

## Attachment 1



---

### Department of Permitting Services Fire Department Access and Water Supply Comments

---

**DATE:** 18-Jan-18  
**TO:** Eric Siegel - esiegel@urban-ltd.com  
Urban Ltd  
**FROM:** Marie LaBaw  
**RE:** Montgomery Village Center  
820180020

---

#### PLAN APPROVED

1. Review based only upon information contained on the plan submitted **18-Jan-18**. 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.

**Attachment 1**  
**DPS-ROW CONDITIONS OF APPROVAL**

**February 16, 2018**

\*\*\*Revision: The conditions hereon supersede previous conditions of approval dated December 4, 2017.

**820180020 Montgomery Village Center**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site and landscape plans files:

**“07-SITE-820180020-004.pdf V7”** uploaded on/ dated **“2/13/2018”** and  
**“08-LL-820180020-001.pdf V7”** uploaded on/ dated **“2/13/2018”**.

The followings need to be addressed prior to the certification of site plan:

1. Proposed side path along Montgomery Village Ave:
  - a. Provide PIE so the crossings and ramps are within ROW.
  - b. Provide dual ADA handicap ramps at both intersections at either sides of the site frontage aligned with the receiving ramps;
2. Label the curb radii for access points. Provide the minimum curb radii that will accommodate the site traffic. Provide truck turning diagrams for all movements.
3. Are there any longitudinal dry utilities proposed along the site frontage on Montgomery Village Ave?:
  - a. If so, provide PUE along the site frontage.
  - b. If not, provide a note to that extent on the site plan.
4. Please remove the proposed pedestrian crossing marking at the existing driveway on Watkins Mill Road.

and the following needs to be a condition of the certified site plan:

1. Private streets to be built to tertiary roadway structural standards at minimum.



**Attachment 1**



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett  
County Executive

Clarence J. Snuggs  
Director

March 22, 2018

Mr. Troy Leftwich  
Mr. Garry Meus  
Area 2 Division  
Montgomery County Planning Department  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Montgomery Village Center  
Sketch Plan Amendment No. 32017002A  
Preliminary Plan No. 120180010  
Site Plan No. 820180020

Dear Mr. Leftwich and Mr. Meus:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the revisions to the above referenced Sketch Plan Amendment, Preliminary Plan and Site Plan, and recommends Approval. Please note the following:

1. Although DHCA would typically require MPDUs to be located proportionately among a project's phases (which would be four MPDUs in Phase 1A instead of two), DHCA supports locating only two MPDUs in Phase 1A as proposed because the townhouse and two-over-two unit types in Phase 1B are preferable as MPDUs to the garden condominium unit type in Phase 1A.
2. At certified site plan, add the MPDU designation to the Site Plan Legend.
3. Under current law, all MPDUs are required to have three bedrooms. However, an amendment has been proposed to the MPDU law as part of Bill 34-17 that would allow DHCA to waive this requirement and allow two-bedroom MPDU townhouses in a development if all of the market rate townhouses in that development have two bedrooms. Therefore, Note 5 on the Sketch Plan Amendment and Preliminary Plan may be changed as follow: "5. Townhouse MPDUs will have a minimum of 3 bedrooms *unless 2-bedroom MPDU townhouses are approved by DHCA subject to Chapter 25A.*" (New language is italicized.)

**Division of Housing**

Affordable Housing

Common Ownership Communities

Landlord-Tenant Affairs

Multifamily Housing

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3691 FAX • [www.montgomerycountymd.gov/dhca](http://www.montgomerycountymd.gov/dhca)

[montgomerycountymd.gov/311](http://montgomerycountymd.gov/311)

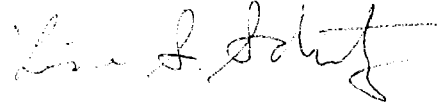


240-773-3556 TTY

**Attachment 1**

Mr. Troy Leftwich  
Mr. Garry Meus  
March 22, 2018  
Page 2 of 2

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa S. Schwartz", with a stylized flourish at the end.

Lisa S. Schwartz  
Senior Planning Specialist

cc: J. Armando Alas, Urban Ltd.  
Ryan David, Urban Ltd.  
Jose Alas Barrientos, Urban Ltd.

S:\Files\recurring\Housing\MPDU\Developments\Montgomery Village Center\Montgomery Village Center DHCA Letter\_3-22-2018.docx

## Attachment 1



### DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Diane R. Schwartz Jones  
Director

April 16, 2018

Mr. Ryan David  
Urban, LTD  
7700 Little River Turnpike, Suite 503  
Annandale, VA 22003

Re: **COMBINED STORMWATER MANAGEMENT  
CONCEPT/SITE DEVELOPMENT  
STORMWATER MANAGEMENT PLAN** for  
Montgomery Village Center  
Preliminary Plan #: 120180010  
SM File #: 282887  
Tract Size/Zone: 18.78 Acres  
Total Concept Area: 10.8 Acres  
Lots/Block: Lot 28, 9C, 26, 27  
Parcel(s): P173, P150  
Watershed: Middle Great Seneca

Dear: Mr. David

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 Microbioretention, Green Roof, Drywells, and Structural.

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

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. The site plan must show the townhome's drainage areas not to exceed 1,000 square feet for each drywell.
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 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.

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



255 Rockville Pike, 2<sup>nd</sup> Floor, Rockville, Maryland 20850 | 240-777-0311  
[www.montgomerycountymd.gov/permittingservices](http://www.montgomerycountymd.gov/permittingservices)

## Attachment 1

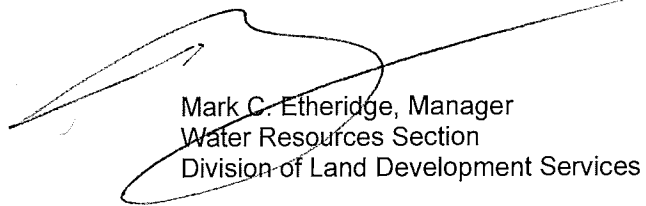
Mr. Ryan David  
April 16, 2018  
Page 2 of 2

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

This letter must appear on the sediment control/stormwater management plan at its initial submittal. 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 Andrew Kohler at 240-777-6275.

Sincerely,



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

MCE: AK

cc: N. Braunstein  
SM File # 282887



## 120,225 S.F. (2.76 Acre)

TREE COVER PROVIDED:  
TREE COVER TO REMAIN ON-SITE:  
TREE COVER PROPOSED FOR AFFORESTATION:  
TOTAL:  
REMAINING AREA REQUIRING MITIGATION:  
33,500 S.F. @ 0.77 Acres  
22,800 S.F. @ 0.52 Acres  
64,000 S.F. @ 1.46 Acres  
86,800 S.F. @ 1.99 Acres

## 94 INCHES

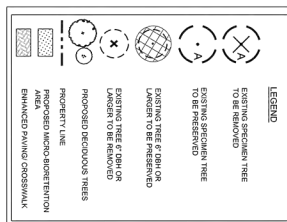
TOTAL CALIPER TO BE PLANTED FOR MITIGATION (1 CALIPER INCH FOR EVERY 4 INCHES TO BE REMOVED)	23.5 INCHES
TOTAL CALIPER INCHES PROPOSED:	24 INCHES

NOTE: SEE "SPECIMEN TREE MITIGATION" TABLE ON SHEET F3 FOR SPECIFIC PLANTINGS COUNTED TOWARDS SPECIMEN TREE MITIGATION.

---

U 09 = '01 I  
( 133J NI )

WALTON  
(800) 888-8888



DEVELOPER'S CERTIFICATE

**APPLICABLE AGREEMENTS.**

8150 LEBENSBURG PIKE, SUITE 110

SIGNATURE: \_\_\_\_\_

1000

- urban

#### Abstract—Engineering, Engineering Architects, and Summary

PLAN DATE
04-28-17
06-22-17
07-14-17
09-12-17
12-19-17
01-16-18
02-12-18

No.	DATE	DESCRIPTION
REVISIONS		

PRELIMINARY FOREST CONSERVATION PLAN  
PRELIMINARY PLAN SUBMISSION - 120180010  
**MONTGOMERY VILLAGE CENTER**  
3RD ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND

SCALE: 1"=60'

---

C.I. 2'

DATE: JULY, 2016

FILE NO.  
PD 00067

1



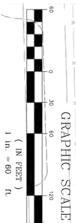
# MONTGOMERY VILLAGE CENTER FINAL FOREST CONSERVATION PLAN

## SITE NOTES

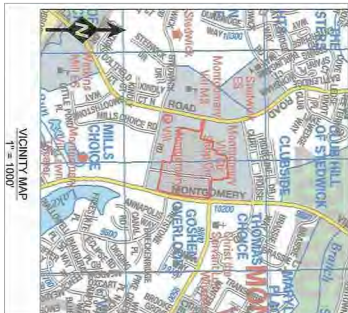
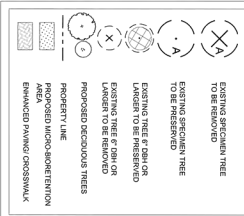
1. TOPOGRAHY, SURVEY WAS GENERAL AND FIELD VERIFIED BY BRUNAL, LTD.
2. BOUNDARY SURVEY PREPARED BY BRUNAL, LTD.
3. THE PROPERTY IS ZONED C-1 (1-5) (C-2), RT-2A (1-2).
4. A NATURAL RESOURCES MAP, HAS PROPOSED STAND RELOCATION PLAN HAS BEEN APPROVED BY WACFP, ON SEPTEMBER 15<sup>TH</sup>, 2016.
5. THERE ARE NO RELATIVES LOCATED ON SITE.
6. THE SITE IS LOCATED IN THE SPOTCH GRASS WATERSHED, WHICH DRAINS INTO THE POTOMAC RIVER.
7. NO ADJACENT UTILITIES ARE LOCATED ON OR NEAR THE PROPERTY.  
(SOURCE: NATIONAL INVENTORY OF HISTORIC PLACES FOR MONITORING COUNTY WARDMAN, MD (MAY, 2002) AND CITY OF GAITHERSBURG HISTORIC PRESERVATION MASTER PLAN.
8. SITE IS NOT LOCATED IN A FEMA FLOOD PLAIN.
9. SERVICE UTILITY COMPANIES INCLUDE:  
WATER & SEWER: WSSC  
GAS: NATIONAL GAS - WASHINGTON GAS  
COMMUNICATIONS: VERIZON  
CABLE: COMCAST
10. GPR UTILITIES FOR THE SITE DESIGNED BY BROWLEY UTILITY SERVICES LLC, CHATEAUNE, VA, 2012
11. THE SITE IS LOCATED ON HYDRAULIC GROUPS C & D SOILS ONLY.
12. THE FOLLOWING UTILITIES ARE ASSOCIATED WITH THE SITE:  
1.3. A 12" WATER MAIN, 12" WASTEWATER MAIN, AND 12" GAS MAIN ARE LOCATED ON THE REAR OF THE PLAT
16. RETAINING WALL LOCATIONS ON PLAT ARE SHOWN TO PROVIDE HORIZONTAL, AND VERTICAL ELEVATIONS ONLY. STRUCTURAL DETAILS GIVEN BY OTHERS.
17. TRAFFIC STUDY WAS PREPARED BY GEORGE SLADE, ON MARCH 1<sup>ST</sup>, 2017
18. GEOTECHNICAL ANALYSIS AND INSPECT ALL TREE SAVE AREAS AND PROTECTION RACKS PRIOR TO CLEARING AND GRADING.
19. THE HORIZONTAL DATUM FOR THIS SITE IS WADSWORTH, AND THE VERTICAL DATUM IS 1929.
20. UNLESS SPECIFICALLY NOTED ON THIS PLAT PLANNING OR IN THE PLANNING BOARD CONCLUSIONS OF APPROVAL, THE BUILDING FOOTPRINTS, BUILDING HEIGHTS, ON-SITE PARKING, SITE CIRCULATION, AND STORMWATER SHOWN ON THE PRELIMINARY PLAT ARE ILLUSTRATIVE OF THE PROPOSED DEVELOPMENT. THE PRELIMINARY PLAT IS NOT A GUARANTEE OF THE ACCURACY OR THE EXISTENCE OF THE INFORMATION SHOWN THEREON. THE INFORMATION SHOWN ON THE PRELIMINARY PLAT IS NOT A GUARANTEE OF THE ACCURACY OR THE EXISTENCE OF THE INFORMATION SHOWN THEREON.

SHEET INDEX

- |     |                           |              |
|-----|---------------------------|--------------|
| F1. | FINAL FOREST CONSERVATION | PLAN         |
| F2. | FINAL FOREST CONSERVATION | PLAN         |
| F3. | FINAL FOREST CONSERVATION | COMPUTATIONS |
| F4. | FINAL FOREST CONSERVATION | PLAN DETAILS |



# Attachment 3



**NOTES:**

- THERE IS NO FOREST AS DENIED BY SEC. 22A.3 OF THE FOREST CONSERVATION ACT, CHARTER ON THE
- A REAS CONSIDERING LAND DESIGN AND SITE CALCULATIONS DETERMINING HOW AFForestation REQUIREMENTS WILL BE MET.
- SEE SHEET FOR FOREST CONSERVATION WORKSHEET AFForestation PLANTING TABLE AND SPECIMEN TREE INFORMATION PAGE.

**DEVELOPER'S CERTIFICATE**

I, THE UNDERSIGNED, AGREE TO PROVIDE ALL THE SERVICES OF AFForestation FOR THE FOREST CONSERVATION PLAN IN ACCORDANCE WITH THE AFForestation ACT, CHAPTER 22A, SECTION 22A.3 OF THE FOREST CONSERVATION ACT, CHARTER ON THE

**DEVELOPER'S NAME:** ATLANTIC REALTY COMPANIES  
**CONTACT PERSON:** JEFF GERTZMAN  
**PHONE:** 708-962-1000  
**FAX:** 708-962-1000  
**ADDRESS:** 201 N. WILSON ST., SUITE 100  
**CITY:** CHICAGO, IL 60607  
**STATE:** ILL.  
**COUNTRY:** U.S.A.

NOTES:

1. THERE IS NO FOREST, AS DEFINED BY SEC. 22A-3 OF THE FOREST CONSERVATION LAW, EXISTING ON SITE.

2. SEE SHEET F2 FOR AFFORESTATION PLANTINGS AND CALCULATIONS DEMONSTRATING HOW AFFORESTATION REQUIREMENTS WILL BE MET.

3. SEE SHEET F3 FOR FOREST CONSERVATION WORKSHEET, AFFORESTATION PLANTINGS TABLE, AND SPECIMENT TREE MITIGATION TABLE.

DEVELOPERS CERTIFICATE

THE UNDERSIGNED AGREES TO EXECUTE ALL FEATURES OF A FOREST CONSERVATION PLAN No. 120180010, INCLUDING FRA BONDING, FOREST PLANTING, MAINTENANCE, AND ALL OTHER

DEVELOPER'S NAME: ATLANTIC REALTY COMPANIES

CONJUGATE PERSON: 8150 1175 SAUC PKT. SUITE 1100

**PUBLISHED BY**

**TAYLOR & FRANCIS**

SIGNATURE \_\_\_\_\_

FINAL FOREST CONSERVATION PLAN  
SITE PLAN SUBMISSION - 820180020  
MONTGOMERY VILLAGE CENTER  
3RD ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND

SCALE: 1"=60'

C.I. 2'

DATE: MARCH, 2017



PLAN DATE				
04-28-17				
06-22-17				
07-14-17				
09-12-17				
12-19-17				
01-16-18				
02-07-18				
No.	DATE		DESCRIPTION	
<b>REVISIONS</b>				



[illegible]

RESIDENTIAL USE OF 3' WIDE OPEN PLANNING SPACES FOR COMMERCIAL USES.

NOTES:

1. 8' T. SEE PLAN AND 5' T. RAISED STAIRS PROVIDED WITH STEEL PLATE.
2. PERSONAL TRAVELATION MEETS CITY INTERSECTION STANDARDS.
3. THERE ARE NO EXISTING RESIDENTIAL USES ON THIS SITE. REFER TO THE PRELIMINARY PLAN FOR PROPOSED IMPROVEMENTS.
4. WINDUP'S PLANT LOCATION SUBJECT TO CHANGE WITH FINAL SITE PLAN AND WINDUP'S ARE SUBJECT TO APPROVAL OF WINDUP'S COMPANY. DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (DCHA) APPROVE WINDUP'S PLANT WILL NOT BE SHARED.

#### PRELIMINARY PLAN - LEGEND

Figure 1 illustrates the proposed design approach, showing a 3x3 grid of diagrams. The diagrams are labeled as follows:

- Top-left: - PROPOSED AIA ACCESS SLAB
- Top-middle: - PROPOSED BUILDING
- Top-right: - EXISTING BUILDING TO REMAIN
- Middle-left: - PROPOSED WOODEN CROSSING
- Middle-middle: - PROPOSED STEELWALK
- Middle-right: - PROPOSED WOODENLY PRICED DUELING UNIT

**DEVELOPERS' CERTIFICATE**

THE UNDERSIGNED AGREES TO EXERCISE ALL FEATURES OF THE  
PRELIMINARY PLAN APPROVAL, HAS THEREON, INCLUDING APPROVAL  
CONDITIONS, DEVELOPMENT PROGRAM, AND CERTIFIED PRELIMINARY PLAN  
DEVELOPERS' NAME: ALANTINE REALTY COMPANIES

CONTACT PERSON: KEIT CARLSON

ADDRESS: 1501 LITTLEBERRY AVE., SUITE 110  
WENONA, VA 22782

PHONE: 703-360-9500

SIGNATURE: \_\_\_\_\_

ATTESTED SIGNATURE

PROFESSIONAL CERTIFICATION

APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NO 28095  
EXPIRATION DATE 11/27/18

STATE OF MARYLAND  
DEPT. OF STATE

PRELIMINARY PLAN SUBMISSION  
PRELIMINARY PLAN SUBMISSION - 120180010  
**MONTGOMERY VILLAGE CENTER**  
3RD ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND

DATE: JULY, 2016

CI 2

SCALE: 1"=60'

Urban, Ltd.  
7712 Little River Turnpike  
Annandale, Virginia 22003  
Tel. 703.642.8080  
Fax. 703.642.8251  
[www.urban-ltd.com](http://www.urban-ltd.com)

PLAN DATE
06-22-17
07-14-17
09-12-17
11-28-17
12-19-17
01-16-17

No.	DATE	DESCRIPTION



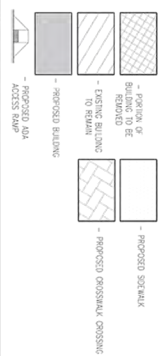
**urban**



FILE NO.  
PP-2267



## Attachment 5

[illegible][illegible]

DEVELOPER'S CERTIFICATE

WE, UNDERSIGNED, AGREE TO DECLARE ALL FEATURES OF THE PRELIMINARY PLAN APPROVED BY THE TOWNSHIP, INCLUDING APPROVAL CONDITIONS, DEVELOPMENT PROGRAM, AND DERIVED PRELIMINARY PLAN

DEVELOPER'S NAME: ALANIC REALTY COMPANIES

CONTACT PERSON: EIT CORMANO

ADDRESS: 8150 LITTONDALE PKW. SUITE 1100

ALANIC, VA 22126

PHONE: 703-350-9510

SIGNATURE: \_\_\_\_\_

AUTHORIZED SIGNATORY

### PROFESSIONAL CERTIFICATION

APPROVED BY ME, AND  
ENGINEER UNDER THE LAW  
LICENSE NO. 28085  
EXPIRATION DATE 11/7/18



SITE PLAN SUBMISSION  
SITE PLAN SUBMISSION - 820180020  
**MONTGOMERY VILLAGE CENTER**  
3RD ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND

DATE: MARCH, 2017

CL 2'

SCALE: 1"=60'

Urban, Ltd.  
7712 Little River Turnpike  
Annandale, Virginia 22003  
Tel. 703.642.8080  
Fax. 703.642.8251  
[www.urban-ltd.com](http://www.urban-ltd.com)

**urban**  
Planners • Engineers • Landscape Architects • Land Surveyors

PLAN DATE
06-22-17
07-14-17
09-12-17
11-28-17
12-19-17
01-12-18

No.	DATE	DESCRIPTION

**REVISIONS**

FILE NO.  
PP-2267





January 16, 2018

Mr. Steve Findley  
Maryland National Capital Park and Planning Commission (M-NCPPC)  
8787 Georgia Avenue  
Silver Spring, MD 20910

**RE: Request for Specimen Tree Variance  
Montgomery Village Center  
Preliminary Plan # 120180010**

Dear Mr. Findley:

Per Section 22A-21 of the Montgomery County Forest Conservation Law, we are writing to you to request a Specimen Tree Variance, required for projects which propose removing trees or impacting the critical root zones of trees that either have a diameter at breast height (DBH) of 30" or greater or trees that are 75% or more of the diameter of the current State champion tree for that species, as stated in the Montgomery County Forest Conservation Law, Section 22A-12(b)(3)(C).

The subject property is zoned Commercial Residential Town (CRT), which allows generally for the full multiplicity of uses necessary to be a self-contained town, including most residential and commercial / retail uses. The scope of the proposed project is to redevelop the existing Montgomery Village Center into a higher quality, amenity-rich, landscaped community with improved commercial / retail units, apartments over retail, and townhomes.

The Natural Resource Inventory / Forest Stand Delineation Plan, prepared by Wetland Studies & Solutions, Inc. and approved on September 1, 2016, identifies four (4) specimen trees 30" in diameter or greater on site (A-D), and (1) specimen tree 30" in diameter or greater off site (E). The redevelopment of the subject site is proposed in accordance with the Montgomery Village Master Plan and the Montgomery Village- Vision 2030 Report. Due to this redevelopment, three (3) specimen trees are proposed to be removed, and the other two (2) specimen trees' critical root zones will be impacted, but are to be preserved. The following Specimen Tree Impact List shows the extent of the impact and the specimen trees proposed to be preserved or removed:

SPECIMEN TREE IMPACT LIST								
TREE NO.	SPECIES	COMMON NAME	SIZE	CONDITION	CRZ	CRZ AFFECTED	CRZ AFFECTED	STATUS
			DBH (in)		AREA (sf.)	AREA (sf.)	(%)	(Remove or Preserve)
A	<i>Quercus palustris</i>	<i>Eastern Pin Oak</i>	30"	Fair	6,361	3,362	53%	Remove
B	<i>Quercus rubra</i>	<i>Northern Red Oak</i>	32"	Fair	7,238	134	2%	Preserve
C	<i>Quercus robur</i>	<i>English Oak</i>	31"	Fair	6,792	2,498	37%	Remove
D	<i>Acer platanoides</i>	<i>Norway Maple</i>	33"	Good	7,697	7,300	95%	Remove
E	<i>Acer platanoides</i>	<i>Norway Maple</i>	48"	Poor	16,286	651	4%	Preserve



**Justification Narrative for Tree Disturbance**

The proposed redevelopment will replace portions of the existing surface parking lot and replace / add to portions of the existing commercial / retail buildings with various types of additional retail / commercial, apartment homes, and townhomes, as well as improve road and sidewalk connections, create a unified streetscape throughout the property, add contemporary bioretention facilities, and create an open public recreation gathering space. This proposed redevelopment will create a vibrant mixed-use town center which interconnects with the surrounding community and integrates green and open public spaces.

The existing property is a strip-mall type shopping center with expansive paved parking areas and no bioretention features or attractive public amenities. Existing landscaping consists primarily of previously planted trees and shrubs, with some maintained lawn under the tree canopy; there are no forests on site. Afforestation requirements for the site total approximately 2.76 acres. As this site is a redevelopment project within an urban area, per the Montgomery County Forest Conservation Law, Section 22A-12(d)(2), afforestation requirements will be met through a combination of the preservation of on-site existing individual tree cover and tree cover from the proposed landscape plantings to the greatest extent possible, while the remainder of the required mitigation will be met through the purchase of credits from the appropriate Forest Conservation Bank, if acceptable to the Planning Board or Planning Director. The impacts to the specimen trees noted above are caused by the grading required to construct the improved road and streetscape connections.

Per Section 22A-21(b)(1-4) of the Forest Conservation Law, we offer the following rationale in support of the request for a Specimen Tree Variance.

1. The requested variance is necessary for implementation of this mixed-use development. The proposed road improvements and improved streetscape walks are located in generally the same location as the existing roads and walks; however, it is necessary to construct the improvements in order to create a cohesive streetscape design which meets the design intent of the Montgomery Village Master Plan and the Montgomery Village- Vision 2030 Report developed by the Montgomery Village Foundation. The conditions related to this request are unavoidable consequences of the redevelopment process.
2. Current development already exists within the critical root zones of the impacted specimen trees. Enforcement of Chapter 22A would not only restrict the development allowed by the zoning ordinance, but would also create a deviation from the Montgomery Village Master Plan, potentially creating a less cohesive streetscape layout and less effective access for residents to move freely throughout not only this site, but adjacent connected properties as well- a right commonly enjoyed by others in similar areas.
3. The stormwater management facilities proposed are a significant improvement over the current state of runoff on site. Currently there are expansive paved parking lots with outdated, rudimentary stormwater treatment facilities. Through this proposed redevelopment, impervious areas will be decreased, and micro-bioretention facilities will be provided throughout the site to treat runoff. Furthermore, per Montgomery County Requirements, eight additional 3" caliper trees have been proposed



specifically to mitigate the potential impacts of removing the three specimen trees. Therefore, the removal or impact of the variance trees noted in this request will not adversely affect water quality in any way.

4. In summation, we feel that the impact of the above noted trees is necessary for the redevelopment of the subject site, and combined with the proposed landscaping, stormwater treatment features, and green space to be added throughout the site though this plan, will ultimately lead to an improved ecological and environmentally functioning site, as envisioned with the Montgomery County Master Plan.

Thank you for your consideration of this Tree Variance request. We believe the supporting information provided with this letter justifies the variance to remove (3) specimen trees and impact the critical root zones of (2) others. If you have any questions or need additional information, please do not hesitate to contact us.

Sincerely,

Urban, Ltd.

Kevin J. Tankersley, PLA, LEED A.P. BD+C, Director of Landscape Architecture  
Maryland Landscape Architect #795  
ISA Certified Arborist #MA-5871A