

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

**MEMORANDUM**

**TO:** Gwen Wright, Planning Director

**VIA:** Robert Kronenberg, Chief *RAK*  
Elza Hisel-McCoy, Supervisor *CA*  
Area 1 Division

**FROM:** Stephanie Dickel, Planner Coordinator *SD*  
Area 1 Division

**RE:** Alexander House  
SITE PLAN AMENDMENT No. 81989071A

**DATE:** June 9, 2015

Section 59.7.7.1.B.3 of the Zoning Code addresses Amendments for Plans approved or pending before October 30, 2014. Section 7.7.1.B.3.a states that until October 30, 2039, an Applicant may apply to amend any previously approved application under the development standards and procedures of the property's zoning on October 29, 2014, subject to certain limitations.

Section 7.7.1.B.3.b of the Zoning Ordinance, however, allows Applicants to apply to amend a site plan approved before October 30, 2014, to take advantage of the parking requirements contained in Sections 6.2.3 and Section 6.2.4 of the Zoning Ordinance that went into effect on October 30, 2014.

Under Section 59.7.3.4.J.2, the Planning Director may approve in writing certain applications for an amendment to a Certified Site Plan. Such amendments, which are considered minor in nature and do not alter the intent and objectives of the plan, specifically include an amendment "to reduce the approved parking to satisfy Article 59-6."

Neither a Pre-Application meeting with the community/public/parties of record nor a Pre-Submittal meeting with the DARC Intake Section is required. However, submittal of the application to DARC is required. In addition, applicants must provide public notice under Division 7.5.

The Planning Board approved the original Site Plan No. 819890710, on December 19, 1989. On May 21, 2015, the Housing Opportunities Commission of Montgomery County (HOC), ("Applicant") filed a site plan amendment application designated Site Plan No. 81989071A ("Amendment") for the following modifications:

1. New windows and balconies on the exterior of the building;

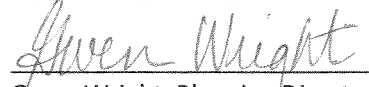
2. Reducing the number of dwelling units from 311 to 300 (the 11 units will be relocated to future Elizabeth House IV, part of the Elizabeth Square Project);
3. Reprogramming the interior of levels 1 and 2 (replacing the 11 relocated units) to incorporate publicly operated government facilities that support county or state government programs or services and therefore will qualify as public use space including:
  - a. Digital Media Lab
  - b. Digital Medical Technical Lab
  - c. Senior Technical Lab
  - d. Dance Studio
  - e. Ancillary Lounge
  - f. Administrative Offices
  - g. Lobby for Interior Public Space;
4. Renovations to the interior of the building in order to accommodate the reprogramming of interior levels 1 and 2 to incorporate publicly operated government facilities supporting government programs and services and functioning as the interior public use space;
5. Reducing the number of parking spaces to reflect the relocation and reduction in dwelling units; and
6. Revising the distribution of units.

A notice of the subject site plan amendment was sent to all required parties by the Applicant on May 22, 2015. The notice gave the interested parties 15 days to review and comment on the contents of the amended site plan. Staff did not receive any correspondence regarding the application.

The proposed amendment is consistent with the provisions of Section 59.7.3.4.J.2 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not alter the intent, objectives, or requirements of the Planning Board in approving the site plan.

This Amendment shall remain valid as provided in Montgomery County Code § 59.7.3.4.H. The Applicant is responsible for submitting a certified site plan after approval by the Director for the specific modifications.

ACCEPTED & APPROVED BY:

  
\_\_\_\_\_  
Gwen Wright, Planning Director

  
\_\_\_\_\_  
Date Approved



ideas that work

*Attorneys at Law*

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

November 6, 2014

Mr. Casey Anderson, Chair  
Montgomery County Planning Board  
Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

RE: Elizabeth Square; Project Plan # 920150010;  
Preliminary Plan Amendment # 120150030

Dear Chairman Anderson:

This letter is written on behalf of Lee Development Group, Inc., a private company, and the Housing Opportunities Commission of Montgomery County, a public agency, co-applicants for development of a mixed-use optional method of development project (residential and ground level retail) (the "Project") to be constructed on the block bordered by Second Avenue on the east, Fenwick Lane on the north, Apple Avenue on the south, and the railroad right-of-way on the west, in the Silver Spring CBD. The purpose of this letter is to request that the Planning Board consider any mandatory referral review that may apply to the "public" agency component of this Project (under Section 20-301 *et seq.* of the Land Use Article of the Md. Ann. Code) as part of the Planning Board's review of the above-referenced project plan application and preliminary plan amendment application (together, the "Applications").

The co-applicants believe that it would be in the public interest and would further "administrative economy" for the Applications and any mandatory referral review to be considered at the same time as part of the Applications because: (1) the submission requirements for project and preliminary plan applications are very comprehensive (more comprehensive than the requirements for mandatory referral review); (2) the development proposals contained in the Applications are the same as the development proposal that would be considered under a separate mandatory referral review; and (3) the time allowed for the Planning Board to review the Applications is longer than the time allowed for the Planning Board to review a project under mandatory referral review. The co-applicants agree to waive the 60 day review period required under Section 20-304 of the Mandatory Referral Review statute, in order to allow the Applications and any required mandatory referral review to be considered and acted upon at the same time by the Planning Board as part of the review of the Applications.

We have discussed this request with Carol Rubin from the M-NCPPC Office of the General Counsel and she supports proceeding in this manner.

Mr. Casey Anderson  
November 6, 2014  
Page 2

Thank you for your consideration of this request.

Very truly yours,

LERCH, EARLY & BREWER, CHTD.



William Kominers

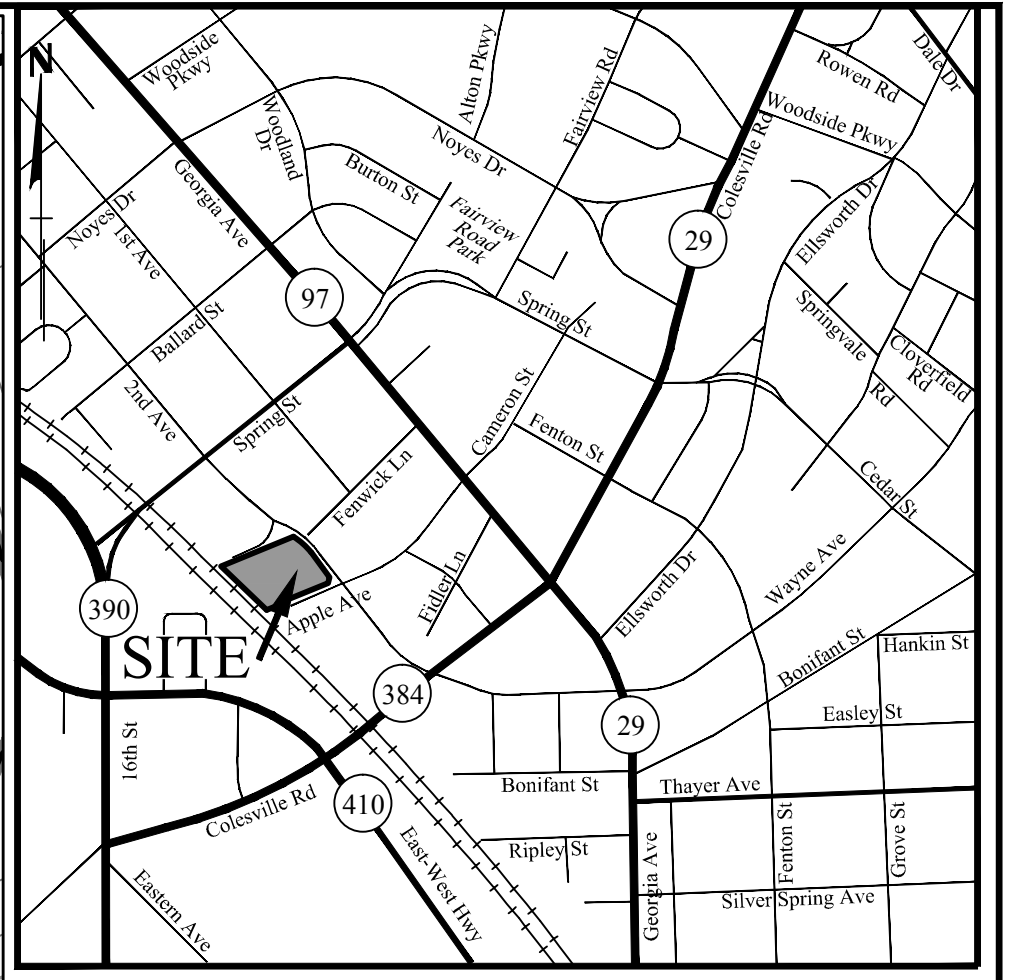
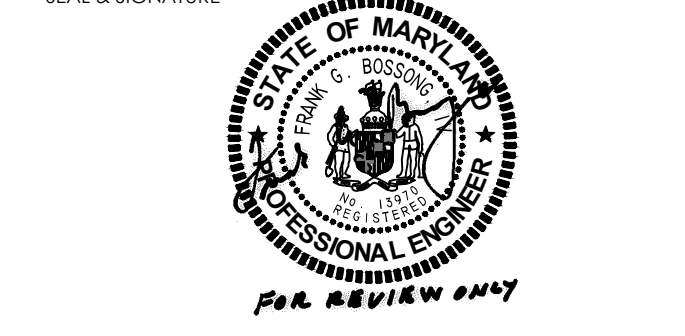


Susan M. Reutershan

SMR/pm

cc: Carol Rubin, Esq.  
Robert Kronenberg  
Elza Hisel-McCoy  
Stephanie Dickel  
Bruce H. Lee  
Christopher Donald





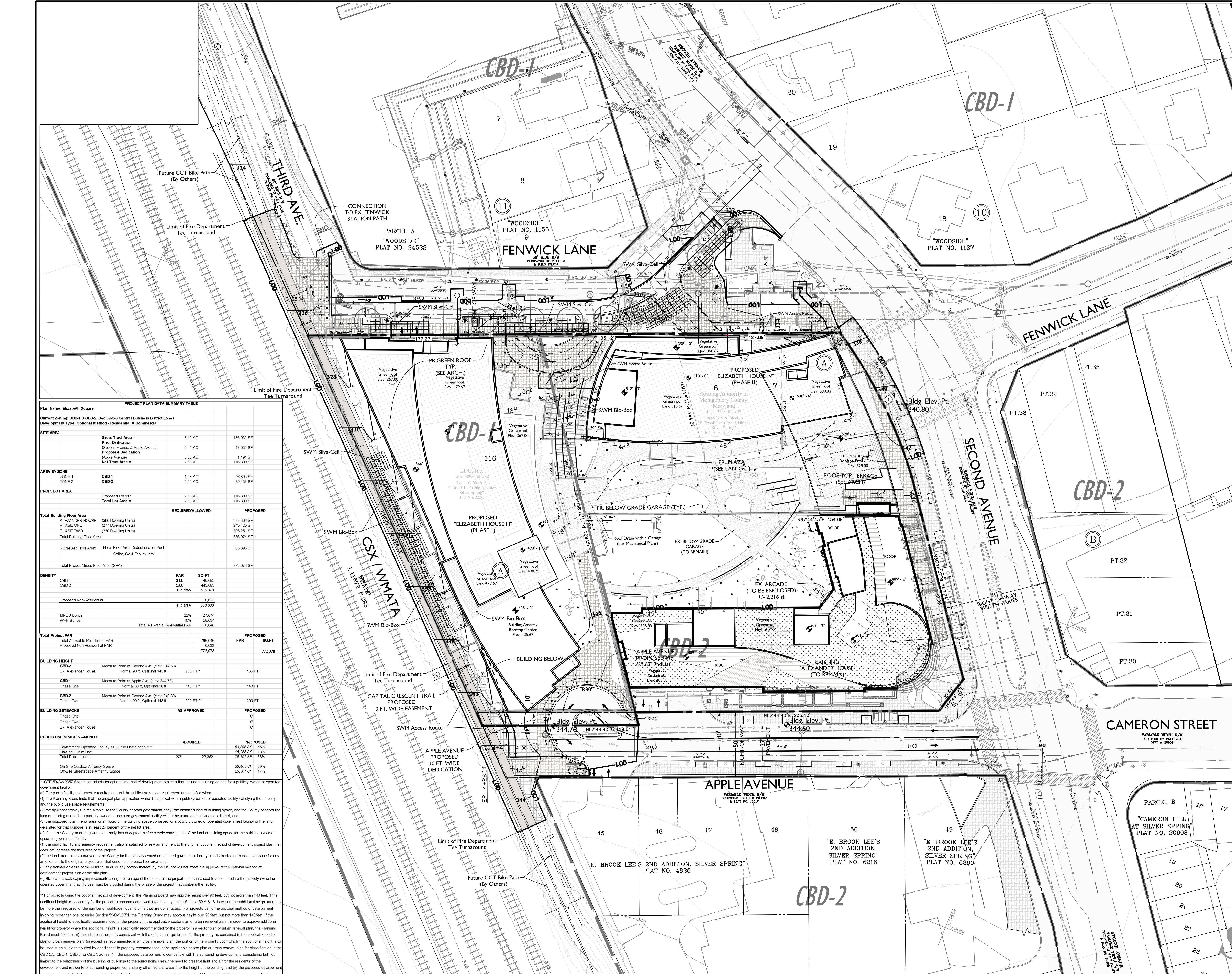
Vicinity Map: 1" = 1000'

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
1	360.00'	123.98'	62.61'	123.37'	N48°26'23"W	19°43'52"

GENERAL NOTES

- 1. The site is zoned CBD-1 & CBD-2, Sec.59-C-6 Central Business District Zone.
- 2. The site is comprised 5 existing lots; the gross tract area is 83,129 acres (see table).
- 3. The property Tax Account Identification Numbers are 13-01041040; 13-0201126 & 13-0104170.
- 4. The site is located within Montgomery County Election District #13.
- 5. The site is to be served by public water & sewer systems. This site is presently classified, W-1, S-1 as shown on W.S.S.C. 210W02.
- 6. The Horizontal Datum: Maryland Coordinate System, N.A.D. 83/91, the Vertical Datum-NGVD29.
- 7. Boundary information is from a boundary survey by Rodgers Consulting, Inc. May 2014.
- 8. The 5-foot contour interval topographic information is from M-NCPPC information, and the sites 2-foot contour interval topographic information was taken from Rodgers Consulting Inc. field topography compiled in March 2014.
- 9. There are no historic resources on and in the vicinity of the site.
- 10. The site is located within the Silver Spring CBD Transportation Policy Area.
- 11. The site is located within the Silver Spring Planning Area 36.
- 12. The site is located within the area covered by the Approved and Adopted Silver Spring Central Business District and Vicinity Sector Plan, dated February 2000.
- 13. The site streetscape to be the Silver Spring Streetscape, dated April 1992.
- 14. Soils information was taken from the Soil Survey of Montgomery County, Maryland issued July, 1995 Plate 27. The site is comprised of 400 - Urban Land.
- 15. The Environmental Planning Department of the M-NCPPC has approved an NR/USD (Ref. #420141320), which was approved on April 15, 2014, and will expire on April 15, 2016.
- 16. There are no streams, wetlands, or floodplain on site. The northern boundary of the site appears to be within the Lower Rock Creek Watershed, Class I. There is no FEMA mapped floodplain within the subject site.
- 17. The property is not within a Special Protection Area (SPA).
- 18. No rare, threatened, or endangered species of plants or animals were observed on the site at this time.
- 19. Site investigation for this NR/USD took place January 2014.
- 20. There is no forest on-site.
- 21. The locations of existing underground utilities are approximate locations as per available utility company records. The exact location of all underground utilities shall be verified by "Miss Utility" (1-800-257-7777) prior to any excavation. Rodgers Consulting does not express or imply any guarantee or warranty as to the location or existence of any underground utility.
- 22. Site utilities are serviced by Comcast, Pepco, Verizon, Washington Gas, and WSSC.
- 23. Public utility easements and rights of way will be provided where needed on-site and locations will be determined at permit.
- 24. The Montgomery County Well and Septic Division Records do not indicate any Well or Septic Areas located on the site.
- 25. Stormwater management quantity / quality facilities will be located on-site. The Stormwater Management Concept AP # 26615 is pending review and approval by the Montgomery County Department of Permitting Service (MCDPS) Water Resources Division. Stormwater Management access routes shown are conceptual and subject modification with final Stormwater Management construction documents.
- 26. Erosion and sediment control measures will be provided through perimeter controls and inlet protection.
- 27. Lot lines and lot areas are preliminary and subject to change on the Site Plan and Final Plan.
- 28. Applicant requests the use of a portion of Second Avenue right-of-way for tenant restaurant (if any) "outdoor/cafe" seating.
- 29. Applicant to seek design exemptions for loading spaces provided.
- 30. Applicant to seek design exemption for proposed driveway intersection spacing on Fenwick Avenue.
- 31. Applicant to seek a parking waiver for the reduction of approximately 386 parking spaces. Final number of spaces to be determined at Certified Site Plan.
- 32. Development on these lots is subject to approval of a Certified Site Development Plan by M-NCPPC.
- 33. Allocation of square footage by type (residential / non-residential) per building is subject to modification at both Site Plan and Building Permit, so long as the total combined square footage under the Preliminary Plan is not exceeded. Any density unused may be allocated to a different phase.



PROJECT PLAN DATA SUMMARY TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
1	360.00'	123.98'	62.61'	123.37'	N48°26'23"W	19°43'52"

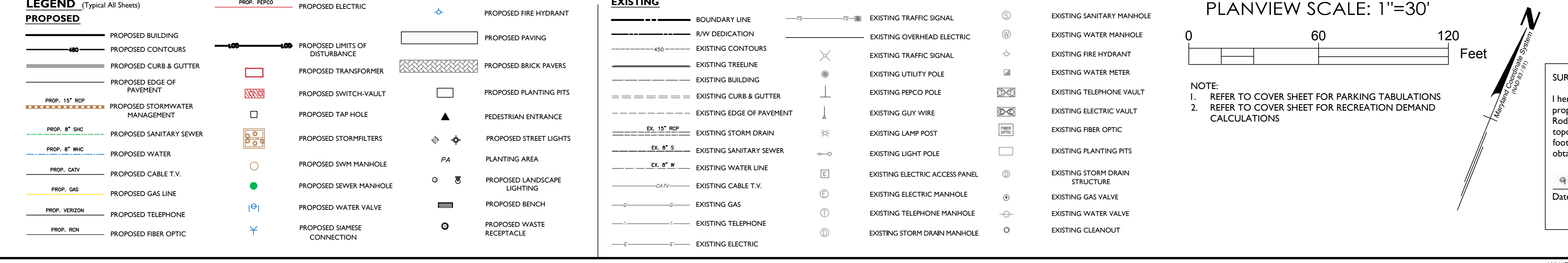
Category	Proposed	Required/Allowed
Total Building Floor Area	287,303 SF	287,303 SF
Total Project Gross Floor Area (GFA)	772,078 SF	772,078 SF
DENSITY	3.00 FAR	3.00 FAR
DEVELOPMENT TYPE	OPTIONAL METHOD	OPTIONAL METHOD

NOTE: The gross floor area of the publicly owned or operated government facility that is provided in satisfaction of the public facility and amenity requirements for the optional method of development under Section 59-C-6 23ST must not be counted in the gross floor area of the optional method project.

NOTE: For projects using the optional method of development, the Planning Board may approve height over 90 feet, but not more than 143 feet. If the additional height is necessary for the project to accommodate workforce housing under Section 59-A-6, 1H, however, the additional height must not be more than required for the number of workforce housing units that are constructed. For projects using the optional method of development exceeding more than one unit under Section 59-C-6 23ST, the Planning Board may approve height over 90 feet, but not more than 143 feet. If the additional height is specifically recommended for the property in the applicable sector plan or urban renewal plan. In order to approve additional height for property where the additional height is specifically recommended for the property in a sector plan or urban renewal plan, the Planning Board must find that: (i) the additional height is consistent with the criteria and guidelines for the property as contained in the applicable sector plan or urban renewal plan; (ii) the proposed development is consistent with the surrounding development, considering but not limited to the relationship of the building or building to the surrounding area; the need to preserve light and air for the residents of the development and residents of surrounding properties; and other factors relevant to the height of the building; and (iii) the proposed development will produce a substantial amount of conceptualized public open space in excess of that which would be required if this process were not used. The public open space may be designated as public amenity space and be accessible to and usable by the public in accordance with the applicable sector or master plan, or urban renewal plan.

LEGEND (Typical All Sheets)

PROPOSED BUILDING	PROPOSED LIMITS OF DISTURBANCE	PROPOSED FLOOR PAVERS	PROPOSED FIRE HYDRANT
PROPOSED CONTOURS	PROPOSED TRANSFORMER	PROPOSED PLANTING PITS	PROPOSED PAVING
PROPOSED CURB & GUTTER	PROPOSED SWITCH VAULT	PEDESTRIAN ENTRANCE	PROPOSED BRICK PAVERS
PROPOSED EDGE OF PAVEMENT	PROPOSED TAP HOLE	PROPOSED STREET LIGHTS	PROPOSED BRICK PAVERS
PROPOSED STORMWATER MANAGEMENT	PROPOSED STREETLIGHTS	PLANTING AREA	PROPOSED TRANSFORMER
PROPOSED SANITARY SEWER	PROPOSED SWM MANHOLE	PROPOSED BENCH	PROPOSED SWITCH VAULT
PROPOSED WATER	PROPOSED SEWER MANHOLE	PROPOSED WASTE RECEPTACLE	PROPOSED TAP HOLE
PROPOSED CABLE TV	PROPOSED WATER VALVE	EXISTING ELECTRIC	PROPOSED TRANSFORMER
PROPOSED GAS LINE	PROPOSED CONNECTION	EXISTING TRAFFIC SIGNAL	PROPOSED TRANSFORMER
PROPOSED TELEPHONE		EXISTING OVERHEAD ELECTRIC	PROPOSED TRANSFORMER
PROPOSED FIBER OPTIC		EXISTING TRAFFIC SIGNAL	PROPOSED TRANSFORMER



SURVEYOR'S CERTIFICATION

I hereby certify to the best of my professional belief and knowledge that the outline of the property included in this application is taken from a boundary survey conducted by Rodgers Consulting, Inc. in May, 2014. The topographic data shown herein is from field topography performed by Rodgers Consulting, Inc. in March 2014 and is shown at a 2 foot contour interval. Topography outside of the area included in this application was obtained from M-NCPPC and is shown at a 5 foot contour interval.

Date: 9-23-2014  
Timothy Paul Quinn  
Professional Land Surveyor  
Maryland Registration Number 20002

# ELIZABETH SQUARE

Preliminary Plan 120150030

LOTS 6, 7, 8, 17, & 116, BLOCK A  
(L.3728 F.37, L.14682 F.35, L.3093 F.82)

SILVER SPRING (13TH ELECTION DISTRICT)  
MONTGOMERY COUNTY, MARYLAND

ISSUE	DATE	DESCRIPTION
07-28-2014	09-25-2014	INITIAL SUBMISSION M-NCPPC
08-28-2014	09-25-2014	FINAL SUBMISSION M-NCPPC
09-30-2015	08-28-2015	DRG AMENDED SUBMISSION M-NCPPC
09-22-2015	09-22-2015	POST DRG AMENDED SUBMISSION

REVISIONS	NO.	DATE	DESCRIPTION





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

**APR 11 2013**

MCPB No. 13-46  
Project Plan No. 92010001A  
8621 Georgia Avenue  
Date of Hearing: April 4, 2013

**RESOLUTION**

WHEREAS, under Montgomery County Code Division 59-D-2, the Montgomery County Planning Board is authorized to review project plan applications; and

WHEREAS, by MCPB Resolution No. 09-144, on December 14, 2009, the Planning Board approved Project Plan No. 920100010 for a mixed-use development of 191,281 square feet of space, consisting of 6,209 square feet of ground floor retail/restaurant uses below 185,072 square feet of office at 8621 Georgia Avenue, approximately 75 feet west of the intersection of Georgia Avenue and Colesville Road ("Subject Property") on 0.69 acres of land comprised of one CBD-2 zoned lot located in the 2000 Silver Spring Central Business District ("CBD") Sector Plan ("Sector Plan") area; and

WHEREAS, on November 9, 2012, 8621 Limited Partnership ("Applicant") filed an application to amend Project Plan No. 920100010 to change the primary use of the Subject Property from high-rise commercial to high-rise residential as a mixed-use development of 263,356 square feet of space, consisting of 1,619 square feet of commercial uses and 261,737 square feet of residential uses with 292 dwelling units, including 12.5% moderately priced dwelling units ("MPDUs") and 17 workforce housing units ("WFHUs"); and

WHEREAS, Applicant's project plan amendment application was designated Project Plan No. 82011001A, 8621 Georgia Avenue ("Application" or "Project Plan"); and

WHEREAS, following review and analysis of the Application by Planning Board Staff ("Staff") and other governmental agencies, Staff issued a memorandum to the

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Approved as to  
Legal Sufficiency:

*[Signature]* 4/4/13

Planning Board, dated March 20, 2013, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on April 4, 2013, the Planning Board held a public hearing on the Application, and at the hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED that, the Planning Board APPROVES Project Plan No. 82011001A, 8621 Georgia Avenue, for a mixed-use development consisting of no more than 263,356 square feet of gross floor area, with 1,619 square feet of commercial uses and 261,737 square feet of residential uses consisting of no more than 292 dwelling units, including 12.5% MPDU's and 17 WFHUs on the Subject Property, subject to the following conditions:<sup>1</sup>

1. Development Ceiling

The development is limited to 263,356 square feet of gross floor area and a maximum 5.5 FAR including a maximum 1,619 square feet of commercial uses and 261,737 square feet of residential uses consisting of no more than 292 dwelling units. The delineation of the total area into 261,737 square feet of residential uses and 1,619 square feet of retail is recognized as preliminary and will be finalized at Site Plan.

2. Housing

The Applicant must provide a minimum of 12.5% of the total number of units onsite as MPDUs, consistent with the requirements of Chapter 25A of the Montgomery County Code; and at least 17 units as WFHUs, consistent with the requirements of Chapter 25B, Article V.

3. Building Height and Mass

The development is limited to the building footprint as delineated on the Project Plan drawings submitted to MNCPPC dated February 22, 2013, unless modified during site plan review. The development is limited to a maximum building height of 161

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<sup>1</sup> For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

feet as determined by the Montgomery County Department of Permitting Services ("MCDPS") approved building height measurement point.

4. Architecture

The exterior architectural character, proportion, material, and articulation must be substantially similar to the schematic elevations shown on Sheets A1-A4 of the submitted architectural drawings, as determined by Staff, unless modified during site plan review.

5. Public Use Space and Amenities

- a) The Applicant must provide a minimum of 4,225 square feet of public use space (13.8% of net lot area) on-site.
- b) In lieu of providing the 1,844 remaining square feet (6.2%) of the required 20% of the net lot area as on-site public use space, the Applicant must contribute to M-NCPPC no less than \$251,497 towards development of Gene Lynch Urban Park as the amenity site, in the Silver Spring CBD. The payment must be submitted to the M-NCPPC prior to release of the first building permit.
- c) At the time of site plan review, the Board may approve an alternative amenity site, as recommended by Staff, to satisfy the Applicant's public use space requirement. The alternative site must be in the public interest and consistent with the Amenity Fund Guidelines. Board approval of this alternative would not require an amendment to the Project Plan.
- d) The Applicant must provide public art on-site, integrated into the overall site design.
- e) Final design of the public art must be selected by the time of certified site plan.
- f) As a public amenity, the Applicant must provide streetscape improvements per the Silver Spring Streetscape Standard along the Subject Property's frontage on Georgia Avenue.

6. Staging of Amenity Features

- a) The development will be completed in one phase. A detailed development program will be required prior to approval of the certified site plan.

- b) The Applicant must complete the on-site public use space improvements prior to issuance of use and occupancy permits unless modified by the site plan development program.
- c) The Applicant must install the landscaping no later than the next growing season after completion of the building and site work.

7. Maintenance

Prior to issuance of use and occupancy permits, the Applicant must create and implement a maintenance plan for all on-site public use space or make alternative arrangements for on-going maintenance.

BE IT FURTHER RESOLVED that all elements of Project Plan No. 82011006A, 8621 Georgia Avenue, stamped received by The M-NCPPC on February 22, 2013, are required except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that all conditions Project Plan application 920130020 are superseded by this approval; and

BE IT FURTHER RESOLVED that, having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein) and having considered the entire record, all applicable elements of § 59-D-2.43, and the relevant provisions of Section 59-D-2.42, the Planning Board, with the conditions of approval, FINDS:

**(a) The development complies with all of the intents and requirements of the CBD-2 zone as applied comprehensively to the Project.**

Although the maximum FAR permitted in the CBD-2 zone is 5.0, and maximum building height in the CBD-2 zone is 143 feet, the Zoning Ordinance provides for developments with WFHUs to exceed those limitations in certain circumstances. This Application provides 292 residential units (including 12.5% MPDUs and 17 WFHUs), and 1,619 square feet of street front commercial uses with a maximum building height of 161 feet, and a FAR of 5.5. Section 59-A-6.18.2(c) states:

To allow the construction of workforce housing units on site, the Planning Board must permit:

- (1) any residential density or residential FAR limit of the applicable zone to be exceeded to the extent required for the number of workforce housing units that are constructed, but not by more than 10 percent of the total FAR or number of dwelling units;
- (2) a residential density or residential FAR limit established in a master or sector plan to be exceeded to the extent required for the number of workforce housing units that are constructed, but not to more than the maximum density and FAR of the zone, except as provided in paragraph (1); and
- (3) any building height limit established in a master or sector plan to be exceeded to the extent required for the number of workforce housing units that are constructed, but not to more than the maximum height of the zone.

Furthermore, Section 59-C-6.2 (footnote 11) allows the Planning Board to approve a height that exceeds 143 feet, but not more than 200 feet in the CBD-2 zone under the optional method of development process if the additional height is necessary for the project to accommodate workforce housing under Section 59-A-6.18. However, the additional height must not be more than required for the number of workforce housing units that are constructed.

Seventeen units are proposed on the uppermost floor of the building in concert with the number of workforce housing units provided. An 18 foot height increase for an additional floor is necessary to accommodate the seventeen dwelling units and rooftop building amenities including a swimming pool, pool lounging and sitting areas, and an indoor community room. Additional height of the community room will provide a more varied roof line and a clubroom that takes advantage of the best vista from the site. Pedestrians walking up Fidler Lane will be able to see a more interesting building façade and residents will enjoy sweeping views of downtown Silver Spring from a glass enclosed rooftop space that offers a superior amenity to all residents of the building. The additional height for the community room provides for amenities to benefit not only the market rate units but the greater number of affordable units being proposed with the Application and provides the opportunity for more below market units in this project. The site is narrow and deep and the Planning Board finds the location of the clubroom is appropriate and the height of the room is justified to provide a superior amenity on a site where options for placing such amenities are very limited. Furthermore, the value added to the building through the upgraded amenities will translate into higher market rate rents to support the added cost to the project to provide the 17 WFHUs. Therefore, the Planning Board finds that the 161 foot building height is necessary for the project to accommodate the number of workforce housing units that are being constructed.

The CBD-2 zone is the area of land lying generally between the core area and the areas of the lowest density within the CBD. More specifically, Section 56-C-6.212 outlines the intent of the CBD zones by:

- (a) Encouraging development in accordance with an adopted and approved master or sector plan by permitting an increase in density, height, and intensity where such increase is approved on review by the Planning Board.
- (b) Permitting a flexible response of development to the market, and to provide incentives for the development of a variety of land uses and activities in CBDs to meet the needs and requirements of workers, shoppers, and residents.
- (c) Encouraging designs which produce a desirable relationship between the individual buildings in the CBD, between the buildings and the circulation system and between the CBD and adjacent areas.
- (d) Promoting the effective use of transit facilities in the CBD and pedestrian access thereto.
- (e) Promoting improved pedestrian and vehicular circulation.
- (f) Assisting in the development of adequate residential areas for people with a range of different incomes.
- (g) Encouraging land assembly and the most desirable use of land in accordance with a sector plan.

For the reasons discussed below, the Planning Board finds that this Application meets the intents of the zone. The increased density and amenities for this project achieved through the optional method of development implement recommendations of the Sector Plan. The Amendment is a flexible response by the Applicant to market conditions. Following extensive marketing of the site as a commercial project, the Applicant concluded that a residential building with street front retail was more suitable in today's economy. A residential building within close walking distance to the metro and retail offerings of downtown Silver Spring is a viable use for this location. The residents of the building and customers of the street front retail use will further enliven this block of Georgia Avenue with more pedestrian traffic. A new retail use in this location will likely complement the existing retail uses on the north side of the block.

The MPDUs and WFHUs mixed in with market-rate units will assist in the development of residences for people with a range of different incomes.

**(b) The development conforms to the Sector Plan and the Master Plan.**



The Amendment is consistent with the 2000 Silver Spring CBD Sector Plan's vision for Silver Spring's future "to create a development environment that invites revitalization." The Subject Property is being developed under the optional method of development to achieve higher density and provide greater amenities on a vacant stretch of Georgia Avenue. The Sector Plan outlines themes of a transit oriented downtown, residential downtown, commercial downtown, green downtown, civic downtown and pedestrian friendly downtown to achieve this vision. With the addition of residential units, the theme of residential downtown is supported. The mixed use building will offer pedestrian access from Georgia Avenue, vehicular access from a service alley and will also be within walking distance of the Silver Spring Transit Center. The Application minimizes the role of vehicular traffic and maximizes pedestrian access to Georgia Avenue and bus and rail transit infrastructure south of the site.

This project redevelops a site currently used as a parking lot into an active residential building. The ground level retail use will help activate the sidewalk area in front of the building. Residents of the multi-family dwelling units will shop and dine within the core area of Silver Spring and will most likely reach such destinations by foot. The project will contribute to a pedestrian friendly downtown environment as envisioned by the Sector Plan.

**(c) Because of its location, size, intensity, design, operational characteristics and staging, the development would be compatible with, and not detrimental to, existing or potential development in the general neighborhood.**

Because the building lies within the core area of the Silver Spring CBD, this 16 story building with 5.5 FAR density will complement existing development and provide a catalyst for future redevelopment within this block. To the northeast of the site are existing two story retail buildings, which include the recently completed Fillmore performing arts venue. The Montgomery Center Building located directly north of the site is a 13-story mixed use building with 12 stories of commercial square footage and ground floor retail uses on the first floor. The Twin Towers building across Georgia Avenue to the south is a 15-story mixed use building with ground floor retail along Georgia Avenue and 14 stories of dwelling units above. The seven story Verizon building across the street to the south is a substation for the utility provider. To the east is the Lee Building, a 10 story commercial building which frames the corner of the intersection of Georgia Avenue and Colesville Road and acts as an anchor building for

the block. Directly to the west is the three story Encore Building occupied by offices and a financial institution.

The new building will have balconies visible from Georgia Avenue and a modern building design similar to other recent redevelopment projects in Silver Spring. The garage levels will not be visible from Georgia Avenue and will not degrade the viewshed of surrounding buildings. The "filling in" of the property will help create a more cohesive building line along Georgia Avenue and will enhance the east-west pedestrian corridor within Silver Spring. In short, the addition of a residential building on this block will enhance the present mix of uses and not be incompatible or detrimental to existing or future development.

**(d) As conditioned, the development would not overburden existing public services nor those programmed for availability concurrently with each stage of construction and, if located within a transportation management district designated under Chapter 42A, is subject to a traffic mitigation agreement that meets all the applicable requirements.**

The additional units proposed under this Amendment will not overburden existing public facilities. The development will be built in one phase. The previously approved Site Plan No. 820110060 satisfied all relevant APF tests for commercial uses. This Amendment will generate fewer trips in both the a.m. and p.m. peak hours and, therefore, will not change the APF findings from the previously approved site plan. The total number of students generated by the 292 multi-family high rise units is projected to be approximately 13 elementary, 10 middle, and 12 high school students. The project is located in the service areas of Woodlin Elementary School and Sligo Middle School, and in the base area of Albert Einstein High School. The current FY 2013 Subdivision Staging Policy does not require a school facility payment for approvals in the Albert Einstein cluster schools.

**(e) The development is more efficient and desirable than could be accomplished by the use of the standard method of development.**

The Amendment continues to develop the site using the optional method of development, which allows greater densities at key locations, such as proximity to mass transit, in exchange for greater public amenities and facilities. The Amendment increases the overall density on the site from 4.0 to an overall 5.5 FAR, and at the same time, it expands the amount of on-site space available for public use.

Construction of a standard method project would yield a building constructed to a maximum of 2.0 FAR with a maximum 60 foot building height. A building constructed to standard method requirements would have little public amenities or open space, and would be insufficient to reach the critical mass and density envisioned for the core of Silver Spring and areas within close proximity to a Metrorail Station. Additionally, the greater number of affordable housing units provided far exceeds what could be achieved under the standard method.

**(f) The development will include moderately priced dwelling units in accordance with Chapter 25A of the Montgomery County Code.**

The Amendment includes 35 of 292 units (12.5%) MPDUs, in accordance with Chapter 25A. Additionally, this project is providing 17 WFHUs.

**(g) The development satisfies applicable requirements for forest conservation under Chapter 22A of the Montgomery County Code.**

The Amendment does alter the Forest Conservation Plan exemption granted on September 27, 2007.

**(h) The development satisfies applicable requirements for water quality resources protection under Chapter 19 of the Montgomery County Code.**

The storm water management concept for the site was approved by MCDPS on January 22, 2013, and consists of Environmental Site Design to the maximum extent practicable by using green roof technology and a micro-bioretenion planter box. Additional treatment will be provided through the use of a structural proprietary flow-through underground filter. Due to site conditions, full Environmental Site Design volume cannot be provided and MCDPS granted a waiver of the water quantity portion of the requirement.

**(i) Any public use space or public facility or amenity to be provided off-site is consistent with the goals of the applicable master or sector plan and serves the public interest better than providing the public use space or public facilities and amenities on-site.**

For the on-site public use space, in addition to upgrading the streetscape in front of the site to the Silver Spring Streetscape standards, the outdoor seating area and

public art component will enliven an area along Georgia Avenue in a manner that is consistent with the recommendations in the Sector Plan. The Applicant is providing a fee-in-lieu payment for 6.2% of the public use space requirement that cannot be provided on-site. The payment for \$251,497 will be contributed to the Amenity Fund that is being directed to the implementation of Gene Lynch Urban Park in the Silver Spring CBD. The Applicant's contribution to the amenity fund for 6.2% of the public use space is consistent with the goals of the Silver Spring CBD Sector Plan because it contributes to the creation of a civic downtown. A larger urban park within the Silver Spring CBD will have substantially more visibility than public use space on the Subject Property and will serve as a communal gathering space for visitors and residents.

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 Project Plan shall remain valid as provided in Montgomery County Code § 59-D-2.7; and

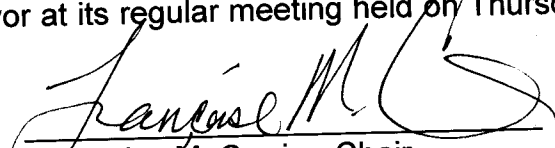
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Planning Board, and that the date of this Resolution is **APR 11 2013** (which is the date that this Resolution is mailed to all parties of record); and

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 Resolution, 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 Anderson, seconded by Commissioner Presley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor at its regular meeting held on Thursday, April 4, 2013, in Silver Spring, Maryland.

  
\_\_\_\_\_  
Françoise M. Carrier, Chair  
Montgomery County Planning Board



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett  
County Executive

Clarence J. Snuggs  
Director

May 29, 2015

Ms. Stephanie Dickel  
Area 1 Division  
Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Elizabeth Square  
Preliminary Plan No. 120150150

Dear Ms. Dickel:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the applicant's revisions to the above referenced Preliminary Plan and recommends Approval with the following conditions:

- 1) The unit and bedroom mix on the plan must be adjusted as indicated in the enclosure to this letter.
- 2) The note regarding Workforce Housing Units at the bottom of the unit and bedroom mix tables needs to be deleted, with the following note substituted: Final MPDU and Workforce Housing Unit locations will be determined at site plan with review and approval by DHCA.

In addition, please note the following:

- The MPDU requirement for the project is 15%; however, per Section 25A-5(c) of the County Code, Workforce Housing Units are not included in the total when determining the required number of MPDUs. Therefore, DHCA has calculated the required number of MPDUs as 123 ( $907 - 91 = 816$ ;  $15\% \text{ of } 816 = 122.4$ , which rounds up to 123).
- When Alexander House was built in 1992, Workforce Housing Units had not yet been added to the zoning code, but are being added into the new unit mix as a reflection of the new zoning code.

Sincerely,

Lisa S. Schwartz  
Senior Planning Specialist

Enclosure

cc: Christopher Donald, Housing Opportunities Commission (HOC)  
Susan M. Reutershan, Lerch Early & Brewer

S:\Files\FY2014Housing\MPDUALisa Schwartz\Elizabeth Square DHCA Letter\_5-29-2015.doc

**Division of Housing**

Affordable Housing Program FAX 240-777-3709	Multifamily Housing Programs FAX 240-777-3691	Landlord-Tenant Affairs FAX 240-777-3691	Licensing & Registration Unit 240-777-3666 FAX 240-777-3699
--	--	---	---

100 Maryland Avenue, 4th Floor • Rockville, Maryland 20850 • 240-777-0311 • www.montgomerycountymd.gov/dhca



---

**Elizabeth Square Campus**

<i>Unit Type</i>	<i>Market</i>	<i>MPDU</i>	<i>WFHU</i>	<i>Other Aff</i>	<i>Total</i>	
Eff	124	23	19	28	194	21%
1 BD	309	62	49	80	500	55%
2 BD	129	24	20	14	187	21%
3 BD	<u>9</u>	<u>14</u>	<u>3</u>	<u>-</u>	<u>26</u>	3%
	571	123	91	122	907	

---

**Alexander House**

<i>Unit Type</i>	<i>Market</i>	<i>MPDU</i>	<i>WFHU</i>	<i>Other Aff</i>	<i>Total</i>	
Eff	16	4	3	6	29	10%
1 BD	91	21	15	31	158	53%
2 BD	73	16	12	12	113	38%
3 BD	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	0%
	180	41	30	49	300	

---

**EH III**

<i>Unit Type</i>	<i>Market</i>	<i>MPDU</i>	<i>WFHU</i>	<i>Other Aff</i>	<i>Total</i>	
Eff	14	6	5	22	47	17%
1 BD	118	29	21	49	217	78%
2 BD	7	2	2	2	13	5%
3 BD	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	0%
	139	37	28	73	277	

---

**EH IV**

<i>Unit Type</i>	<i>Market</i>	<i>MPDU</i>	<i>WFHU</i>	<i>Other Aff</i>	<i>Total</i>	
Eff	94	13	11	-	118	36%
1 BD	100	12	13	-	125	38%
2 BD	49	6	6	-	61	18%
3 BD	<u>9</u>	<u>14</u>	<u>3</u>	<u>-</u>	<u>26</u>	8%
	252	45	33	-	330	



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett  
County Executive

Clarence J. Snuggs  
Director

June 19, 2015

Ms. Stephanie Dickel  
Area 1 Division  
Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Elizabeth Square  
Preliminary Plan No. 120150150

Dear Ms. Dickel:

By letter of May 29, 2015, the Montgomery County Department of Housing and Community Affairs (DHCA) recommended Approval with Conditions of the above referenced Preliminary Plan. At your request, I am providing the following additional clarifying information.

As is the case with Chapter 25A, Chapter 25B (the Workforce Housing law) permits developers to fulfill Workforce Housing requirements with affordable housing constructed under other federal, state or local programs. Following is the specific language from the Chapter 25B Executive Regulation (COMCOR 25B.24.01.02, Section 2.3(f)):

(f) A Developer may fulfill the Workforce Housing Program requirement for a particular development through the construction of housing under other federal, state, or specific local programs to assist low and moderate income families. In such a case, the income limits and other requirements of that particular housing program must apply rather than the requirements set forth herein.

There is also precedent for Planning Board approval of additional building height for a development that met Workforce Housing requirements with other affordable units. The Workforce Housing Units in the Silver Spring Library Residential development (aka The Bonifant) are financed with Low Income Housing Tax Credits and are affordable to households at 50 percent (50%) to 60 percent (60%) Area Median Income.

Division of Housing			
Affordable Housing Program	Multifamily Housing Programs	Landlord-Tenant Affairs	Licensing & Registration Unit
FAX 240-777-3709	FAX 240-777-3691	FAX 240-777-3691	240-777-3666 FAX 240-777-3699

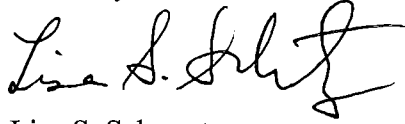
100 Maryland Avenue, 4th Floor • Rockville, Maryland 20850 • 240-777-0311 • [www.montgomerycountymd.gov/dhca](http://www.montgomerycountymd.gov/dhca)



Ms. Stephanie Dickel  
June 19, 2015  
Page 2 of 2

I hope this information is helpful to the Planning Board.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa S. Schwartz". The signature is fluid and cursive, with the first name "Lisa" being the most prominent.

Lisa S. Schwartz  
Senior Planning Specialist

cc: Christopher Donald, Housing Opportunities Commission (HOC)  
Susan M. Reutershan, Lerch Early & Brewer

S:\Files\FY2014\Housing\MPDULisa Schwartz\Elizabeth Square DHCA Letter\_6-19-2015.doc



1. The applicant is a resident of the City of Vancouver.  
2. The applicant is a resident of the City of Vancouver.  
3. The applicant is a resident of the City of Vancouver.  
4. The applicant is a resident of the City of Vancouver.

The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver.

**(1) Describe the special conditions peculiar to the property which would cause the unwarranted hardship;**

The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver.

The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver.

The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver.

**Recent Construction Activities**

1. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver.

2. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver.

**Elizabeth Square Proposed Construction Activities**

The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver. The applicant is a resident of the City of Vancouver.



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9

### **Planned Construction & Maintenance Activities (Independent of the Elizabeth Square Project)**

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### **(2) Describe how enforcement of this Chapter will deprive the landowner of rights commonly enjoyed by others in similar areas;**

13

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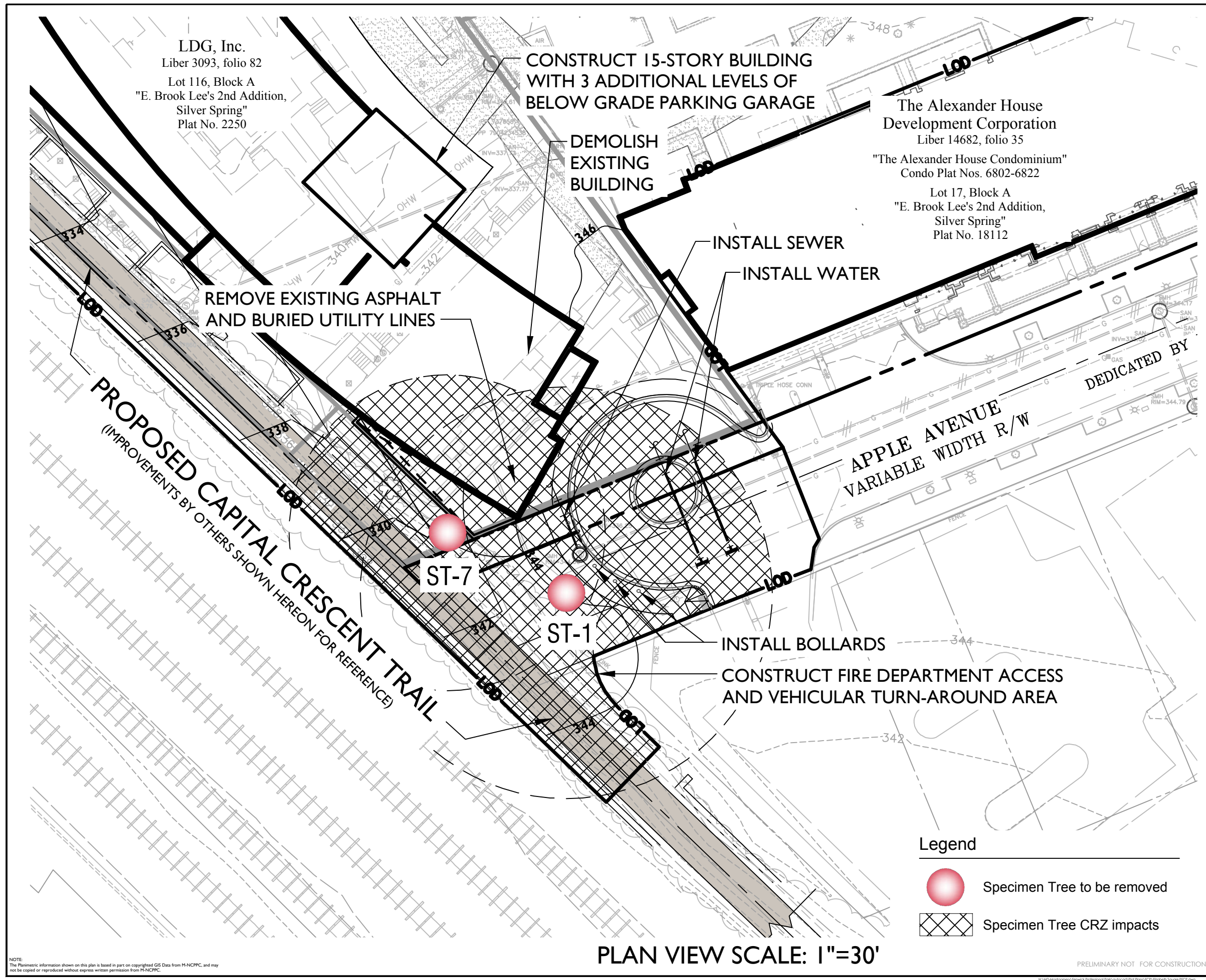
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- Lee Development Group**  
1000 Corporate Center  
Suite 200  
Silver Spring, Maryland  
301 585 7000  
Attn: Bruce Lee
- Financing Opportunity Commission**  
13000 Diverse Avenue  
Kensington, Maryland 20895  
301 432 9551  
Attn: Christopher Dombal
- Lerch, Early & Brewer, Chtd.**  
2 Bethesda Metro Center  
Suite 400  
Bethesda, Maryland 20814  
301 248 2079  
Attn: William Savarino
- KISHIMOTO | GORDON | DALAY PA**  
1300 Wilson Boulevard  
Suite 200  
Reston, Virginia 22091  
703 787 2000  
Attn: Tom Donaghy
- Rodgers Consulting, Inc.**  
1801 Center Boulevard  
Suite 200  
Gaithersburg, Maryland 20878  
301 948 4700  
Attn: Robert Graham
- OCULUS**  
114 Third Street NE  
Charlottesville, Virginia 22902  
434 238 9792  
Attn: Don Heuser
- Kinney+Horn**  
11400 Conover Park Drive  
Suite 400  
Reston, Virginia 20191  
703 434 1507  
Attn: Edward Pageston
- AJHA Consulting Engineers**  
2000 Wilson Boulevard  
Suite 200  
Arlington, Virginia 22201  
703 531 1050  
Attn: Bill Gourson
- CM King + Associates**  
1111 Oak Street  
Arlington, Virginia 22204  
703 684 6772  
Attn:
- Ellinwood-Machado Structural**  
1014 South Fairfax Drive  
Suite 800  
Arlington, Virginia 22202  
703 676 9989  
Attn: Phil Adams
- SEAL & SIGNATURE

**ELIZABETH SQUARE**  
Forest Conservation  
Variance Exhibit  
1201 50030  
LOTS 6, 7, 8, 17, & 116, BLOCK A  
(L-3728 F.37, L-14682 F.35, L-3093 F.82)  
WHEATON (13TH ELECTION DISTRICT)  
MONTGOMERY COUNTY, MARYLAND

KEY PLAN

DATE	DESCRIPTION
07/28/2014	INITIAL SUBMISSION MNCPPC
09/24/2014	FINAL SUBMISSION MNCPPC

REVISION	NO.	DATE	DESCRIPTION

- Legend**
- Specimen Tree to be removed
  - Specimen Tree CRZ impacts

PROJECT NUMBER: 714-B3  
DATE: MARCH 30, 2015  
SCALE: As Shown  
DRAWING TITLE: FOREST CONSERVATION VARIANCE EXHIBIT  
DRAWING NUMBER:

NOTE: The planimetric information shown on this plan is based in part on copyrighted GIS Data from M-NCPPC, and may not be copied or reproduced without express written permission from M-NCPPC.



May 19, 2015

Lee Development Group  
8601 Georgia Ave, Ste. 200  
Silver Spring, MD 20910

Re: Tree evaluation @ the terminus of Apple Ave, west of 2<sup>nd</sup> Ave, Silver Spring, MD  
20910  
44" dbh, *Carya tomentosa*, Mockernut Hickory

Dusty,

Per your request, I visited this site on 5/19/2015 to perform a complete and thorough evaluation of the above referenced *Carya tomentosa*, Mockernut Hickory tree.

For background purposes, I am an International Society of Arborist Certified Arborist and ISA Qualified Tree Risk Assessor (MA-4993A), a Maryland Licensed Tree Expert (License No. 825), and I also have a M.S. in Environmental Science from Johns Hopkins University.

### **Health/Condition of tree/defects, species**

The Mockernut Hickory is the most common Hickory species on the eastern half of the U.S.. The species name comes from the Latin word tomentum, meaning "covered with dense hairs", which is a characteristic found on the underside of the leaves of this tree. This species is known for its strong wood, and deep taproot. While on first glance from afar this tree does have a relatively full leafed out canopy, there are still several significant defects in canopy, the trunk/structure, and the root flare. As shown in the photo below, the tree measures 44" DBH, by caliper tape.





Defect #1: dead central leader/misc. deadwood throughout canopy

The main central leader is dead on this tree. (Photo A) There is also other deadwood of smaller sizes throughout the canopy and extending out to the laterals that are directly over parking and pedestrian areas. (Photo B). This deadwood is related to the severe urban environment conditions, as well as the recent root disturbances associated with the waterline/hydrant construction and courthouse parking lot projects. This accumulated effect of this deadwood increases the hazard-risk associated with this tree, along with the high volume and frequency of activity within the canopy/drip line.

Photo A



Photo B



Defect #2: Co-dominant Structure

The Mockernut hickory species, is normally found to have a straight, single leader trunk. This particular specimen has multiple co-dominant leaders. At the base of the main leaders, there appears to be the start of a cavity which has begun to hold water and has early stages of rot. This is likely as result of early disturbances to the canopy, again, due to the Urban setting. At this age of this tree, and the size of these co-dominant leaders, the tree is much more prone to a wind throw breakage event, where one or more of the co-dominants fails.



Defect #3: prior injury-damages & vertical cracks

There are multiple old, compartmentalized prior wounds on the lower trunk. While several of them appear to be “closed”, it is likely there is residual rot/decay and cavity areas in these locations, and there are several higher up in the canopy, that appear to still be open. There are 2-3 significant vertical cracks along the lower trunk and lower sections of the co-dominant leaders. 1-2 of these cracks are showing signs of included wood growth, which further creates weak wooded areas.





**Defect #4: root flare**

This species normally has one major deep tap root. In this case, this characteristic has help sustain this tree over the many years in this location. However, even with the tap root, the flare and buttress roots, serve an important stablizing and overall nutrient exchange benefit to the tree. In this case, due to the severe compaction around the CRZ, the root flare and overall root mattress has been significantly impacted and reduced. The heavy vehicular traffic and parking in this area, have limited the continued growth, and stability of the overall root flare.





### **Potential Targets**

When I assess targets, I make the assumption that the tree or tree part would fail. With this, there are several critical targets that would be impacted if any type of failure occurred in this tree. These include regularly parked vehicles, and pedestrians. With the *proposed* connection to the Capital Crescent Trail, there will be a substantial increase in the pedestrian traffic within the drip line of this tree, and of course a significant increase in the risks related to the deadwood throughout the canopy.

### **Mitigation Options**

#### **Current conditions:**

Unfortunately, with the intense urban setting of this tree, there are virtually no viable mitigation or tree preservation options available that would dramatically increase the odds of being able to save this tree, or improve its declining health. It is not feasible to remove large portions of the pavement, which would give the opportunity to drastically improve aeration, lessen compaction, and improve overall nutrient exchange.

#### **Proposed conditions:**

The defects noted above are all significant indicators that this tree is in a highly stressed condition, and is in declining overall health. Based on its current condition, any proposed additional impacts or stresses to this tree, are likely to lead to its continued decline and complete mortality. Even if there were viable tree preservation options, they would only



be addressing a small portion of the trees CRZ, hence they would not have a significant positive impact.

Based on all of the detailed information outlined above, and the underlying concern about the increased pedestrian traffic in this area, it is my professional opinion that this tree must be strongly considered for removal and NOT preservation.

Regards,

A handwritten signature in black ink, appearing to read 'Jeff Schwartz', is written over the typed name.

Jeff Schwartz, President

MD Tree Expert Lic: 825

ISA Arborist-Tree Risk Assessor:MA-4993A

MS Env. Science



**CONSULTING**  
 Knowledge • Creativity • Enduring Value

DESIGN TEAM

**Lee Development Group**  
 3600 George Avenue  
 Suite 200  
 Silver Spring, Maryland  
 21155-7025  
 Alex: Bruce Lee

**Housing Opportunity Commission**  
 13450 Eureka Avenue  
 Kensington, Maryland 20885  
 240.627.9131  
 Alex: Christopher Donald

**Lynch, Early & Brewer, Child.**  
 2 Bethesda Metro Center  
 Suite 400  
 Bethesda, Maryland 20814  
 301.841.2825  
 Alex: Wayne Kuenzler

**KISHIMOTO | GORDON | DALAYA PC**  
 1200 Wilson Boulevard  
 Suite 100  
 Arlington, Virginia 22209  
 202.338.1800  
 Alex: Tom Eschinger

**Rodgers Consulting, Inc.**  
 18400 Century Boulevard  
 Suite 200  
 Germantown, Maryland 20878  
 301.948.4700  
 Alex: Robert Crivian

**OCULUS**  
 114 Third Street NE  
 Charlottesville, Virginia 22902  
 434.220.9392  
 Alex: Kim Heuser

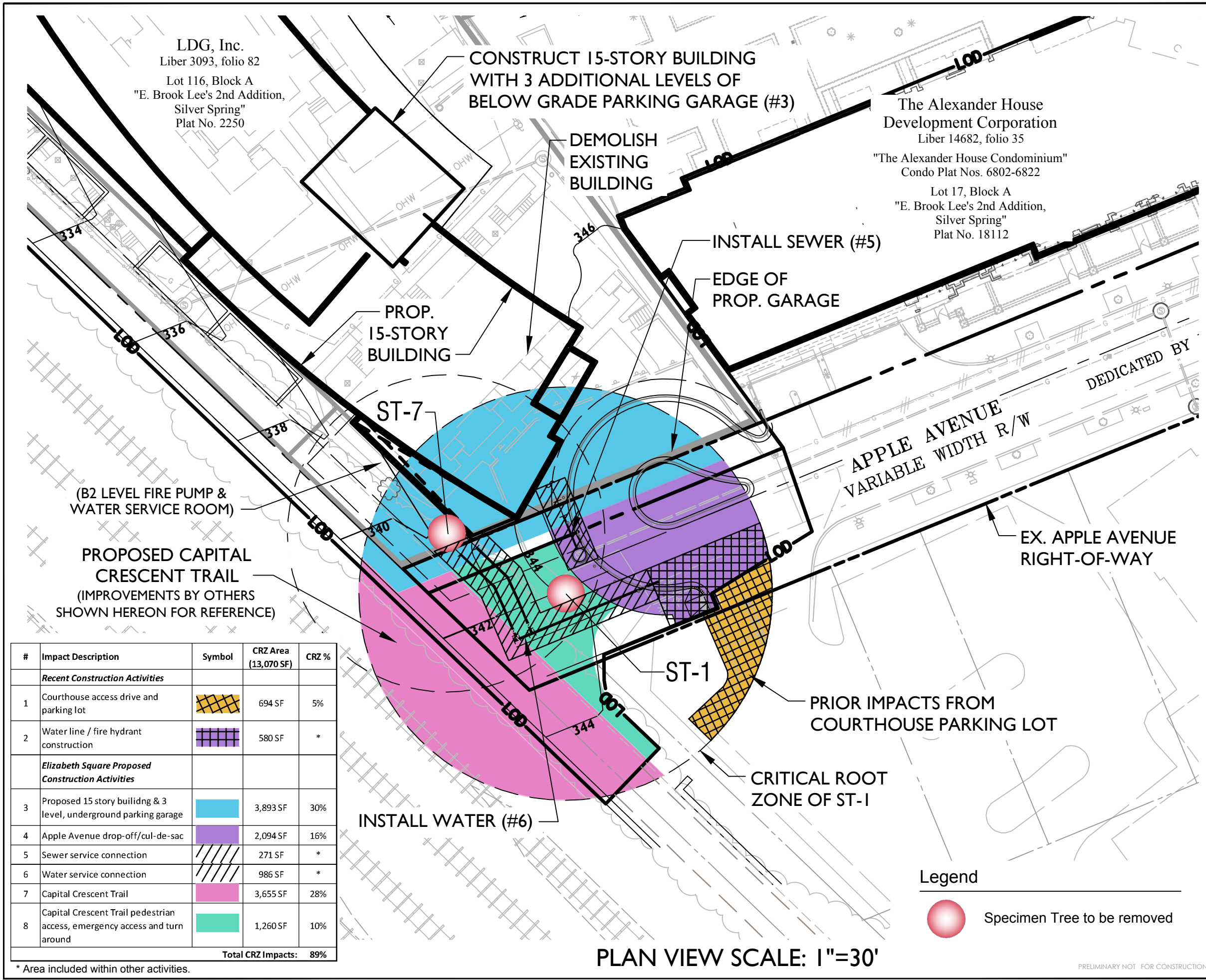
**Kimley-Horn**  
 11450 Cornerstone Park Drive  
 Suite 400  
 Reston, Virginia 20191  
 703.474.8307  
 Alex: Edward Pasulun

**AJHA Consulting Engineers**  
 3050 Wilson Boulevard  
 Suite 110  
 Arlington, Virginia 22201  
 703.411.8195  
 Alex: Rob Covatta

**CH Kling + Associates**  
 1411 King Street  
 Alexandria, Virginia 22314  
 703.684.6372  
 Alex:

**Ellinwood-Machado Structural**  
 4543 Marshall Drive  
 Suite 800  
 Arlington, Virginia 22204  
 703.631.9989  
 Alex: Philo Anstas

SEAL & SIGNATURE



#	Impact Description	Symbol	CRZ Area (13,070 SF)	CRZ %
<b>Recent Construction Activities</b>				
1	Courthouse access drive and parking lot		694 SF	5%
2	Water line / fire hydrant construction		580 SF	*
<b>Elizabeth Square Proposed Construction Activities</b>				
3	Proposed 15 story building & 3 level, underground parking garage		3,893 SF	30%
4	Apple Avenue drop-off/cul-de-sac		2,094 SF	16%
5	Sewer service connection		271 SF	*
6	Water service connection		986 SF	*
7	Capital Crescent Trail		3,655 SF	28%
8	Capital Crescent Trail pedestrian access, emergency access and turn around		1,260 SF	10%
			<b>Total CRZ Impacts:</b>	<b>89%</b>

\* Area included within other activities.

PLAN VIEW SCALE: 1"=30'

**Legend**

Specimen Tree to be removed

**ELIZABETH SQUARE**  
 Specimen Tree #1 Exhibit  
 120150030

LOTS 6, 7, 8, 17, & 1116, BLOCK A  
 (L-3728 F.37, L-14682 F.35, L-3093 F.82)  
 WHEATON (13TH ELECTION DISTRICT)  
 MONTGOMERY COUNTY, MARYLAND

KEY PLAN

DATE: 05.13.2015  
 DESCRIPTION: POST CRZ COORDINATION

REVISIONS

NO. DATE DESCRIPTION

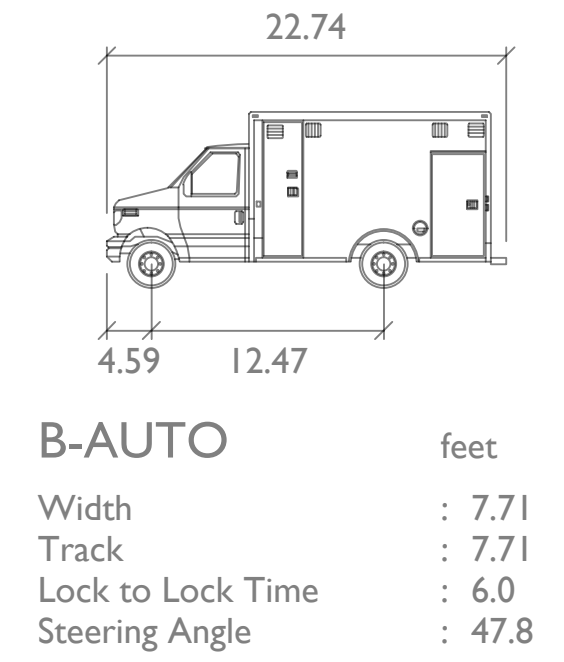
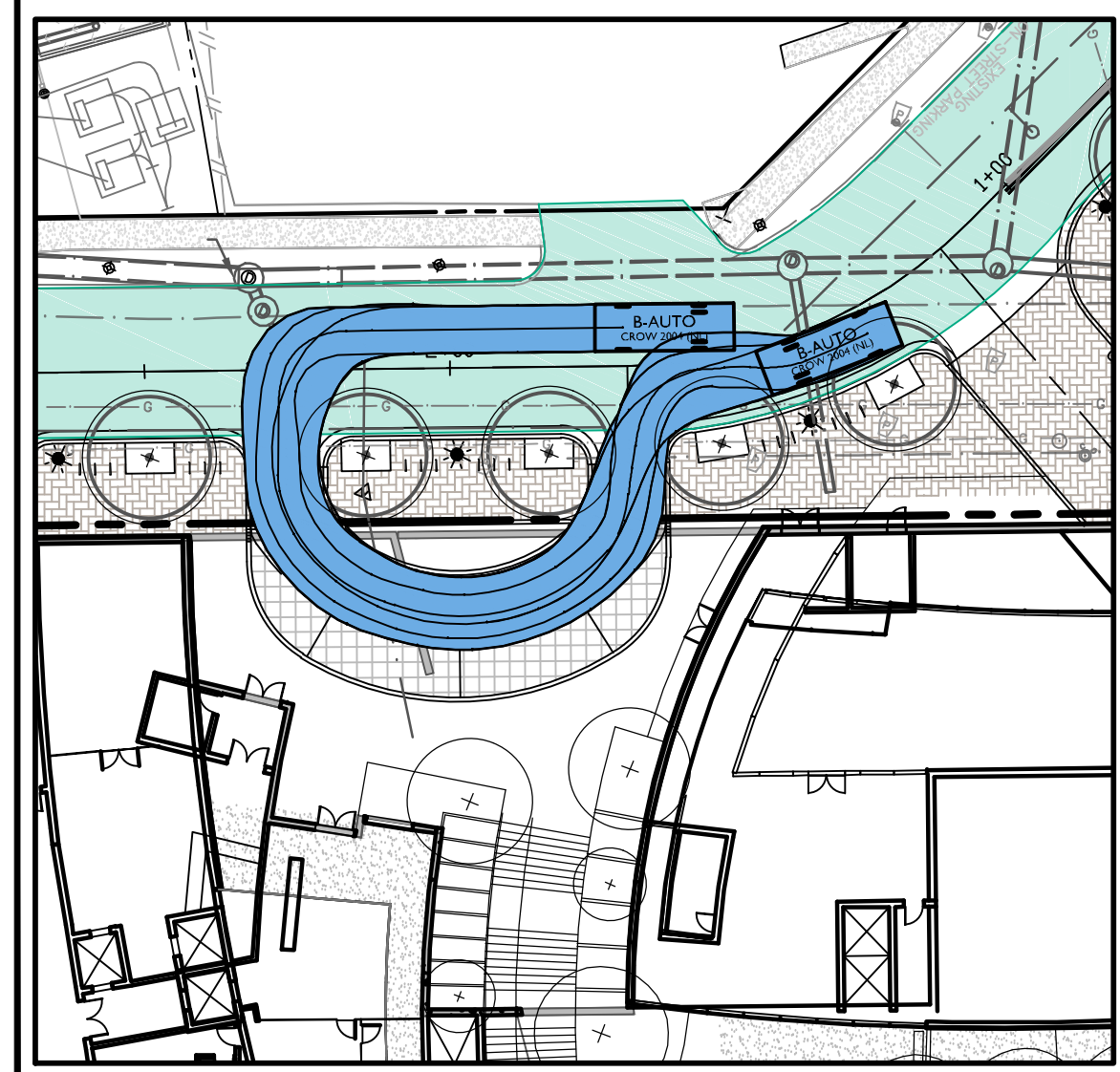
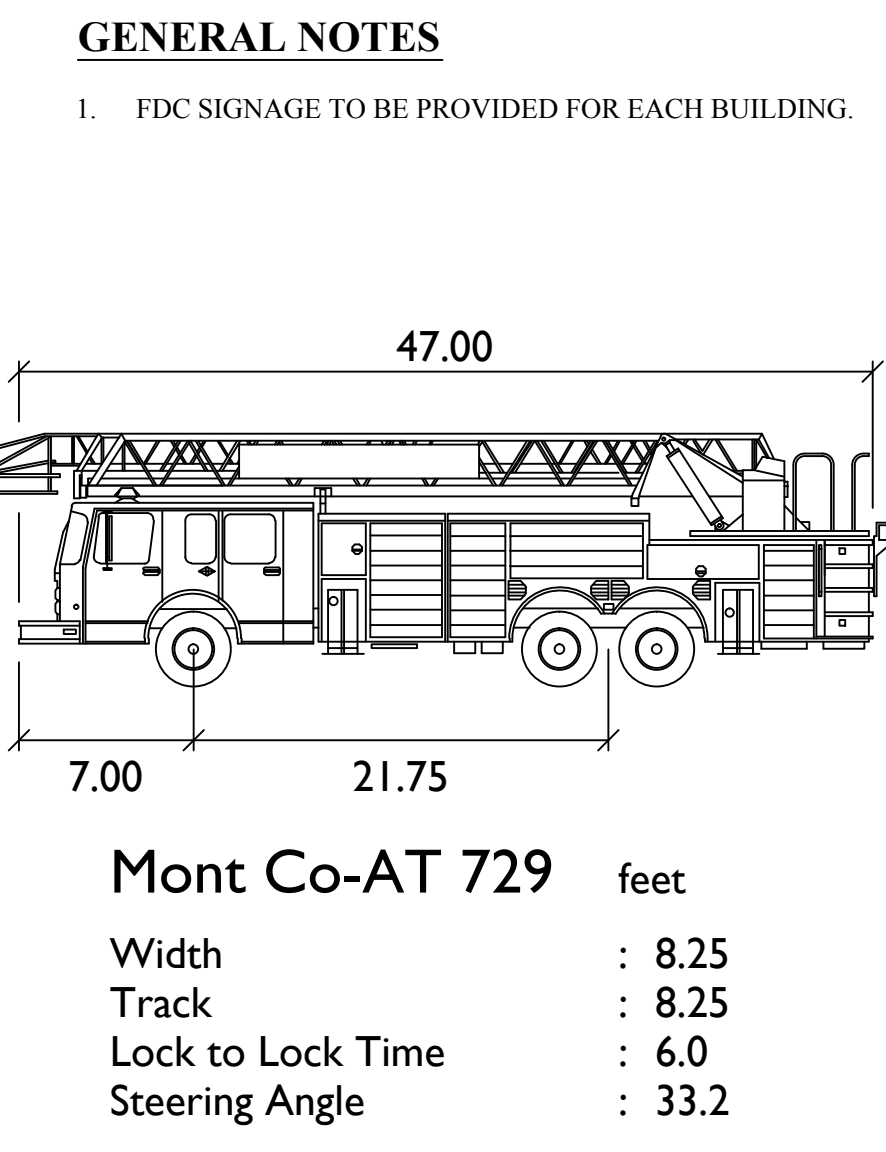
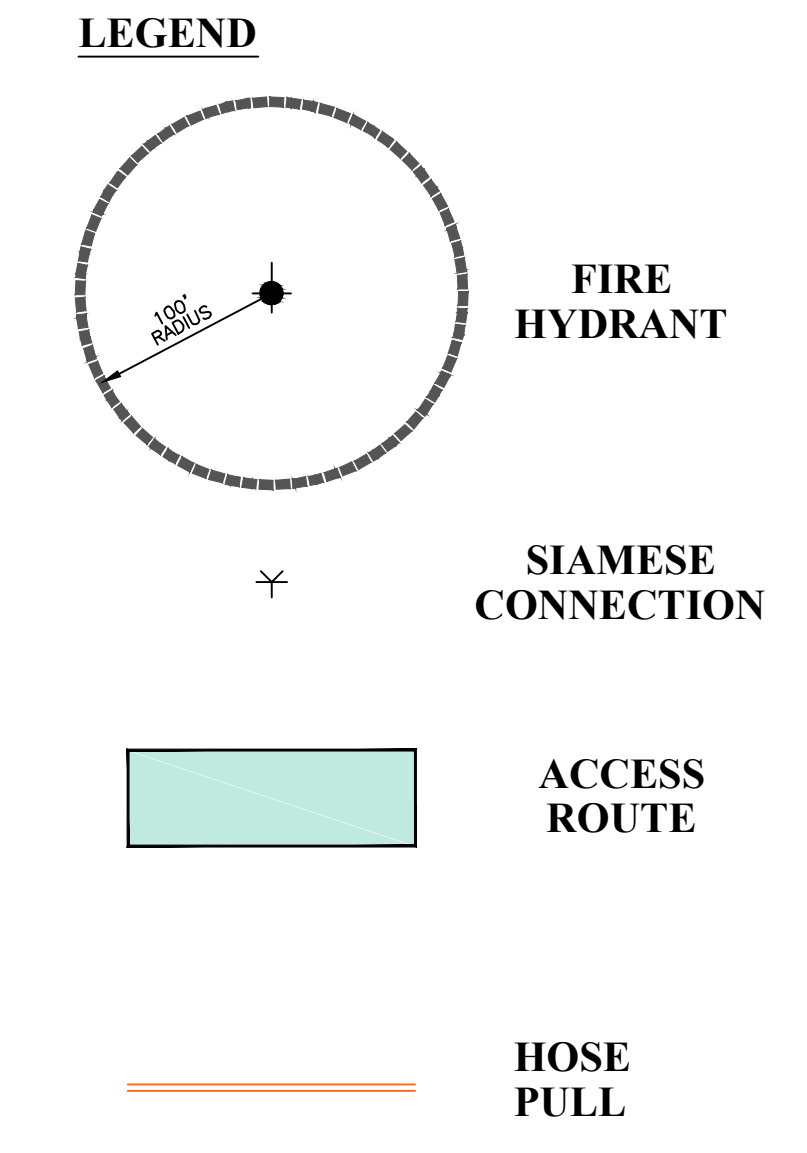
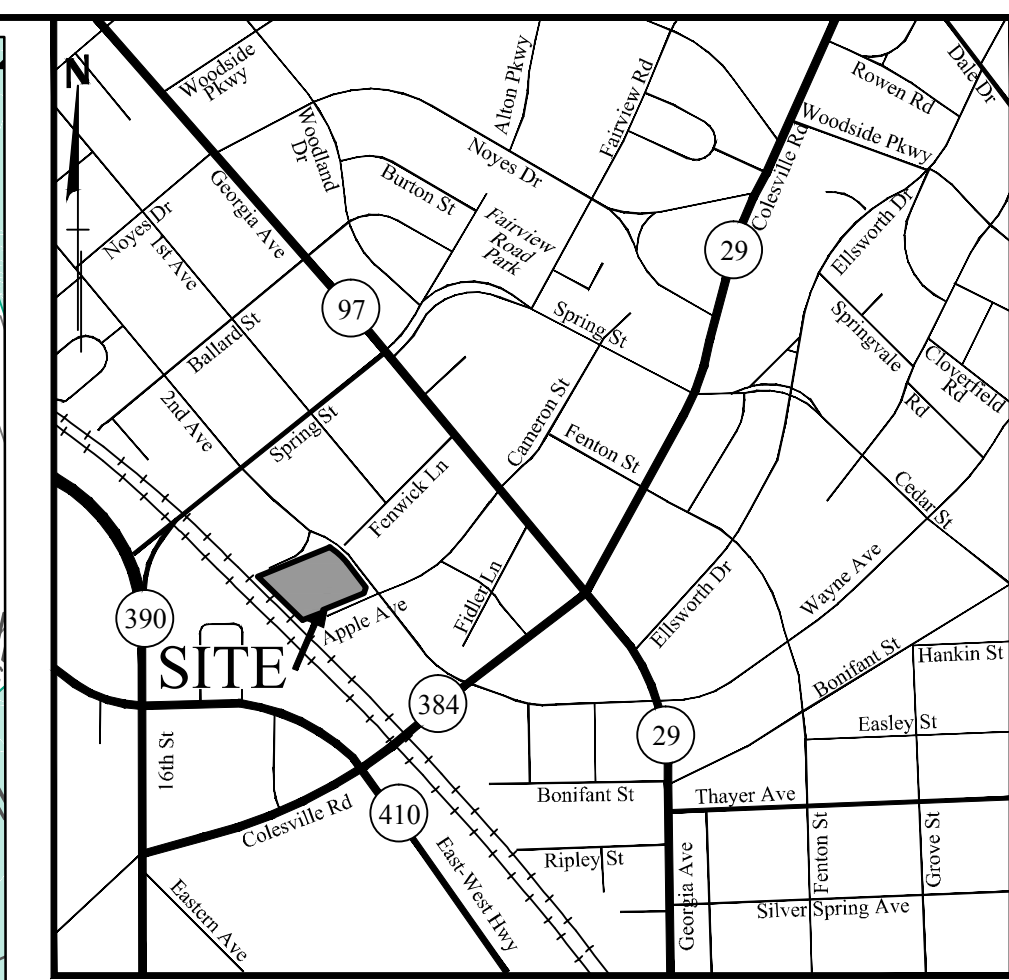
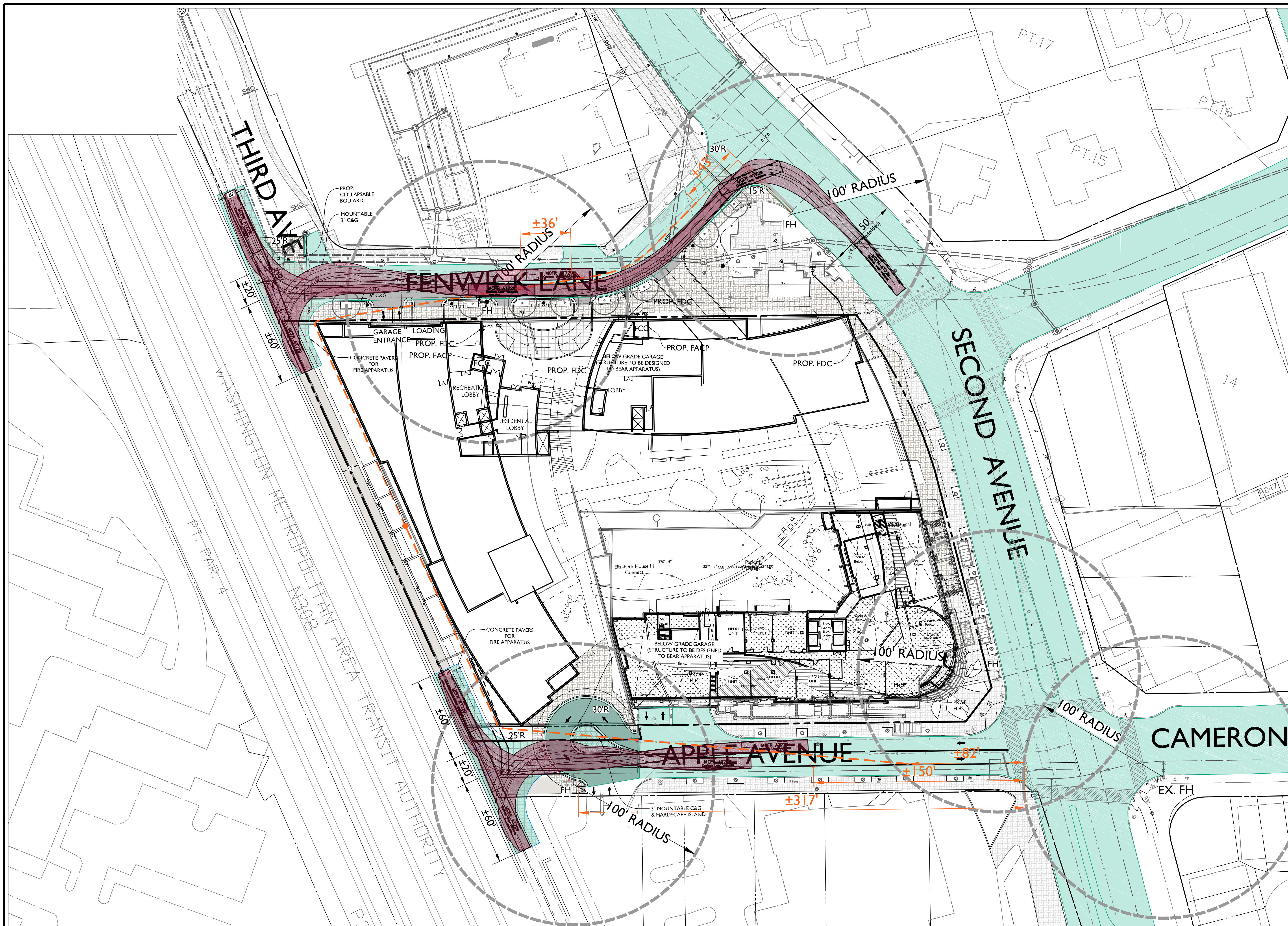
PROJECT NUMBER: 714-B3  
 DATE: MAY 21, 2015  
 SCALE: As Shown  
 DRAWING TITLE: SPECIMEN TREE #1 EXHIBIT

DRAWING NUMBER

PRELIMINARY NOT FOR CONSTRUCTION

N:\MCM\Montgomery\Project\Professional Park\AutoCAD\PDF Plans\FCP\ERS Specimen Tree 1.dwg

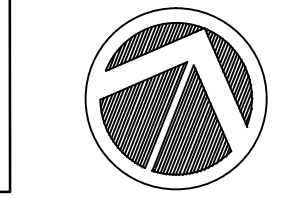
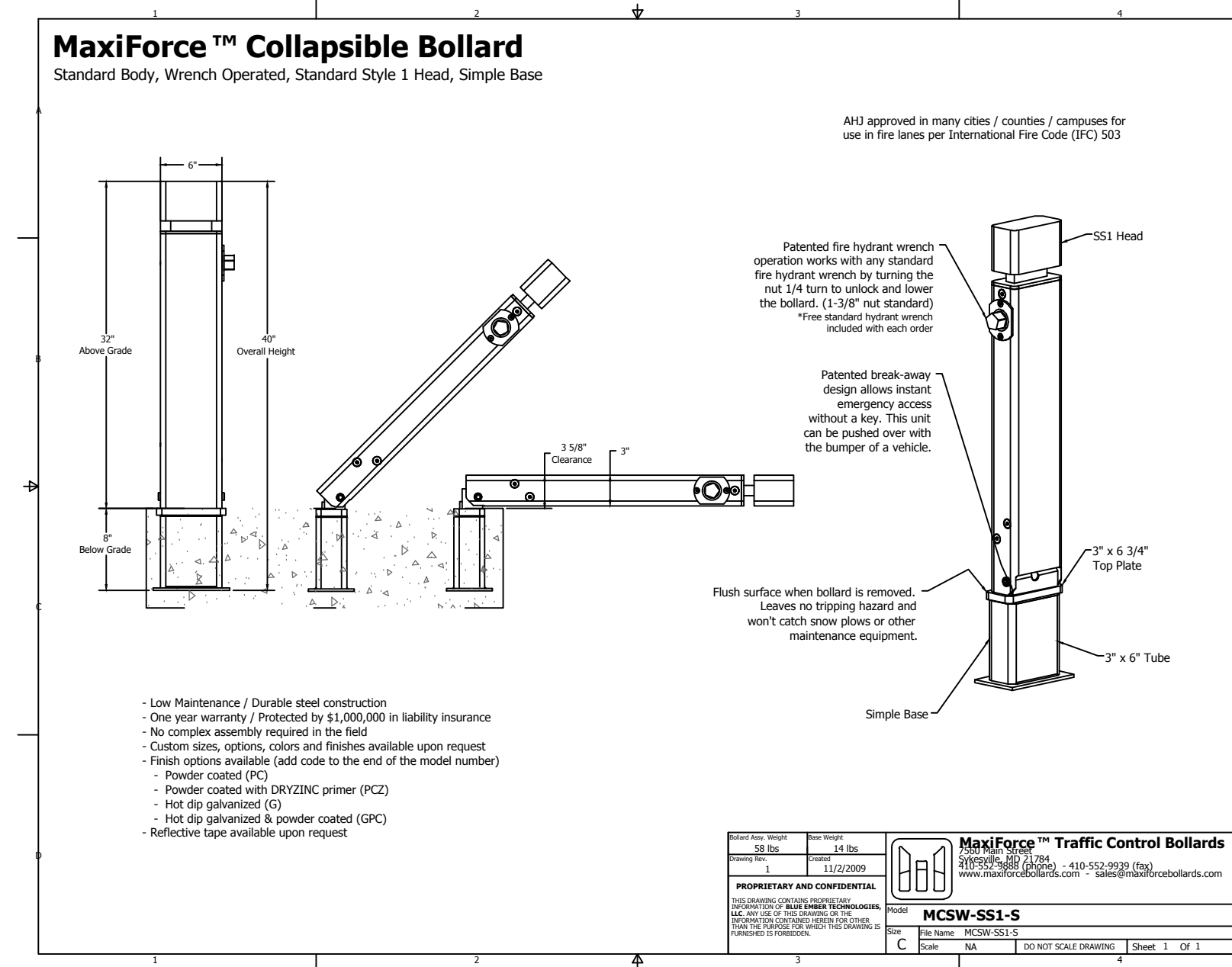




B-AUTO	feet
Width	: 7.71
Track	: 7.71
Lock to Lock Time	: 6.0
Steering Angle	: 47.8

Fenwick Lane Ambulance Access - Plan View Scale: 0.40000000 = 1'-0" XREF

NOTE  
The Planimetric information shown on this plan is based in part on copyrighted GIS Data from M-NCPPC, and may not be copied or reproduced without express written permission from M-NCPPC.



PLAN VIEW SCALE: 1"=30'



1987 Century Boulevard  
Suite 200  
Crownsville, Maryland 21032  
Ph: 301.948.4700 (toll free)  
Fax: 301.948.4256  
www.rodgers.com

DESIGN TEAM  
Owner: **Lee Development Group**  
8601 Georgia Avenue  
Suite 200  
Silver Spring, Maryland 20910  
301.585.7000  
Attn: Bruce Lee

Owner: **Housing Opportunity Commission**  
10400 Detrick Avenue  
Kensington, Maryland 20895  
240.427.9551  
Attn: Christopher Donald

Legal: **Leitch, Early & Brewer, Chtd.**  
3 Bethesda Metro Center  
Suite 450  
Bethesda, Maryland 20814  
301.841.3822  
Attn: William Kommer

Architect: **KISHIMOTO | GORDON | DALAYA PC**  
1300 Wilson Boulevard  
Suite 250  
Reston, Virginia 22099  
202.338.3800  
Attn: Tom Donaghy

Call Engineering: **Rodgers Consulting, Inc.**  
1987 Century Boulevard  
Suite 200  
Crownsville, Maryland 20878  
301.948.4700  
Attn: Robert Graham

Landscaping: **OCULUS**  
114 Third Street NE  
Charlottesville, Virginia 22902  
434.220.9372  
Attn: Don Hoover

Traffic Engineer: **Kinley-Horn**  
11400 Commerce Park Drive  
Suite 400  
Reston, Virginia 20191  
703.674.1309  
Attn: Edward Papasian

Mechanical Engineer: **AJHA Consulting Engineers**  
3050 Wilson Boulevard  
Suite 210  
Arlington, Virginia 22201  
571.451.1950  
Attn: Rob Courson

Structural Engineer: **CM Kling + Associates**  
141 I King Street  
Alexandria, Virginia 22314  
703.684.6272  
Attn: Philip Antis

SEAL & SIGNATURE

**ELIZABETH SQUARE**  
Preliminary Plan 120150030

LOTS 6, 7, 8, 17, & 116, BLOCK A  
(L-3728 F.37, L-14682 F.35, L-3093 F.82)  
SILVER SPRING (13TH ELECTION DISTRICT)  
MONTGOMERY COUNTY, MARYLAND

KEY PLAN

ISSUE	DATE	DESCRIPTION
07.28.2014	07.28.2014	INITIAL SUBMISSION MNCPPC
09.24.2014	09.24.2014	FINAL SUBMISSION MNCPPC
03.30.2015	03.30.2015	DRG AMENDED SUBMISSION MNCPPC
05.22.2015	05.22.2015	POST DRG AMENDED SUBMISSION

REVISIONS	NO	DATE	DESCRIPTION

PROJECT NUMBER: 713-B3  
DATE: MARCH 30, 2015  
SCALE: As Shown  
DRAWING TITLE: FIRE ACCESS PLAN ALTERNATE EXB-2  
DRAWING NUMBER:



**Ryan White**

---

**From:** Ryan White  
**Sent:** Friday, March 13, 2015 1:25 PM  
**To:** 'Somarajan, Deepak'; LaBaw, Marie  
**Cc:** Leck, Gregory; Melvin Tull (mel@leedg.com); Robert Graham; 'Kominers, William' (wkominers@lercheary.com); Bruce H. Lee (bruce@leedg.com)  
**Subject:** RE: Elizabeth Square - Meeting Fire Access w/ MCFRS/MCDOT/MNCPPC

Deepak,

Ok, we can remove the loop fire apparatus access on CCT. We will only provide the (2) T-turnarounds at Fenwick & Apple within the trail, and the trail between the T-turnarounds will not be fire department accessible.

Thank you for the clarification, we will submit plans with fire access as indicated above.

**Ryan D. White**  
**Senior Planner / Senior Associate / PLA**  
**Rodgers Consulting, Inc**  
240-912-2148 Direct  
301-948-4700 Main  
540-327-7435 Mobile  
301-948-6256 Fax

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Enduring Values**

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---

**From:** Somarajan, Deepak [mailto:Deepak.Somarajan@montgomerycountymd.gov]  
**Sent:** Friday, March 13, 2015 1:13 PM  
**To:** Ryan White; LaBaw, Marie  
**Cc:** Leck, Gregory; Melvin Tull (mel@leedg.com); Robert Graham  
**Subject:** RE: Elizabeth Square - Meeting Fire Access w/ MCFRS/MCDOT/MNCPPC

Ryan,

Why do we still need a fire access loop from Apple Ave to Fenwick? Full T-turnaround at Apple Avenue should serve the purpose. The whole email coordination was to avoid the Fire Access loop.

Thank you

Deepak Somarajan

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**From:** Ryan White [mailto:RWhite@RODGERS.com]  
**Sent:** Friday, March 13, 2015 11:13 AM  
**To:** LaBaw, Marie; Somarajan, Deepak

**Cc:** Leck, Gregory □ Melvin Tull ([mel@leedg.com](mailto:mel@leedg.com)) □ Robert Graham  
**Subject:** RE □ Elizabeth Square - Meeting Fire Access w/ MCFRS/MCDOT/MNCPPC

All,

I believe we have resolved the issue regarding fire access and the capital crescent trail.

For clarification, the proposed Fire Access will be provided by the following:

- □ Full T-turnaround at Fenwick Lane's termination, within CCT.
- □ Fire Access "loop" from Apple Ave. to Fenwick. Varying width (20ft wide at T-turnaround's) and (14ft wide between T-turnarounds)
- □ Full T-turnaround at Apple Ave. termination, within CCT.

The above noted details will be made part of our re-submission to MNCPPC responding to the DRC comments.

Should you have any question or comments, please advise.

Thank you,

**Ryan D. White**  
Senior Planner / Senior Associate / PLA  
Rodgers Consulting, Inc  
240-912-2148 Direct  
301-948-4700 Main  
540-327-7435 Mobile  
301-948-6256 Fax

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---

**From:** LaBaw, Marie □ <mailto:Marie.LaBaw@montgomerycountymd.gov> □  
**Sent:** Friday, March 13, 2015 10:34 AM  
**To:** Ryan White □ Somarajan, Deepak  
**Cc:** Leck, Gregory □ Melvin Tull ([mel@leedg.com](mailto:mel@leedg.com)) □ Robert Graham  
**Subject:** Re □ Elizabeth Square - Meeting Fire Access w/ MCFRS/MCDOT/MNCPPC

I am sorry, I thought I had already responded. If DOT is more comfortable with the double-t tunaround that still uses the bike path, I am ok with that. I would like to see a plan to confirm my impression of the details.

S Marie LaBaw, PhD, PE  
Office of the Fire Marshal  
Montgomery County Fire and Rescue Services  
100 Edison Park Dr, 2nd Floor  
Gaithersburg, MD 20878  
(240) 773-8917 Office (240) 777-2465 FAX  
e-mail address: [Marie.LaBaw@montgomerycountymd.gov](mailto:Marie.LaBaw@montgomerycountymd.gov)

---

**From:** Ryan White <[RWhite@RODGERS.com](mailto:RWhite@RODGERS.com)>  
**Sent:** Friday, March 13, 2015 10:42 AM  
**To:** Somarajan, Deepak; LaBaw, Marie  
**Cc:** Leck, Gregory; Melvin Tull ([mel@leedg.com](mailto:mel@leedg.com)); Robert Graham  
**Subject:** RE: Elizabeth Square - Meeting Fire Access w/ MCFRS/MCDOT/MNCPPC

Marie,

I just spoke with Deepak. It appears that MCDOT is awaiting a response from you, regarding the Elizabeth Square Fire access along the CCT bike trail.

Based on my discussion with Deepak this morning, MCDOT does not recommend the "loop" access from Apple to Fenwick along the CCT trail, due to bicycle and emergency vehicle conflicts, however it seemed that if MCFRS deemed the fire access loop necessary along the CCT to serve the proposed high rise tower & is recommended by your office, then the "loop" access may be acceptable by MCDOT.

If you could please provide direction on which option for fire access MCFRS would prefer.

Thank you,

**Ryan D. White**  
Senior Planner / Senior Associate / PLA  
Rodgers Consulting, Inc  
240-912-2148 Direct  
301-948-4700 Main  
540-327-7435 Mobile  
301-948-6256 Fax

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---

**From:** Somarajan, Deepak [\[mailto:Deepak.Somarajan@montgomerycountymd.gov\]](mailto:Deepak.Somarajan@montgomerycountymd.gov)  
**Sent:** Wednesday, March 04, 2015 11:29 AM  
**To:** LaBaw, Marie  
**Cc:** Ryan White; Leck, Gregory  
**Subject:** Re: Elizabeth Square - Meeting Fire Access w/ MCFRS/MCDOT/MNCPPC

Marie,

Yes that is correct.

**Deepak Somarajan, P.E, LEED AP BD&C**  
Engineer III  
Department of Transportation  
Division of Traffic Engineering and Operations  
100 Edison Park Drive, 4th Floor  
Gaithersburg, MD 20878  
Phone: 240-777-2194  
[deepak.somarajan@montgomerycountymd.gov](mailto:deepak.somarajan@montgomerycountymd.gov)

---

**From:** LaBaw, Marie  
**Sent:** Wednesday, March 4, 2015 11:25 AM  
**To:** Somarajan, Deepak  
**Cc:** [RWhite@RODGERS.com](mailto:RWhite@RODGERS.com); Leck, Gregory  
**Subject:** Re: Elizabeth Square - Meeting Fire Access w/ MCFRS/MCDOT/MNCPPC

I do not have a plan in front of me: does this mean that the turnarounds will still utilize part of the bike path?

*Sent from my Verizon Wireless 4G LTE DROID*

"Somarajan, Deepak" <[Deepak.Somarajan@montgomerycountymd.gov](mailto:Deepak.Somarajan@montgomerycountymd.gov)> wrote:

Ryan,

Based on our discussion internally MCDOT would like to see the fire access T-turnaround at Apple Avenue (similar to the one shown on Fenwick Lane & Third Avenue) instead of using the bike lanes. I know there are some steep grades to work with. I have copied Marie Lebow in this email as well.

Please call me if you have any questions.

Thank you

Deepak Somarajan

**Deepak Somarajan, P.E, LEED AP BD&C**  
Engineer III  
Department of Transportation  
Division of Traffic Engineering and Operations  
100 Edison Park Drive, 4th Floor  
Gaithersburg, MD 20878  
Phone: 240-777-2194  
[deepak.somarajan@montgomerycountymd.gov](mailto:deepak.somarajan@montgomerycountymd.gov)

---

**From:** Torma, Rebecca  
**Sent:** Tuesday, March 3, 2015 1:16 PM  
**To:** Ryan White  
**Cc:** Somarajan, Deepak  
**Subject:** RE: Elizabeth Square - Meeting Fire Access w/ MCFRS/MCDOT/MNCPPC

Hi Ryan,

We did discuss this project; however, it wasn't until Friday. I believe we are willing to allow the full use of the bike path. Deepak will be handling the project; therefore, I am having him respond to you directly.

Thank you.

Deepak Somarajan  
Engineer III  
Department of Transportation  
Division of Traffic Engineering and Operations  
100 Edison Park Drive, 4th Floor  
Gaithersburg, MD 20878  
Phone: 240-777-2194  
[deepak.somarajan@montgomerycountymd.gov](mailto:deepak.somarajan@montgomerycountymd.gov)

---

**From:** Ryan White <mailto:RWhite@RODGERS.com>  
**Sent:** Monday, March 02, 2015 10:42 AM  
**To:** Torma, Rebecca  
**Cc:** Robert Graham  
**Subject:** RE: Elizabeth Square - Meeting Fire Access w/ MCFRS/MCDOT/MNCPPC

Rebecca,

As a follow up to your meeting with Greg on the 24th, do you have any feedback to provide us regarding Elizabeth Square?

Please let us know.

Thank you,

-Ryan

---

**From:** Torma, Rebecca <mailto:Rebecca.Torma-1m@montgomerycountymd.gov>  
**Sent:** Friday, February 20, 2015 3:07 PM  
**To:** Ryan White  
**Subject:** RE: Elizabeth Square - Meeting Fire Access w/ MCFRS/MCDOT/MNCPPC

Ryan,

I plan on meeting with Greg on Tuesday, February 24 to discuss this project. I hope to get back to you after that meeting.

-----  
From: Ryan White  
Sent: Thursday, January 29, 2015 11:48 AM  
To: LaBaw, Marie; Torma, Rebecca  
Cc: Bruce H. Lee; Christopher Donald; Melvin Tull; Leck, Gregory; Dickel, Stephanie; Wkominers, William; Alexandra Parris; Tom Donaghy; Robert Graham; Reutershan, Susan M.  
Subject: Elizabeth Square - Meeting Fire Access w/ MCFRS/MCDOT/MNCPPC

---

**From:** Ryan White <mailto:RWhite@RODGERS.com>  
**Sent:** Thursday, January 29, 2015 11:48 AM  
**To:** LaBaw, Marie; Torma, Rebecca [matthew.folden@montgomeryplanning.org](mailto:matthew.folden@montgomeryplanning.org)  
**Cc:** Bruce H. Lee ([bruce@leedg.com](mailto:bruce@leedg.com)); Christopher Donald ([christopher.donald@hocmc.org](mailto:christopher.donald@hocmc.org)); Melvin Tull ([mel@leedg.com](mailto:mel@leedg.com)); Leck, Gregory; Dickel, Stephanie ([Stephanie.Dickel@montgomeryplanning.org](mailto:Stephanie.Dickel@montgomeryplanning.org)); Wkominers, William' ([wkominers@lercheearly.com](mailto:wkominers@lercheearly.com)); Alexandra Parris ([AParris@kgdarchitecture.com](mailto:AParris@kgdarchitecture.com)); Tom Donaghy' ([TDonaghy@kgdarchitecture.com](mailto:TDonaghy@kgdarchitecture.com)) ([TDonaghy@kgdarchitecture.com](mailto:TDonaghy@kgdarchitecture.com)); Robert Graham; Reutershan, Susan M.' ([smreutershan@lercheearly.com](mailto:smreutershan@lercheearly.com))  
**Subject:** Elizabeth Square - Meeting Fire Access w/ MCFRS/MCDOT/MNCPPC

All,

As a follow up regarding our meeting with MCFRS, please find attached PDFs containing the documents presented at the meeting and meeting minutes:

- Meeting minutes from 01/27/2015 meeting.
- Fenwick Lane
- Apple Avenue
- Fire Access Plan

The applicant will be preparing revisions to the attached plans, per our meeting with MCFRS staff. Once completed we will provide updates.

Should you have any questions or comments, please let us know.

Thank you,

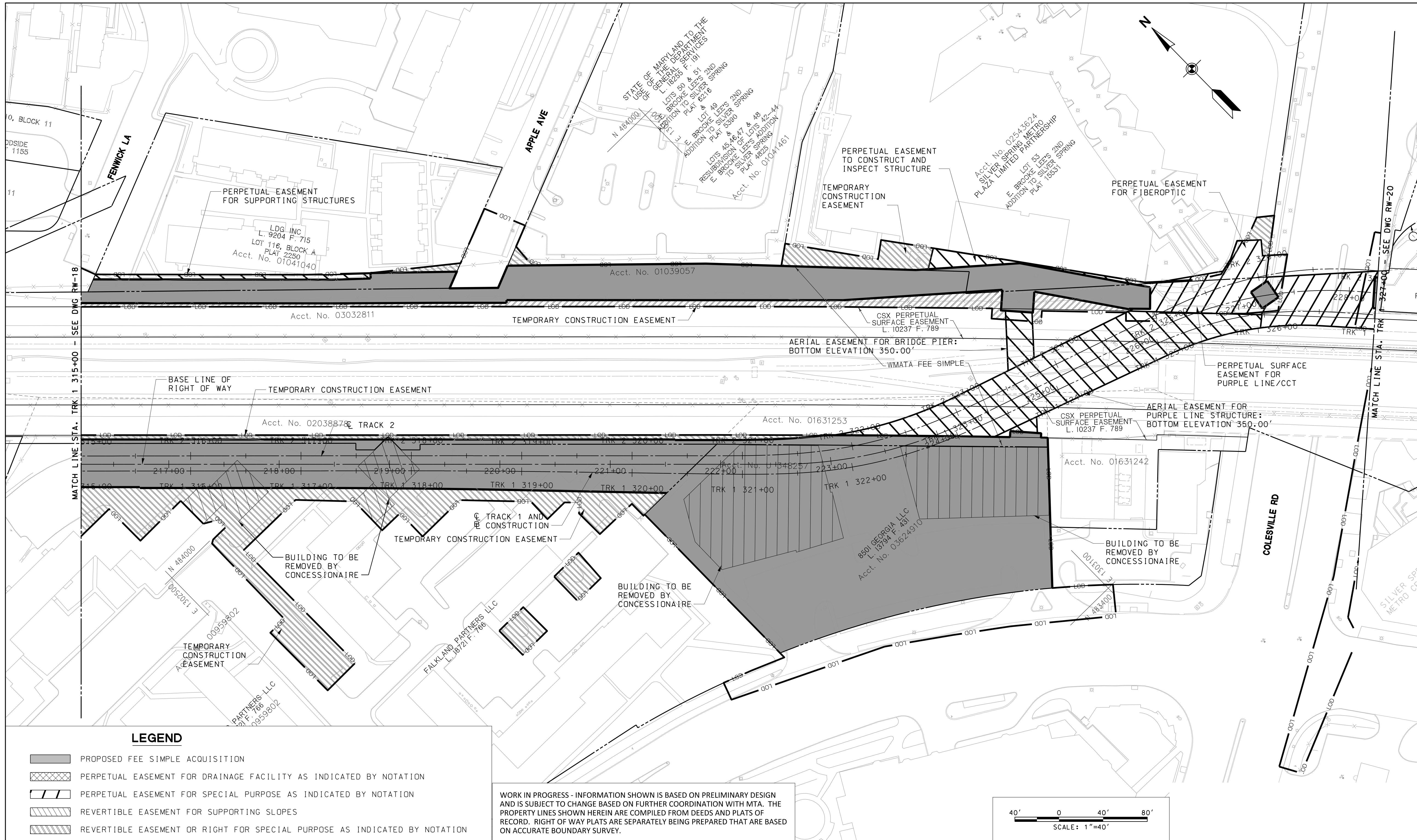
**Ryan D. White**  
Senior Planner / Senior Associate / PLA  
Rodgers Consulting, Inc  
240-912-2148 Direct  
301-948-4700 Main  
540-327-7435 Mobile  
301-948-6256 Fax

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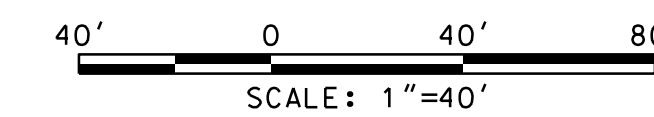




**LEGEND**

- PROPOSED FEE SIMPLE ACQUISITION
- PERPETUAL EASEMENT FOR DRAINAGE FACILITY AS INDICATED BY NOTATION
- PERPETUAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION
- REVERTIBLE EASEMENT FOR SUPPORTING SLOPES
- REVERTIBLE EASEMENT OR RIGHT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION

WORK IN PROGRESS - INFORMATION SHOWN IS BASED ON PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE BASED ON FURTHER COORDINATION WITH MTA. THE PROPERTY LINES SHOWN HEREIN ARE COMPILED FROM DEEDS AND PLATS OF RECORD. RIGHT OF WAY PLATS ARE SEPARATELY BEING PREPARED THAT ARE BASED ON ACCURATE BOUNDARY SURVEY.



**MARYLAND DEPARTMENT OF TRANSPORTATION**

**MARYLAND TRANSIT ADMINISTRATION**

**PROFESSIONAL CERTIFICATION**

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No.      Expiration Date

NO.	DESCRIPTION	BY	DATE
REVISIONS			

APPR	CHECK	DRAWN	DESIGN
		DTB	
		DTB	
		AAS	

**CONTRACT DRAWINGS**  
**PURPLE LINE LIGHT RAIL**

**RIGHT OF WAY PLAN**  
**STA TRK 1 315+00 TO STA TRK 1 327+00**

DATE: JUNE 2014      SCALE: AS SHOWN

CONTRACT NO.  
T-1042-0240

DRAWING NO.  
RW-19

SHEET NO.  
97 OF 425



May 26, 2015

Montgomery County DPS  
Water Resources Section  
255 Rockville Pike  
2<sup>nd</sup> Floor  
Rockville, MD 20850

RE: Elizabeth Square  
SWM Concept  
SM #266615

Dear Mr. Kuykendall -

On behalf of the Lee Development Group, please find attached a revised submittal of the Stormwater Management Concept for Elizabeth Square. The plans and computations have been revised to address comments dated May 4, 2015.

The SWM Concept continues to provide ESDv treatment meeting the required volume, and further verifies that the post-developed runoff from the site has been reduced below that of existing conditions. No waivers are requested with this re-submittal.

This submission includes the following documents:

- Concept Application for Plan Resubmittal
- Two Copies, Revised SWM Concept Plans (3 sheets) Reflecting Existing Conditions, Proposed ESD Facilities and ESD Facility Drainage Areas.
- Two Copies, Revised SWM Concept Computations (updated for correct ESD volume depth)
- Two Copies, Storm Drain Drainage Maps (MCDOT Sheets) for Reference
- One Copy, List of Project's Liber/Folio Data (Supports Application Sheet)

Below please find our responses to comments provided on the prior submittal.

1.  Silva Cells under the reinforced fire access must be approved by Marie LaBaw with MCG Fire & Rescue before I can final the concept.  
**RCI RESPONSE: The reinforced fire access routes from Apple Avenue and Fenwick Lane terminate with turnarounds outside the areas of Silva Cells.**
2.  You need to show on the plan and site plans how you propose to access the micro-bioretenion. Are you going to have curb cuts/driveway aprons/depressed curbs?  
**RCI RESPONSE: Access along the trail is provided through collapsible bollards; the two bio-facilities adjacent to the steps between the buildings are adjacent to the temporary drop-off spaces at the turnaround and can be accessed by parking there; and the facility along new building #2/Fenwick Lane is accessed through depressed curb at the loading entrance. All have been labeled on the plans.**
3.  In your comps the maximum depth for micro bioretention volume in the filter is 4.5 feet (4foot of media and 6 inches of sand). Please see our design standard.

**RCI RESPONSE: Computations have been updated to maximum depth allowance for volume of 4.5'**

If you should have any questions or need further information, please feel free to contact me at 301-948-4700 or [upasternak@rodgers.com](mailto:upasternak@rodgers.com)

Sincerely,  
Rodgers Consulting, Inc.

Uri Pasternak, P.E.  
Senior Engineer  
Enclosures

cc: B. Lee, LDG  
R. Graham, RCI  
File



DEPARTMENT OF TRANSPORTATION

Isiah Leggett  
County Executive

Al R. Roshdieh  
Acting Director

June 16, 2015

Mr. Neil Braunstein, Planner Coordinator  
Area One Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

RE: Preliminary Plan No. 120150030  
Elizabeth Square

*Neil:*  
Dear Mr. Braunstein:

We have completed our review of the preliminary plan submitted on May 23, 2015. An earlier version of this plan was reviewed by the Development Review Committee at its November 10, 2014 meeting. We appreciate the cooperation and additional information provided by the applicant and their consultant. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services 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.

Design Exception Requests

1. Design Exception Request to modify the sixty (60) feet for Fenwick Lane pavement:
  - a. Station 0+25 thru 1+08: Applicant proposes to reduce the pavement width from 29.5 feet per section MC-2002.02 to twenty nine (29) feet of pavement width which includes eight (8) feet of on-street parking.  
**Response:** MCDOT approves the reduced pavement width per County Council Expedited Bill 33-13 "Streets and Roads-Urban Road Standards and Pedestrian Safety Improvements."

**Division of Traffic Engineering and Operations**

---

100 Edison Park Drive, 4th Floor · Gaithersburg, Maryland 20878  
Main Office 240-777-2190 · TTY 240-777-6013 · FAX 240-777-2080  
trafficops@montgomerycountymd.gov

- b. Station 1+08 thru 1+08: Applicant proposes to reduce the pavement width from 29.5' per section MC-2002.02 to 24.5' of pavement width consisting of 13.5' westbound lane and an 11' of eastbound lane.

**Response:** MCDOT approves the reduced pavement width per County Council Expedited Bill 33-13 "Streets and Roads-Urban Road Standards and Pedestrian Safety Improvements."

2. Design Exception Request to provide the fifty (50) feet of Right of Way in lieu of sixty (60) feet Right of Way as required per section MC 2002.01: Applicant proposes to maintain existing 50' Right of Way width for Fenwick Lane in lieu of sixty (60) feet of Right of Way as required per section MC 2002.01.

**Response:** Existing Right of Way is fifty (50) feet for Fenwick Lane; MCDOT approves the reduced Right of Way width for Fenwick Lane based on the design exception package.

3. Design Exception Request # 3 to reduce Baseline Radius Applicant proposes to reduce the Baseline Radius for Fenwick Lane from one hundred and fifty (150) feet as per section MC 2002.01 to eighty (80) feet.

**Response:** MCDOT defers this finding to the planning board.

4. Design Exception Request # 4 to reduce driveway spacing:

- a. Spacing distance between Second Avenue and the loading access for Phase II: Applicant is proposing to reduce driveway be located seventy eight (78) feet from the required one-hundred (100) feet tangent distance from adjacent and/ or opposite driveways and intersections.

**Response:** MCDOT approves to the reduced the driveway spacing from one hundred (100) feet to seventy eight (78) feet based on the design exception package.

- b. Spacing distance between loading access for Phase II building and the eastern drop-off exit: Applicant is proposing to reduce driveway be located thirty eight (38) feet from the required one-hundred feet tangent distance from adjacent and/ or opposite driveways and intersections.

**Response:** MCDOT approves to the reduced the driveway spacing from one hundred (100) feet to thirty eight (38) feet based on the design exception package.

- c. Spacing distance between eastern drop off exit and the western drop-off entry: Applicant is proposing to reduce driveway be located forty four (44) feet from the required one hundred (100) feet tangent distance from adjacent and/ or opposite driveways and intersections.

**Response:** MCDOT approves to the reduced the driveway spacing from one hundred (100) feet to forty four (44) feet.

- d. Spacing distance between western drop off entry and the loading access for Phase-I Building: Applicant is proposing to reduce driveway be located thirty seven (37) feet from the required one hundred (100) feet tangent distance from adjacent and/ or opposite driveways and intersections.

**Response:** MCDOT approves to the reduced the driveway spacing from one hundred (100) feet to thirty seven (37) feet based on the design exception package.

- e. Spacing distance between the loading access for Phase-I building and the garage entrance for the Phase-I building: Applicant is proposing to reduce driveway be located four (4) feet from the required one-hundred (100) feet tangent distance from adjacent and/ or opposite driveways and intersections.  
**Response:** MCDOT approves to the reduced the driveway spacing from one hundred (100) feet to four (4) feet based on the design exception package.
5. Design Exception Request to place obstruction within Right of Way for Fenwick Avenue: Applicant is proposing to install the following obstructions within Right of Way:
  - a. Stormwater Management Facility Infrastructure, to include flow splitter structure for the proposed Silva Cells:  
**Response:** MCDOT does not object to place Stormwater Management Infrastructure within Right of Way however; MCDOT refers to DPS on this issue.
  - b. Electrical Facility Infrastructure to include below grade transformer and bus vaults:  
**Response:** MCDOT does not object to place Electrical Infrastructure within Right of Way however; MCDOT refers to DPS on this issue.
  - c. Collapsible Bollards  
**Response:** MCDOT approves to place Collapsible Bollard within Right of Way however; MCDOT refers to Office of Fire Marshall on this issue.
  - d. Bicycle Rack:  
**Response:** MCDOT approves the proposal to place a Bicycle Rack within Right of Way.
  - e. Grasscrete; manufactured by Grass Concrete. Specifically the Grasscrete for Fire Access:  
**Response:** MCDOT approves to place Grasscrete within Right of Way however; MCDOT refers to Office of Fire Marshall and DPS for approval of the construction details.
6. Design Exception Request to modify the pavement width for Apple Avenue: Applicant requests to reduce the roadway pavement width for Apple Avenue from 29.5 feet to twenty seven (27) feet consisting of ten (10) feet of west bound lane, ten (10) feet of east bound lane and seven (7) feet of parking:  
**Response:** MCDOT approves to reduce pavement width per County Council Expedited Bill 33-13 "Streets and Roads-Urban Road Standards and Pedestrian Safety Improvements."
7. Design Exception Request to reduce Cul-De-Sac Right of Way radius: Applicant requests to reduce the Cul-De-Sac Right of Way radius from the 72 feet to 35.67 feet.  
**Response:** MCDOT approves to provide Cul-de-sac Right of Way radius from 72 feet to 35.67 feet.
8. Design Exception Request to provide non-standard Cul-De-Sac: Applicant requests to reduce the Cul-De-Sac outside radius from the sixty (60) feet to thirty (30) feet and offset the cul-de-sac from the centerline of Apple Avenue.  
**Response:** MCDOT approves to provide non-standard cul-de-sac having the outside radius of thirty (30) feet per design exception package. Public Improvement Easement (P.I.E.) is required for the Cul-De-Sac at the end of Apple Avenue.

9. Design Exception Request to place obstruction within Right of Way for Apple Avenue: Applicant is proposing to install the following obstructions within Right of Way of Apple Avenue:
  - a. Collapsible Bollards:  
**Response:** MCDOT *approves* to place Collapsible Bollard within Right of Way however; MCDOT refers to Office of Fire Marshall on this issue.
  - b. Grasscrete; manufactured by Grass Concrete. Specifically the Grasscrete for Fire Access:  
**Response:** MCDOT *approves* to place Grasscrete within Right of Way however; MCDOT refers to Office of Fire Marshall and DPS for approval of the construction details.
10. Design Exception: “Reducing curb return radii from thirty (30) feet to fifteen (15) feet:  
**Response:** Although the applicant did not submit an official design exemption request, per County Council Expedited, Bill 33-13, Section 49-32 (h), MCDOT *approves* of the use of fifteen (15) feet curb return radius on this project.

**Preliminary Plan: Significant Plan Review Comments**

11. Sight distance certificates have been accepted. A copy of the accepted Sight Distances Evaluation certification forms are enclosed for your information and reference
12. The Traffic Impact Study (TIS) was previously approved by MCDOT and MNCP&PC.
13. If the applicant is required to install Silver Spring CBD streetscaping amenities along the site frontages. Prior to approval of the record plat by DPS, execute and record a Declaration of Covenants (for Maintenance and Liability) or enter into an agreement with the Silver Spring Urban District for the maintenance of those items.
14. Truck Circulation plan submitted by the applicant is acceptable by MCDOT.
15. The applicant must maintain a minimum five (5) foot wide continuous open sidewalk along all streets; no grates are permitted in this area.
16. Upgrade pedestrian facilities at all intersections along the site frontage to comply with current ADA standards.
17. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.

**Preliminary Plan: Significant Plan Storm Drain Comments**

18. Study POI Existing 53"x34" HERCP from E-1 to E-2: Based on the storm drain report the existing 53"x34" HERCP RCP storm drain pipe has a negative slope. We recommend applicant be required to replace the existing pipe and adequately sized based on the flow under proposed conditions.

**Preliminary Plan: Standard Plan Review Comments**

19. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line. Public Improvement Easement (P.I.E) is required for the Cul-de-sac at the end of the Apple Avenue. Public Access Easement (P.A.E) is required for the north

sidewalk along Apple Avenue for the pedestrian access.

20. Grade establishments for all new public streets and/or pedestrian paths must be approved prior to submission of the record plat.
21. For safe simultaneous movement of vehicles, we recommend a driveway pavement width of no less than twenty four (24) feet to allow vehicles to enter and exit the site without encroaching on the opposing lanes. This pavement width will permit an inbound lane width of fourteen (14) feet and an exit lane width of ten (10) feet.
22. For any parking facility containing more than fifty (50) parking spaces, the applicant needs to furnish bicycle parking facilities as required Section 59 E-2.3 of the Montgomery County Code. Accordingly, the applicant should provide either bike lockers or inverted "U" type bike racks.
23. Relocation of utilities along existing roads to accommodate the required roadway modifications shall be the responsibility of the applicant.
24. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.
25. If the proposed development will alter any existing County-maintained street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at 240-777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
26. If the proposed development will alter or impact any existing County-maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Transportation Systems Engineering Team at 240-777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
27. At or before the permit stage, please coordinate with Ms. Stacy Coletta of our Division of Transit Services to coordinate modifications to the RideOn bus facilities in the vicinity of this project. Ms. Coletta may be contacted at 240-777-5800.
28. Prior to submission of the Site Plan, we recommend that the applicant coordinate with Mr. Mike Madden of the Maryland Transit Authority with the Purple Line project. Mr. Madden can be reached [mmadden@mta.maryland.gov](mailto:mmadden@mta.maryland.gov).
29. Prior to the submission of the site plan, we recommend that the applicant coordinate with Ms. Joana Conklin, the Rapid Transit Development Manager for Montgomery County. Ms. Conklin can be reached at [joana.conklin@montgomerycountymd.gov](mailto:joana.conklin@montgomerycountymd.gov) or at 240-777-7155.
30. At or before the permit stage, please coordinate with Mr. Benjamin Morgan of our Division of Parking Management to coordinate the impacts on public parking facilities in the vicinity of this project. Mr. Madison may be contacted at 240 777-8704.
31. Prior to the issuance of any building permits by MCDPS, the applicant will need to enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and this Department. The applicant should coordinate with Ms. Sandra Brecher, Chief of the Division of Transit Services/Commuter Services Section. Ms. Brecher may be contacted at 240-777-8383. Facilitate

TMAg review and revisions by submitting an MSWord file redlined against the TMAg template. The final TMAg may include but not be limited to the following:

- a. Electric Car Charging. Provide at least two (2) electric car charging stations on site and comply with all applicable laws.
- b. Bicycle Facilities. Significant bicycle activity will likely occur at this site due to its proximity to the bicycle trails. Locate some bicycle racks for use by the public in the outside public use space in addition to those provided within the parking facility. Provide bike racks/lockers in weather-protected, highly visible/active locations. Consider providing secure bicycle storage area in garage for resident use (bike cage) as well as a small bicycle repair station for resident use.
- c. Bikesharing Station. Provide space in the Project for a bikesharing docking station for use by residents, employees and visitors at the Project. Consider locating a bikeshare station at the corner of 2<sup>nd</sup> Avenue and Apple Street to take advantage of proximity to bike trail. The final location will be selected by the Applicant with approval of MCDOT, based upon the requirements of the bike sharing system and in a highly-visible, convenient and well-lit location on the Project. The Applicant will pay the capital cost of such station and twelve years of operating expenses. Applicant will need to take other actions in concert with MCDOT to promote use of bikesharing among residents, employees and visitors at the Project, in order to accomplish the objectives of the TMD.
- d. Real Time Transit Information: Provide opportunity and connections for electronic (LCD) display screens providing Real Time Transit Information Signs in the residential lobby to enable information to be readily accessed by building residents, employees, visitors, etc. Applicant will reimburse the County for the cost of County-provided monitors. Alternatively, Real Time Transit Information display can be incorporated into planned lobby display monitors/software system for building(s). Applicant will pay for five years of maintenance for County-provided sign(s); if Real Time Transit Information is incorporated into the building's planned monitor systems, there would be no additional maintenance costs.
- e. We recommend the following design elements be incorporated in the building design to facilitate the use of non-auto modes of transportation be incorporated in the building design:
  1. Design building frontage/lobby to provide two-way visibility for transit vehicles, shuttles and taxis
  2. Provide kiosks in busy outdoor areas to provide opportunity for information displays and assistance.
  3. Provide concierge/reception desk with an area where transit information and pass sales can be transacted – e.g., obtaining transit information, loading of SmarTrip cards.
  4. Provide space in residential lobby and parking garage for information on alternative modes of transportation to be displayed.
  5. Provide water and electricity connection in outdoor public amenity space to facilitate transit marketing and outreach events.



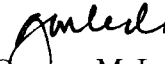
32. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following modifications:

**NOTE: the Public Utilities Easement is to be graded on a side slope not to exceed 4:1.**

- A. Street grading, paving, curbs and gutters, sidewalks, and pedestrian ramps, storm drainage and appurtenances along Apple Avenue. Terminate Apple Avenue in an offset cul-de-sac. Terminate Apple Avenue in a hammerhead (Fire Department-compliant) turnaround.
- B. Street grading, paving, curbs and gutters, sidewalks, and pedestrian ramps, storm drainage and appurtenances, and street trees along Fenwick Lane. Terminate Fenwick Street in a hammerhead (Fire Department-compliant) turnaround.
- C. Pedestrian ramps and appurtenances along Second Avenue.
- D. Grading, paving, storm drainage and appurtenances along Capital Crescent Trail between Fenwick Lane and Apple Avenue.
- E. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements. Improvements to the downstream public storm drain system may be required to resolve comments in this letter regarding the storm drain study.
- F. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- G. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- H. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Division of Traffic Engineering and Operations.

Thank you for the opportunity to review the design exception requests. If you have any questions or comments regarding this letter, please contact Mr. Avinash Dewani, our Development Review Engineer for this project, at [avinash.dewani@montgomerycountymd.gov](mailto:avinash.dewani@montgomerycountymd.gov) or (240) 777-2132.

Sincerely,

  
Gregory M. Leck, Manager  
Development Review Team

Enclosures (3)

M:\Correspondence\FY15\Traffic\120150030 Elizabeth Square - Preliminary Plan Letter 06.16.2015.doc

cc: Bruce Lee Lee Development Group  
William Kominers Lerch, Early & Brewer, Chtd.  
Susan Reutershan Lerch, Early & Brewer, Chtd.  
Robert Graham Rogers Consulting, Inc  
Ryan White Rogers Consulting, Inc  
Edward Papazian Kimley Horn & Associates  
Preliminary Plan folder  
Preliminary Plan letters notebook

cc-e: Atiq Panjshiri MCDPS RWPR  
Sam Farhadi MCDPS RWPR  
Marie LaBaw MCFRS  
Gary Erenrich MCDOT DTEO  
Avinash Dewani MCDOT DTEO  
Seifu Kerse MCDOT DTEO  
Matthew Folden MNCP&PC  
Stephanie Dickel MNCP&PC  
Robert Kronenberg MNCP&PC

Mr. Neil Braunstein  
Preliminary Plan No. 120150030– Elizabeth Square  
June 16, 2015  
Page 9

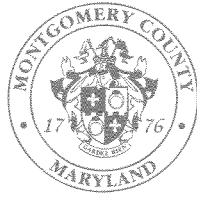
Bruce Lee  
Lee Development Group  
8601 Georgia Avenue, Suite # 200  
Silver Spring MD 20910

Ryan White  
Rodgers Consulting, Inc  
19847 Century Boulevard  
Germantown MD 20847

Robert Graham  
Rodgers Consulting, Inc  
19847 Century Boulevard  
Germantown MD 20847

William Kominers  
Lerch, Early & Brewer, Chtd.  
3 Bethesda Metro Center, Suite # 800  
Bethesda M D20814

Edward Papazian  
Kimley Horn & Associates  
1440 Commerce Park Dr. Suite # 400  
Reston VA 20191



RECEIVED

DEC 03 2014

MONTGOMERY PLANNING/Area 1

DEPARTMENT OF TRANSPORTATION

Isiah Leggett  
County Executive

Arthur Holmes, Jr.  
Director

November 24, 2014

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

RE: Preliminary Plan No. 120150030  
Elizabeth Square Traffic Impact Study

*Mutt:*  
Dear Mr. Folden:

We have completed our review of the Local Area Transportation Review and Transportation Policy Area Review dated July 28, 2014, and prepared by Kimley Horn. Total development evaluated by the analysis includes:

- 436 net new multi-family dwelling units
- 30,000 square feet of recreational community space consisting of a wellness center, swimming pool, fitness, locker rooms, multipurpose room and bistro kitchen.

We offer the following comments:

**Local Area Transportation Review (LATR)**

1. We defer to the Maryland State Highway Administration for comment regarding state-maintained roadways, including Georgia Avenue (MD 97) and Colesville Road (MD 384).
2. We accept the consultant's conclusion that post-development Critical Lane Volumes for the studied intersections will not exceed the congestion level threshold for the Silver Spring CBD policy area.

**Pedestrian and Bicycle Impact Statement (PBIS)**

3. Bicycles / Pedestrians: With regards to the Pedestrian and Bicycle Impact Statement (PBIS):
  - a. In its inventory of existing pedestrian accommodations, clarify whether the signals within the study network are equipped with Accessible Pedestrian Signals (APS), Countdown Pedestrian Signals (CPS), and/or to-standard ADA-compliant pedestrian ramps. These are necessary to meet ADA standards for pedestrian crossings.

**Division of Traffic Engineering and Operations**

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878  
Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080  
trafficops@montgomerycountymd.gov

- b. Show the location of bus stops and associated infrastructure (i.e., benches, shelters).
- c. Mention whether bike facilities (i.e., racks, lockers) are intended to be provided on-site.
- d. Indicate the Master Plan of Bikeways designations for the corridors within the study network. The project impacts cannot be accurately assessed without consideration of these classifications.
- e. Discuss the potential impact of the lead-in sidewalks along [Second Avenue] on pedestrian operations.

**Transportation Policy Area Review (TPAR)**

1. The site is located within the Silver Spring CBD policy area. This policy area is exempt from the transit test and considered adequate under the roadway test. Therefore, no TPAR payment is required for this development.

**SUMMARY**

1. The findings of the study have not yet been accepted. We concur with the vehicular-related findings of adequacy, but request additional information relating to pedestrian, bicycle and transit infrastructure.
2. We concur with the applicant finding that no TPAR payment is required.

Thank you for the opportunity to review this report. If you have any questions or comments regarding this letter, please contact Ms. Rebecca Torma, the Development Review Area Senior Planning Specialist for this project, at [rebecca.torma@montgomerycountymd.gov](mailto:rebecca.torma@montgomerycountymd.gov) or (240) 777-2118.

Sincerely,



Gregory M. Leck, Manager  
Development Review Team

Mr. Matthew Folden  
Preliminary Plan No. 120150030  
November 24, 2014  
Page 3

m:\subdivision\tormar01\developments\silver spring CBD\TIS Review.docx

cc: Bruce Lee; Lee Development Group  
Ryan White; Rodgers Consulting, Inc.  
Ed Papazian; Kimley Horn  
Bill Kominers; Holland & Knight  
Scott Newill; MDSHA AMD  
Preliminary Plan folder  
Preliminary Plan letters notebook

cc-e: Seifu Kerse; MCDOT DTEO  
Bruce Mangum; MCDOT DTEO  
Rebecca Torma; MCDOT DTEO

## Braunstein, Neil

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**From:** Folden, Matthew  
**Sent:** Tuesday, May 26, 2015 1:48 PM  
**To:** Braunstein, Neil  
**Subject:** FW: Elizabeth Square TIS Comments Responses (120150030)

The forwarded e-mail, below, serves as MCDOT's acceptance of the consultant's revised TIS submittal. Please append the original TIS comment letter to this e-mail.

---

**From:** Dewani, Avinash [<mailto:Avinash.Dewani@montgomerycountymd.gov>]  
**Sent:** Thursday, May 21, 2015 2:34 PM  
**To:** rwhite  
**Cc:** Folden, Matthew; Braunstein, Neil; Leck, Gregory; [Ed.Papazian@kimley-horn.com](mailto:Ed.Papazian@kimley-horn.com); deepak.somarajan  
**Subject:** Elizabeth Square TIS Comments Responses (120150030)

Ryan,

The responses provided on 05/13/2015 for the TIS letter dated 11/24/2014 for the above referenced project are acceptable. We do not require any further analysis.

Let me know should you have any questions/concerns.

Thanks,

Avinash Dewani, P.E. LEED AP  
Development Review  
Department of Transportation  
100 Edison Park Drive, 4th Floor  
Gaithersburg, MD 20878  
Phone: 240-777-2132



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## FIRE MARSHAL COMMENTS

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**DATE:** 01-Jul-15  
**TO:** Ryan White - rwhite@rodgers.com  
Rodgers Consulting, Inc.  
**FROM:** Marie LaBaw  
**RE:** Elizabeth Square  
920150010 120150030

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### PLAN APPROVED

1. Review based only upon information contained on the plan submitted **09-Jun-15** .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.

**Condition: GC2s is not an acceptable surface. Alternative surface to be reviewed and approved prior by MCFRS Office of the Fire Marshal prior to installation.**

**\*\*\* See Statement of Performance Based Design on plan sheet FRS-1 \*\*\***





DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Diane R. Schwartz Jones  
Director

July 2, 2015

Mr. Robert Graham  
Rodgers Consulting, Inc.  
19847 Century Blvd., Suite 200  
Germantown MD, 20874

Re: Stormwater Management **CONCEPT** Request  
for Elizabeth Square  
Preliminary Plan #: 120150030  
SM File #: 266615  
Tract Size/Zone: 2.71 Ac./CBD-1 & CBD-2  
Total Concept Area: 2.7  
Lots/Block: 6, 7, 8, 17 & 116 / A  
Watershed: Lower Rock Creek

Dear Mr. Graham:

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 proposes to meet required stormwater management goals via ESD by the use of green roof, micro-biofiltration/planter boxes, and Silva Cells.

The following **items** will must addressed **during/prior to** the detailed sediment control/stormwater management plan stage:

1. **Prior to the Site Plan going to the Planning Board a Site Development Concept Plan must be submitted and approved.** You must to provide tentative sizing and profiles of all stormwater structures at this time.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Landscaping shown on the approved Landscape Plan as part of the approved Site Plan are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.
6. Green roof is to be designed by a professional with green roof experience.
7. You are providing 19,376 square feet of 8 inch green roof. At time of plan submittal try to provide additional green roof area.

Mr. Robert Graham  
July 2, 2015  
Page 2 of 2

8. Provide copy of roof drain schematic to show how they drain to stormwater management structures.
9. All underground parking is to drain to WSSC. Provide copy of mechanical schematics showing where garage drains go.
10. Provide easements and covenants for all stormwater management structures including the green roof.
11. Must provide pretreatment for the Silvia Cells and use 20% void space for design. Provide additional landscaping for these areas where possible.

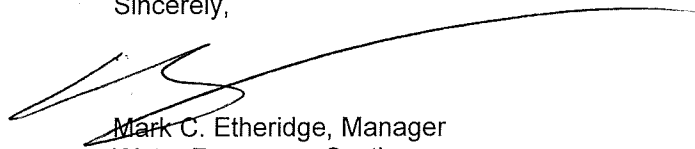
This list may not be all-inclusive and may change based on available information at the time.

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

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. 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 David Kuykendall at 240-777-6332.

Sincerely,



Mark C. Etheridge, Manager  
Water Resources Section  
Division of Land Development Services

MCE: me CN266615 Elizabeth Square.DWK

cc: C. Conlon  
SM File # CN266615 Elizabeth Square.DWK

ESD Acres:	2.7
STRUCTURAL Acres:	0.0
WAIVED Acres:	0.0