



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

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

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION**

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

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

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

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

Approved as to  
 Legal Sufficiency:

  
 M-NCPPC Legal Department

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

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

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

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

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

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

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

1. Preliminary Plan Conformance

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

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

2. Site Plan Conformance

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

3. Transportation

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

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

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

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

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

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

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

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**CERTIFICATION**

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



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Royce Hanson, Chairman  
Montgomery County Planning Board