULGER — *AGENT / TITLE* — *25 June, 2004 / DATE*

LEGEND:

- BUS STOP
- TRANSIT CENTER
- BUS & RELATED MOVEMENT

APPROVED SITE PLAN
MONTGOMERY COUNTY PLANNING BOARD
FILE NO. 8-04005
DATE 6/16/04
SIGNATURE OF DESIGNEE

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VIKA, INCORPORATED
20251 CENTURY BOULEVARD, SUITE 400 ■ GERMANTOWN, MD 20874
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FORTUNE PARC SITE PLAN
MULTI FAMILY/OFFICE/RETAIL

PARCELS I-L & O-V BLOCK F
4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

TRANSIT CENTER CIRCULATION PLAN

VIKA REVISIONS

3. SIGNATURE SET
SUBMISSION 6-25-04
2. SIGNATURE SET
SUBMISSION 6/2/04
1. ADDRESSED STAFF
COMMENTS 2-10-04
DATE: NOV. 24th, 2003
DES. CAI / DRAWN BY: CAD
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SHEET NO. SP-3A

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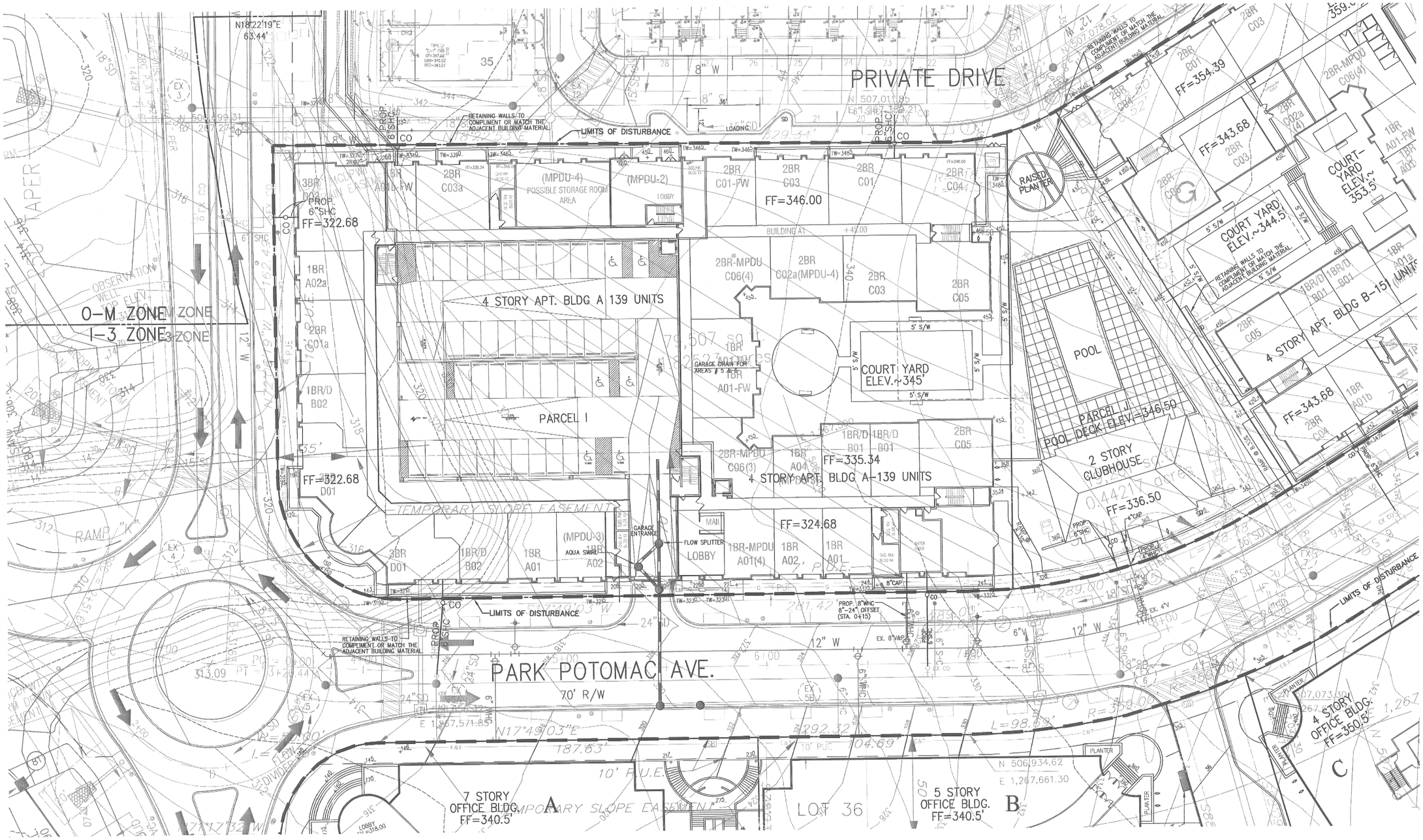

LEGEND:

- 15"SD — PROPOSED STORM DRAIN
- 6"SHC — PROPOSED SANITARY SEWER HOUSE CONNECTION
- 6"W — PROPOSED WATER MAIN
- 78 — PROPOSED CONTOUR
- TEST PIT
- TR — TRANSFORMER
- EG — EMERGENCY GENERATOR
- SF — STRUCTURAL/SWM FILTER
- E&T — ELECTRIC & TELEPHONE CONDUIT
- G — GAS MAIN
- 322 / 350 — PROPOSED CONTOURS THIS PLAN
- 350 — EXISTING CONTOURS
- 350 / 352 — PROPOSED CONTOURS UNDER SP# 8-04012
- GARAGE DECK PLANTER
- TREE PIT PLANTER
- BICYCLE RACK/2 BIKES
- BOLLARD
- BENCH
- BUILDING ENTRANCE
- PARKING LOT LIGHT 30' MOUNTING HEIGHT
- STREETSCAPE LIGHTING 20' MOUNTING HEIGHT
- STREETSCAPE LIGHTING 18' MOUNTING HEIGHT (THIS IS FOR THE TOWNHOME SECTION)
- BOLLARD LIGHTING

APPLICANT'S AGREEMENT

THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES AND REQUIREMENTS OF THIS SITE PLAN IN ACCORDANCE WITH THE AGREEMENT BETWEEN THE MONTGOMERY COUNTY PLANNING BOARD AND THE UNDERSIGNED.

FORTUNE PARC DEVELOPMENT PARTNERS, L.L.C.

BY: BRYANT FOULGER — AGENT / TITLE — 25 June, 2004 / DATE

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

APPROVED SITE PLAN
APPROVED AS PER
MONTGOMERY COUNTY PLANNING BOARD
RESOLUTION NO. 8-
CHAIRMAN OR DESIGNEE — DATE 8/19/04

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VIKA INCORPORATED
22961 CENTURY BOULEVARD SUITE 400 ■ GERMANTOWN, MD 20874
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GERMANTOWN, MD MALKEN, VA LEESBURG, VA

FORTUNE PARC SITE PLAN
MULTI FAMILY/OFFICE/RETAIL

PARCELS I-L & O-V BLOCK F
4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

SITE & UTILITY PLAN

VIKA REVISIONS

3. SIGNATURE SET	SUBMISSION 6-25-04
2. SIGNATURE SET	SUBMISSION 6/2/04
1. address MNCPPC staff	comments 2-10-04

DATE NOV. 24th, 2003

DES.	DWN.
CAI	CAD

SCALE: 1"=20'

PROJECT/FILE NO. 6601

SHEET NO. SP-4

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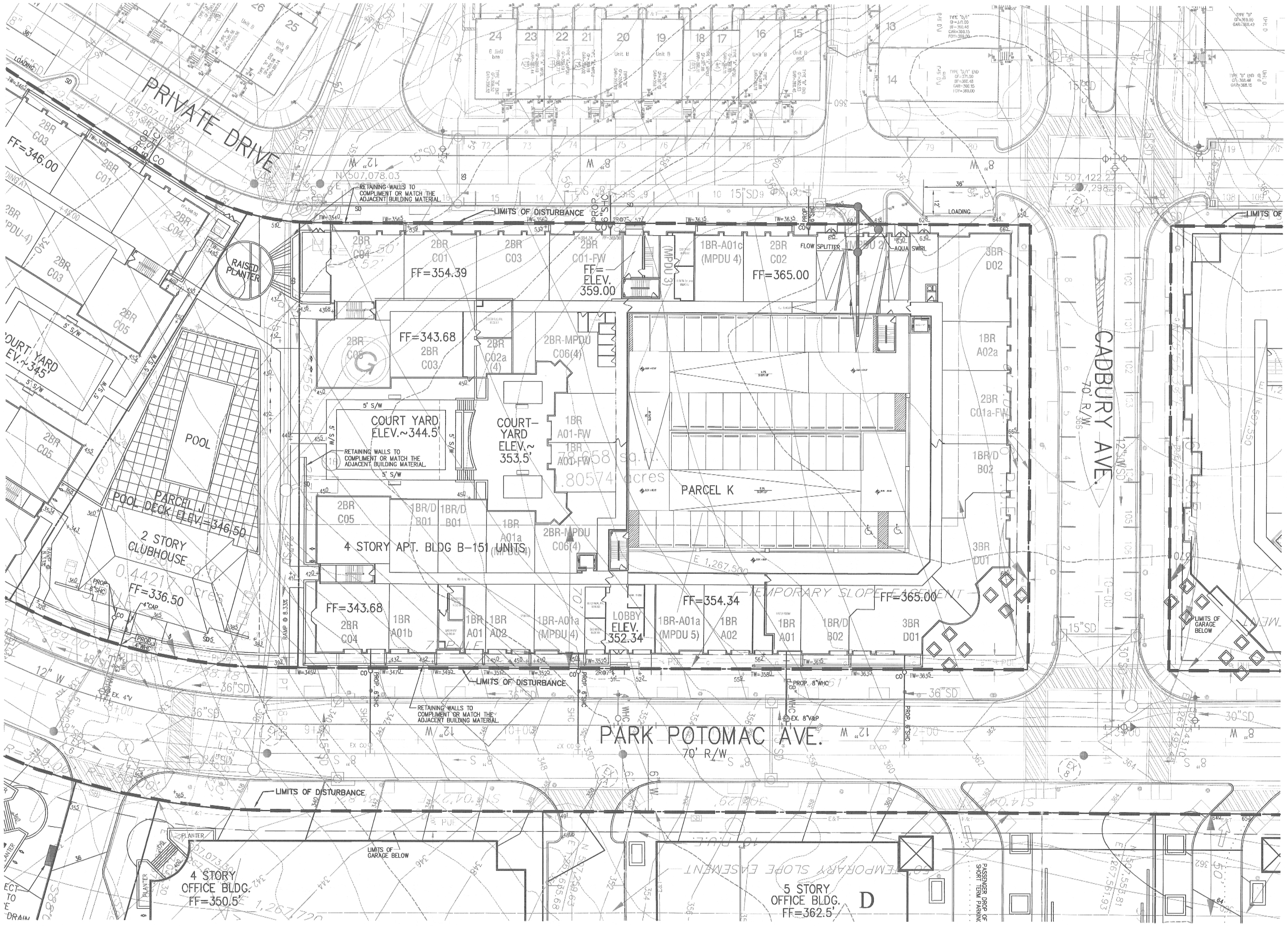


LEGEND:

15"SD	PROPOSED STORM DRAIN
6"SHC	PROPOSED SANITARY SEWER HOUSE CONNECTION
6"W	PROPOSED WATER MAIN
78	PROPOSED CONTOUR
	TEST PIT
TR	TRANSFORMER
EG	EMERGENCY GENERATOR
SF	STRUCTURAL/SWM FILTER
E&T	ELECTRIC & TELEPHONE CONDUIT
G	GAS MAIN
322 / 350	PROPOSED CONTOURS THIS PLAN
352 / 350	EXISTING CONTOURS
350 / 352	PROPOSED CONTOURS UNDER SP# 8-04012
	GARAGE DECK PLANTER
	TREE PIT PLANTER
	BICYCLE RACK/2 BIKES
	BOLLARD
	BENCH
	BUILDING ENTRANCE
	PARKING LOT LIGHT 30' MOUNTING HEIGHT
	STREETSCAPE LIGHTING 20' MOUNTING HEIGHT
	STREETSCAPE LIGHTING 18' MOUNTING HEIGHT (THIS IS FOR THE TOWNHOME SECTION)
	BOLLARD LIGHTING

APPLICANT'S AGREEMENT

THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES AND REQUIREMENTS OF THIS SITE PLAN IN ACCORDANCE WITH THE AGREEMENT BETWEEN THE MONTGOMERY COUNTY PLANNING BOARD AND THE UNDERSIGNED.

FORTUNE PARC DEVELOPMENT PARTNERS, L.L.C.

BY: BRYANT FOULGER — AGENT (TITLE) — 25 June, 2004 (DATE)

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

APPROVED SITE PLAN
FILE NO. 8-04045
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN OR DESIGNEE
8/10/04

SITE & UTILITY PLAN

FORTUNE PARC SITE PLAN
MULTI FAMILY/OFFICE/RETAIL

PARCELS I–L & O–V BLOCK F
4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

VIKA
ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ GPS SERVICES
VIKA INCORPORATED
20251 CENTURY BOULEVARD SUITE 400 ■ GERMANTOWN, MD 20874
(301)916-4100 ■ FAX (301)916-2262
GERMANTOWN, MD McLEAN, VA LEESBURG, VA

VIKA REVISIONS

3. SIGNATURE SET SUBMISSION 6-25-04
2. SIGNATURE SET SUBMISSION 6/2/04
1. address MNCPPC staff comments 2-10-04

DATE	NOV. 24th, 2003
DES. CAI	DWN. CAD
SCALE:	1"=20'
PROJECT/FILE NO.	6601
SHEET NO.	SP-5

G:\Projects\6601\dwg\6601201.dwg 06/25/2004 11:20:32 AM EDT

APPENDIX D (Other Agency Approval Letters)

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.

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 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.; VIKA, 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

FIRE MARSHAL COMMENTS

DATE: 04-Jun-12

TO: Ines Vega
VIKA, Inc

FROM: Marie LaBaw

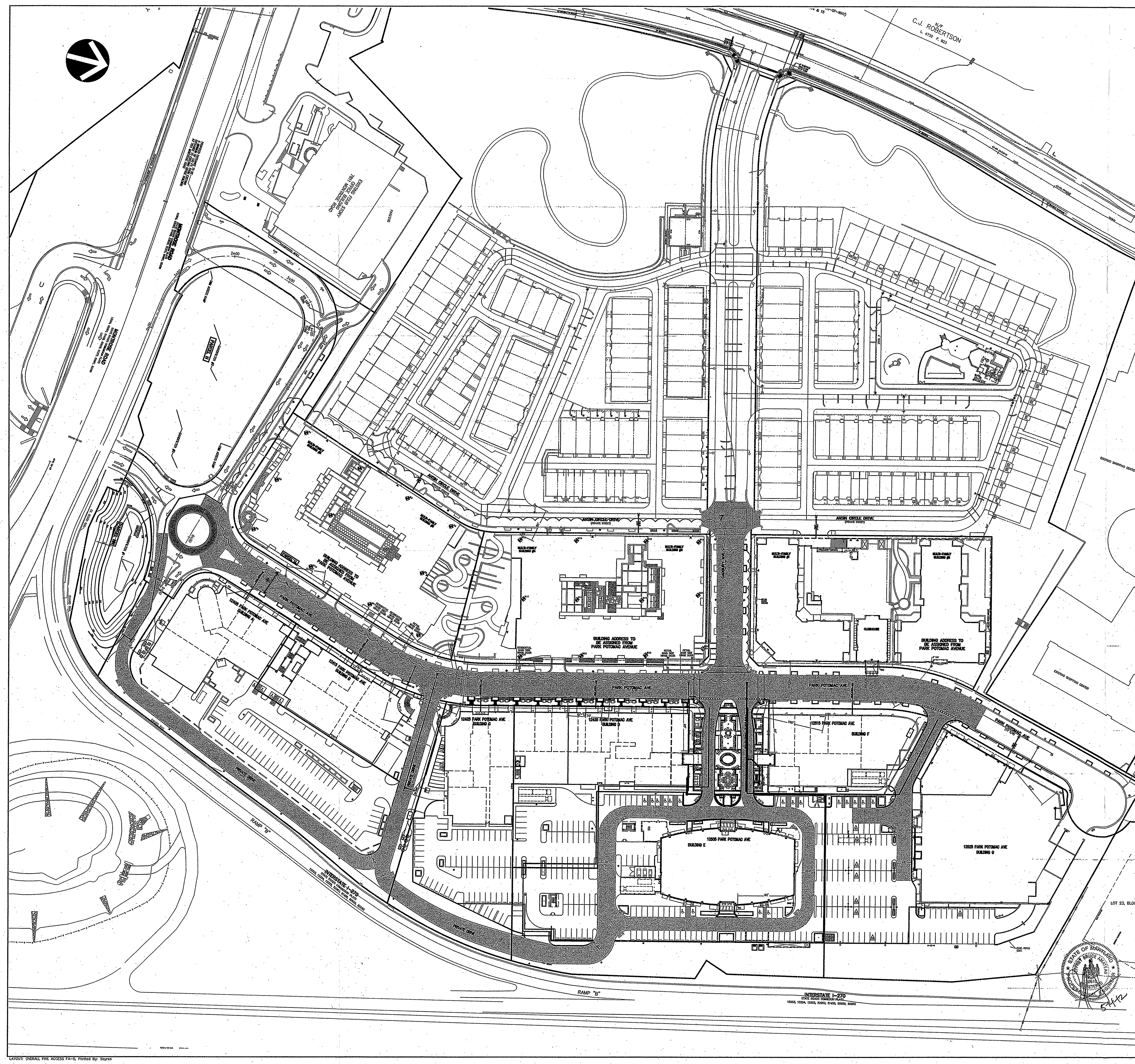
RE: Park Potomac
8-2004015B 82004015I

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 (fka 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.

7

FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors, or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.

5/7C FM 43 Date 6/4/12

PLAT NO. 11932
LOT 23

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Site Plan Approval No. 82004015I, including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: FORTUNE PARC DEVELOPMENT PARTNERS, L.L.C. (Company) — BRYANT FOULGER (Contact Person)

Address: C/O FOULGER PRATT DEVELOPMENT, INC. 9600 BLACKWELL DRIVE SUITE 200 ROCKVILLE, MD. 20850

Phone: (240) 499-9600

Signature: ______

M-NCPPC APPROVAL STAMP

Certified Site Plan
File No. 82004015I
Montgomery County Planning Board

Chair or Designee ______ Date ______

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

5/4/12

VIKA
ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ GPS SERVICES
VIKA INCORPORATED
20251 CENTURY BOULEVARD SUITE 400 ■ GERMANTOWN, MD 20874
(301)916-4100 ■ FAX (301)916-2262
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 H

4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

FIRE DEPARTMENT ACCESS

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" 06-27-11
SITE PLAN AMENDMENT "I" MARCH, 2012

DATE FEB. 01, 2007	
DES. JBA	DWN. BJ
SCALE: 1"=60'	
PROJECT/FILE NO. 6601	
SHEET NO. FA-5	

G:\Projects\6601\dwg\AMENDMENT_I\6601205_Amend I.dwg, ~ May 16, 2012 AT 1:21:40 PM

LAYOUT: OVERALL FIRE ACCESS FA-5, Plotted By: Seyres

APPENDIX E (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

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 820040151 and amendment #8-040151

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,

(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

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

2nd attempt.

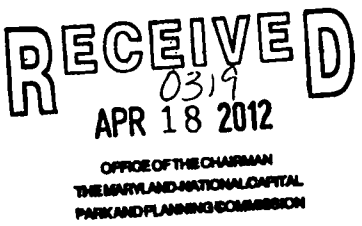
Ronald New
ronnew@jhu.edu
(301) 762-6645

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



2nd attempt.

Ronald New
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,

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 (#82004015I).
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.

~~We seek~~
~~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 at "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@jhu.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

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

PARK POTOMAC HOMEOWNERS ASSOCIATION, INC.

April 18, 2012

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

12500 PARK POTOMAC AVENUE • POTOMAC • MARYLAND • 20854
PHONE: (301) 545-1756 • FAX: (301) 545-1720

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

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

MCP-Chair

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

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 help 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-famly units to be built by Foulge-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 rational 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 rational 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

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

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

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

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

MCP-Chair

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

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 proposed 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 (it 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 rational 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 rational 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 Cadbury 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

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

Smith, Molline

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

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

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 help 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-famly units to be built by Foulge-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 rational 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 rational 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

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 #8-04015I

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 2nd 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
255 Rockville Pike, 2nd Floor
Rockville, MD 20885-4166
Phone: 240 777-6352
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