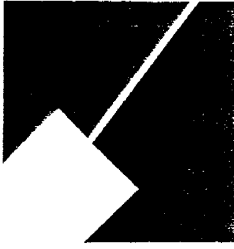


APPENDIX A



March 9, 2004

MEMORANDUM

TO: Robert Kronenberg, Planner/Coordinator
Development Review Division

VIA: Ronald C. Welke, Supervisor
Transportation Planning

FROM: Ed Axler, Planner/Coordinator
Transportation Planning EA

SUBJECT: Site Plan No. 8-04015
Fortune Parc (Phase II)
Potomac Policy Area

This memorandum is Transportation Planning staff's transportation review of the subject site plan under the I-3 optional method with a 0.5 FAR. This site plan is Phase II of the development that was preceded by Phase I, Site Plan No. 8-04012, approved by the Planning Board on February 12, 2004.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the Adequate Public Facility test for transportation requirements related to approval of this site plan:

1. Limit the site plan to the following mixed use land uses, under Section 59-C-5.4391 of the Zoning Ordinance:
 - a. A maximum of 450 multi-family, mid-rise apartments
 - b. 820,000 square feet of general office use
 - c. 15,000 square feet of general retail use

- d. 15,000 square feet of high-turnover (sit-down) restaurant use or an equivalent increase in square feet of general office use (up to 15,000 square feet) and/or general retail use (up to 15,000 square feet) based on the weekday peak-hour trips generated by a high-turnover (sit-down) restaurant.
2. Per Section 59.E.2.3 of the Zoning Ordinance, provide one bicycle rack or locker per 20 automobile parking spaces not to exceed 20 bicycle racks or lockers for the subject site plan to be coordinated with Transportation Planning staff regarding their location and type prior to the signature set.
 3. Satisfy the I-3 Special Trip Reduction Guidelines and the recommendation in the *Potomac Master Plan* that “A shuttle service or other transit connection should be provided to metro when development supports the service as determined at time of development plan approvals.” (Refer to Attachment No. 1 for the appropriate Master Plan pages) by entering into a Transit Mitigation Agreement (as outlined below) (“TMA”) to enhance Ride-On service now operating along Seven Locks Road and Montrose Road.
 - a. Starting with the occupancy of the first multi-family or office building, applicant will pay the Department of Public Works and Transportation (DPWT) \$10,000.00 per annum to extend the existing 30-minute headway Ride-On bus service along Montrose Road (Route 38) and Seven Locks Road (Route 47) onto the site. The annual operating and maintenance cost for this extension of service shall be \$10,000.00, and shall be funded by the applicant for a minimum period of ten years.
 - b. Upon issuance of use and occupancy permits for 350,000 square feet of office and retail development in the I-3 zone, applicant will purchase one Ride-On bus for the Ride-On system to permit DPWT to expand Ride-On bus service on the site by enhancing the Ride-On Route 38 service with a direct connection between Fortune Parc and the White Flint Metro Station at 15-minute headways during both the morning (6:30 a.m. to 9:30 a.m.) and evening (4:00 p.m. to 7:00 p.m.) weekday peak periods. The payment of applicant to DPWT for this enhancement of on-site service shall be \$120,000.00 per annum for the remaining years of the term of the TMA. This annual payment shall be composed of \$10,000.00 for the basic service, outlined in subparagraph a. above, an annual credit in an amount equal to the cost of the Ride-On bus divided by the remaining years of the term of the TMA, and a cash payment for the remaining amount necessary to equal \$120,000.00.
 - c. Provide a transit center on site as part of the construction of Building C, as shown in the site plan. The transit center shall allow for drop-off and pick-up of passengers by standard Ride-On buses with 500 square feet of office space.
 - d. One “super” bus shelter, to include real time transit information, lighting and heat, will be installed by Applicant on-site at a location to be determined in coordination with DPWT and Maryland-National Capital Park and Planning

Commission. The capital cost is \$40,000.00 and the annual operating cost is \$500.00 for a period of ten years.

- e. The term of the TMA shall be 10 years from the date of occupancy of the first multi-family or office building. If, at the end of the ten-year term of the TMA, the enhanced Ride-On service has not been triggered or, if triggered, has been in effect for less than six years, the term of the TMA shall be automatically extended for such period of time as would permit the enhanced service to be in operation for six years, providing in no event shall the total term of the TMA exceed 16 years. Pursuant to the Special Trip Reduction Guidelines, no monitoring of goal achievement or substitute components will be required.

DISCUSSION

Refer to Transportation Planning memorandum for Site Plan No. 8-04012 revised, dated February 6, 2004 (Attachment No. 2), for the following:

1. Site Location, Vehicular Access Points, and Pedestrian Facilities
2. Potomac Springs' Access via Twin Oaks Drive at Seven Locks Road
3. Master Plan Roadways and Bikeways
4. On-Going Transportation Project

Existing Transit Routes Serving Site

Two existing Ride-On routes operate along the adjacent roadways, both having one-half hour headways:

1. Ride-On Route 47 runs along both Montrose Road and Seven Locks Road and connects between the Rockville Metrorail Station and the Bethesda Metrorail Station.
2. Ride-On Route 38 runs along Montrose Road and connects between Montgomery Mall and the Wheaton Metrorail Station with a stop at the White Flint Metrorail Station.

The scheduled travel time is less than 15 minutes between the intersection of Montrose Road and Seven Locks Road, and the White Flint Metro Station along the Ride-On Route 38.

Alternative Proposal to Satisfy the Potomac Master Plan's Transit Service Recommendation

The *Potomac Master Plan* recommends that a private shuttle service or other transit connection be provided to Metro for the residents living in and employees working in Fortune Parc. The transit alternative described in Recommendation No. 3 was developed in recognition of the mixed-use development and limit on FAR required by the *Master Plan*, and to optimize the use of the applicant's funds to enhance the transit connection to the White Flint Metro

Station. The applicant coordinated with both the Transportation Planning staff and DPWT's Transit Services staff to develop this alternative proposal.

A private shuttle would only duplicate the two existing Ride-On routes which provide service to four Metro Stations, and would not be economically reasonable. A transit center is currently planned within the proposed commercial office area.

Section 59-C-5.436 of the *I-3 Special Trip Reduction Guidelines* states:

“It is the intent of the special trip reduction guidelines to achieve as a goal a reduction in auto trips for I-3 projects of 10 percent below the peak hour trip generation rates adopted by the Planning Board for the administration of the Adequate Public Facilities Ordinance. To help achieve the trip reduction goal, design measures should be incorporated in the project to meet trip reduction objectives established in this section, as well as non-design measures for the purpose of reducing dependence on single-occupant automobiles....”

In this case, the project's mixed-use design, when combined with the limit of 0.5 FAR, are significant design elements that contribute to a reduced estimate of trip generation. Although there are inherent benefits of this “Smart Growth” design, the substantial transit enhancements described above, on their own merits, achieve the desired I-3 trip reduction goal.

County Executive Doug Duncan announced a ten-year comprehensive transportation plan called *Go Montgomery!* The plan calls for new transit service, extended transit service, and schedule reliability improvements, with the purpose of alleviating traffic congestion. Playing a very prominent role in *Go Montgomery!* is the improvement of frequencies on various bus routes. Of various transit service actions to be taken, improved frequencies is the single strongest tool in *Go Montgomery!* for promoting increasing ridership and reducing single occupant vehicle use.

An initial estimate by DPWT staff, using available trip generation and mode-split rates, shows the following forecast:

Development Phase	Boardings in Fortune Parc (AM peak hour)
Phase 1 (600 dwelling units, bus service into Fortune Parc with 30 minute headway)	~ 10
Phase 2 (600 DU, 850,000 square feet office, bus service into Fortune Parc at 15 minute headway)	182 (172 from office, 10 from residential)

It was assumed that 2% of the residential trips would be using the bus. This is based on surveys conducted in areas within 1/3 mile of the bus route, with 30 minute feeder service to Metro,

and is consistent with mode split data from the 2000 census data for the census tracks surrounding the project. For the trips to the site related to employment, a 12% transit share was assumed, based on the County-wide mode split to employment centers. In addition, by adding a new bus route, significant additional off-site peak hour trips along the route will be mitigated.

For comparison purposes, the I-3 trip reduction goal approved by the Planning Board for the office component of this project at preliminary plan was a six percent reduction in off-site weekday peak hour trips during the morning and evening peak periods. This translated into a trip reduction goal of 90 trips during the morning peak hour and 86 trips during the evening peak hour. As can be seen from the table above, the estimated effect of providing Ride-On service into Fortune Parc at 15-minute headways during weekday morning and evening peak periods is nearly double the goal of the I-3 trip reduction goal approved previously by the Planning Board. Therefore, staff is confident that this enhancement of Ride-On service to Fortune Parc will satisfy the I-3 goal set by the Planning Board.

A transit center has been designed into the project and includes provision for dissemination of transit information and a bus layover as needed. The on-site super bus shelter will include real time information, lighting and heat. The capital cost for this shelter is estimated at \$40,000 and the yearly operating cost is estimated at \$500.

Adequate Public Facility Review

As similarly analyzed for Site Plan No. 8-04012, the adequate public facilities (APF) review was approved by the Planning Board with its approval of Preliminary Plan No. 1-03029 on September 3, 2003, for the whole development. The Planning Board approved Site Plan No. 8-04012 on February 12, 2004, for Phase I or 150 single-family attached units.

The approved preliminary plan's land uses include Phases I and II for the non-residential I-3 zoned land uses and the O-M (non-I-3) zoned land uses. The total vehicular peak-hour trips generated by the approved preliminary plan land uses is compared below with the Phase II land uses proposed for the subject site:

1. During the weekday morning peak period, a total of 1,640 new peak-hour trips compared with 1,577 new peak-hour trips.
2. During the weekday evening peak period, a total of 1,563 new peak-hour trips compared with 1,472 new peak-hour trips.

EA:RCW:gw

Attachments

cc: Howard Benn
Mary Goodman
Wes Guckert
Chuck Kines
Yael Klejman
Larry Marcus
Michele Rosenfeld
Peggy Schwartz
Barbara Sears

mno to Kronenberg re Fortune Parc Phase II - SP8-04015



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION
MEMORANDUM

Douglas M. Duncan
County Executive

Albert J. Genetti, Jr., P.E.
Director

March 8, 2004

TO: Ron Welke
Transportation Planning Department

FROM: Howard P. Benn, Chief
Customer & Operations Support Section
Howard P. Benn

SUBJECT: Fortune Parc Trip Reduction

Further to the meeting of March 3, 2004, on the subject of improving transit service to the above mentioned development, with the purpose of reducing the amount of trips made by SOV, the Division of Transit Services is of the opinion that increasing the frequency of available service will attract more riders to the system.

County Executive Doug Duncan announced a 10 year comprehensive transportation plan called *Go Montgomery!*. The plan calls for new service, extended service and schedule reliability improvements, with the purpose of alleviating traffic congestion. But particularly, playing a very prominent role in *Go Montgomery!* is the improvement of frequencies on various bus routes. Of various transit service actions taken, improved frequencies is felt to be the single strongest tool in *Go Montgomery!* promoting increasing ridership and reducing SOV use.

A quick forecast by staff using available trip generation and mode split rates, shows the following forecast:

Development Phase	Boardings in Fortune Parc (AM peak hour)
Phase 1 (600 dwelling units, bus service into Fortune Parc with 30 min headway)	< 10
Phase 2 (600 DU, 850,000 sf office, bus service into Fortune Parc at 15 min headway)	182 (172 from office, 10 from residential)

It was assumed that 2% of the residential trips are using the bus. This is based on surveys conducted in areas within 1/3 mile of bus route, with 30 min feeder service to Metro. It is consistent with mode split data for the 2000 census data for the census tracts surrounding the project. For the trips to site employment, a 12% transit share was assumed, based on County-wide mode split to employment centers.

The on-site super bus shelter should include real time information, lighting and heat. The capital cost for this is about \$40,000 and the yearly operating cost is estimated at \$500. We are supportive of the effort being proposed by the developers and believe it will help support the goal of achieving a 6% trip reduction.

HPB/jm/g:HB:Fortune Parc



Division of Transit Services



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

February 4, 2004

Douglas M. Duncan
County Executive

Albert J. Genetti, Jr., P.E.
Director

Mr. Robert Kronenberg, Planner
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 1-03029
Fortune Parc

Dear Mr. Kronenberg:

This letter is to confirm the agreements reached during a February 2, 2003, telephone conversation between representatives for the applicants and our respective offices regarding the non-standard design elements proposed within the public rights-of-way for Streets A and B of this project. This letter should enable the applicants' pending Site Plans to be reviewed by the Planning Board as scheduled. DPWT conditionally supports the non-standard elements subject to the following comments:

1. **Rights-of-way for Streets A and B:** we agree with the rights-of-way shown on the "Proposed Road Exhibit" drawing.
2. **Transition between divided and undivided typical sections for Street A:** DPWT is amenable to the proposed divided roadway between Seven Locks Road and centerline station 3+68.95. We do not support providing the transition (from divided to undivided typical sections) at an intersection, as currently proposed. We have proffered two options which are under consideration by the applicants and your office:
 - Introduce a monumental entrance median, beginning at approximately centerline station 8+10, and then transition to the undivided section. The median should be at least fifty feet long. The width of the median will be dependent on traffic and parking movements at the nearby intersection and in the area around the median. Trees will not be allowed if the median is less than sixteen feet wide; low level ground cover or shrubbery may be allowable. In order to remain within the proposed right-of-way, parking restrictions may be required in the vicinity of the median.

or

 - Pull back the proposed median to approximately centerline 4+50 and then transition to an undivided section.

We agreed to defer the final decision on the Street A typical sections until the permit stage.



Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
240/777-6000, TTY 240/777-6013, FAX 240/777-6030

3. **Sidewalk widths along Streets A and B:** we agreed with the proposal on the current plans to have a minimum clear sidewalk width of six feet on the west side of Street B. We have accepted a minimum clear sidewalk width of five feet on both sides of the entire length of Street A and full width sidewalk (between the curb and the right-of-way line, with tree boxes) on the east side of Street B.
4. **Streetscaping along Streets A and B:** DPWT supports allowing the proposed streetscaping (including brick paver sidewalks, street tree maintenance and replacement, any additional landscaping within the right-of-way, benches, trash cans, etc.) subject to the applicants executing and recording a perpetual Maintenance and Liability Agreement for these amenities. A separate agreement between the applicants and DPWT may be necessary for streetlighting maintenance, if any unique streetlighting poles and/or fixtures are being proposed for this subdivision. The applicants will also need to provide appropriate bonding for the perpetual maintenance and liability of these features. This agreement will remain in place until the County establishes an Urban District (for the maintenance of those streetscaping items) or those amenities have been removed from the public right-of-way. This approach is similar to that used on other mixed use developments located outside the Urban Districts.
5. **Crosswalk locations:** DPWT agrees with the recommendations for those crosswalks proposed at the intersections along Streets A and B. We have deferred our decision on the location of mid-block crosswalk(s) until the permit stage, pending our review of sight distances, parking, and traffic operations in the vicinity of the mid-block crosswalk(s).

DPWT will not allow the installation of concrete paver crosswalks on County-maintained streets. We will allow the installation of synthetic asphalt-based compounds (such as "Imprint") for unique crosswalks. Since those materials are currently being installed on a trial basis, DPWT will assume the maintenance of these unique crosswalks.

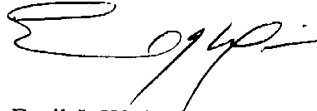
6. **Driveway locations along Street B in the vicinity of its intersection with Street A:** DPWT supports the proposed driveway spacing, provided the curb radii of the driveway aprons are constructed so as to limit access to the private street to passenger vehicles and reasonably preclude the prohibited movements.
7. **Design at the intersection of the private driveway and the northbound ramp from Montrose Road/I-270:** Staff recommends approval of the applicants' proposed modified plan (Attachment L) – with minor revisions to the proposed lane markings. We agreed to defer the final design on the ramp/driveway intersection until the permit stage.
8. **Street B termini and narrowing opposite in the vicinity of centerline station 15+30:** DPWT supports approval of the proposed traffic circle at the Street B intersection with the ramp from Montrose Road and I-270, provided the traffic circle is designed to accommodate the turning movements of tractor trailers. DPWT does not support the proposed pavement reduction in the vicinity of centerline station 15+30; the typical (forty foot wide) pavement should be built through this location. DPWT supports approval of the proposed cul-de-sac, with an interior island, just south of Fortune Terrace; it was agreed that this cul-de-sac will be removed if Street B is extended to intersect with Fortune Terrace.

Mr. Robert Kronenberg
Preliminary Plan No. 1-03029
February 4, 2004
Page 3

9. **Improvements along Seven Locks Road:** The amended traffic signal warrant study remains under review by this Section. DPWT remains concerned with the proposed pavement widening plan. We have accepted the applicants' proposal to provide eleven foot wide lanes for the four through and one southbound left turn movements at this intersection. However, we remain concerned about the proposed narrowing of the grass shelf between the western curbline and the existing Class I bikepath. We have requested the applicants to explore various option(s) to provide more clearance between vehicles and users of the bike path. Relocation of the existing bikepath and existing utility poles to the west and/or widening the pavement to the east should be investigated; retaining walls may also be necessary to limit side slope grading. We agreed to defer a final decision on the improvements to Seven Locks Road until the permit stage.

Thank you for your cooperation and assistance on this project. If you have any questions or comments regarding this letter, please contact Mr. Jeffrey Riese at 240-777-2190.

Sincerely,



Emil J. Wolanin, Chief
Traffic Engineering and Operations Section

EJW/GML/je

M:\Subdivision\GML\DOCS\PPV1-03029, Fortune Parc, non-standard design conditional approval ltr, 020304.doc

cc: Malcolm Shaneman
Ronald Welke
Michael Ma
Bryant Foulger
Wyndham Robertson
Barbara Sears
Chuck Irish
Marwan Mustafa
Joseph Cheung
Sarah Navid
Patrick Bradley
Jeffrey Riese
Gregory Leck



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor

Kendl P. Philbrick, Acting Secretary

October 8, 2003

Mr. Raja Veeramachaneni, Chief
Highway Hydraulics Division
State Highway Administration
707 North Calvert Street
Baltimore, MD 21202

Attn: Brandon Scott

Re: SHA Hydraulic File No. 03-UP-MO-004
Fortune Parc @ I-270 and Montrose Road -
Request to Expand Existing SHA Pond as a Joint Use Facility

Dear Mr. Veeramachaneni:

The Administration has received and reviewed the October 2003, additional submittal for the above referenced project in Montgomery County. The review was in accordance with Sections 4-106 and 4-205 of the Department of the Environment Article, Annotated Code of Maryland with regard to Sediment Control and Stormwater Management.

The submitted information indicates that the existing extended detention pond can be expanded to provide sufficient capacity to accommodate stormwater management storage for the referenced development and the pond can be upgraded to present day standards. Therefore, WMA has no objections to the expansion of the existing pond in accordance with the Fortune Parc Construction Drawings dated April, 2003, revised October 7, 2003 and the accompanying Stormwater Management Report dated July, 2003, revised September 2003, in order to provide Stormwater Management for the proposed development.

Sediment and erosion control must be submitted and approved by the local control agency prior to the start of construction.

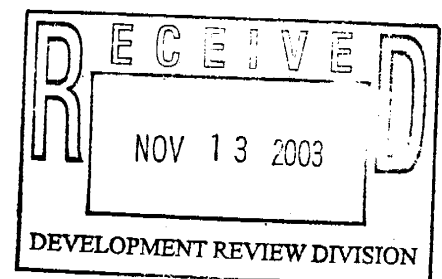
Please call me at (410) 537-3563 with any questions or comments.

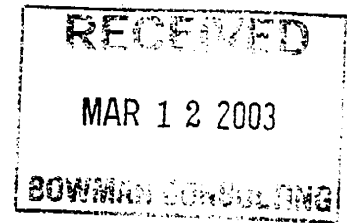
Sincerely,



James K. Tracy, P.E., Chief
Sediment and Stormwater Plan Review Division
Water Management Administration

JKT/SPA/spa





DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

March 11, 2003

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

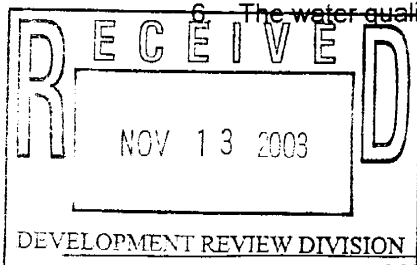
Re: Stormwater Management **CONCEPT** Request
for Fortune Parc
Preliminary Plan #: 1-03029
SM File #: 206882
Tract Size/Zone: 50.5 acres/I-3
Total Concept Area: 50.5 acres
Watershed: Cabin John Creek

Dear Mr. Mustafa:

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

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

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



804012

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

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

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

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

Sincerely,



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

RRB:enm 206882

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

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



**THE MARYLAND-NATIONAL CAPITAL PARK AND
PLANNING COMMISSION**
Department of Park & Planning, Montgomery County, Maryland
8787 Georgia Avenue, Silver Spring, Maryland 20910

MEMORANDUM

TO: Robert Kronenberg, Development Review

FROM: Mark Pfefferle, Planning Coordinator, Environmental Planning *MP*

DATE: February 2, 2004

SUBJECT: Site Plan Number 8-04012, Fortune Parc

STAFF RECOMMENDATION

Staff recommends approval of final forest conservation for plan #8-04012.

BACKGROUND

The proposed development site is located immediately northwest of the intersection of I-270 and Montrose Road. The majority of the property is located north of Montrose Road and less than 2 acres of the 54-acre site is located south of Montrose Road. The northern portion of the site extends west to Seven Locks Road and north to the Rockville city limits. The site is entirely within the Cabin John Creek watershed, a Use I-P stream.

Approximately 41 acres of the site is considered forest. The remainder of the property consists of abandoned fields undergoing succession, abandoned access roads, and a former home site. Tulip trees, oaks, and maples are the dominant overstory species identified on the majority of the site. The western portion of the site consists of steep slopes and a mature oak and hickory forest. The western portion of the property contains the largest trees as well as two eight-foot tall American Chestnut trees. The American Chestnut tree is classified as a rare, threatened, and endangered species by the State of Maryland.

This forest conservation plan will address the forest conservation plan requirements for site plans 8-04012 and 8-04015. The areas for these site plans were included in preliminary forest conservation plan number 1-03029.

Proposed Project

The proposed onsite project work for site plan 8-04012 consists of 150 townhouse units. The proposed onsite project work for site plan 8-04015 consists of 450 multi-family residential units and 820,000 gsf of office space. The subject property is zoned I-3 and O-M. Approximately 49 acres is zoned I-3 and the balance is O-M.

Environmental Buffers

Runoff from the property flows into Cabin John Creek, a Use I-P stream. An environmental buffer is located on the portion of the property south of Montrose Road. There are no streams, wetlands, floodplains, or environmental buffers on the subject property north of Montrose Road. However, there are steep slopes running parallel to Seven Locks Road. Within the environmental buffer south of Montrose Road exists on ramps to I-270. The applicant has proposed to locate either a natural surface trail or boardwalk trail through the environmental buffer south of Montrose Road. Environmental planning supports this proposal. Environmental Planning does not support a hard surface trail through the environmental buffer for it would be inconsistent with the long-term protection agreement for category I forest conservation areas.

Forest Conservation

The property consists of approximately 41 acres of forest and the site plan is subject to the forest conservation law. Section 22A-12(b) of the Montgomery County code states that the primary objective of the forest conservation plan should be to retain existing forest and trees and avoid reforestation. Subsection (2) of 22A-12(b) identifies that the areas to be protected in forest conservation plans to include, but not limited to: environmental buffers; steep slopes; critical habitats; rare, threatened and endangered species; and areas which have been designated as priority save areas in a master plan or functional plan.

The applicant is proposing retention of existing forest and additional forest plantings within environmental buffer; preservation of the mature upland forest on the southwest portion of the site; and retention of the forest along the steep slopes parallel to Seven Locks Road. By preserving the forest in the steep slopes along Seven Locks Road, the preliminary forest conservation plan preserves the rare, threatened and endangered American Chestnut trees. The protected forested buffer surrounding the American Chestnut trees exceeds the 100-foot recommended buffer established by the Maryland Department of Natural Resources.

The applicant is proposing to remove 33.95 acres of forest and preserve 7.03 acres of forest. The applicant has a forest planting requirement of 9.69 acres, which will be met through a combination of on-site landscape planting and off-site forest plantings. The applicant is proposing to provide a landscape buffer parallel to I-270. The buffer will consist of native plants and include canopy trees. The buffer size and plant densities should be sufficient to screen the exposed parking areas and the lower levels of the office/commercial buildings from I-270. The off-site planting area has not been determined at this time. The applicant has the option of planting within the watershed, or by utilizing a forest conservation banks.

Since part of the site includes single-family residences and an optional method of development is proposed the site plan must meet the forest conservation threshold on-site to satisfy section 22A-12(f) of the Montgomery County code. The final forest conservation plan reconfirms the preliminary forest conservation plan and that this is that the residential portion of the site will meet the forest conservation threshold onsite. This will be accomplished by preserving the mature upland forest and the forest along steep slopes parallel to Seven Locks Road.

Stormwater Management

The stormwater management concept consists of off-site channel measures via upgrading the existing State Highway Administration's stormwater management facility; on-site quality control via biofiltration; surface sand filters and onsite recharge. The Department of Permitting Services approved the stormwater concept on March 11, 2002.

ENGINEERING DESIGN
OPPE.MD/DC



3901 Calverton Blvd, Floor 3RD
Beltsville, MD 20705-3420

January 21, 2004

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

RE: Fortune Parc Site Plan # 8-04015

Dear Robert;

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

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

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

The developer will copy the HOA documents once they are finalized

If you have any questions I can be reached on 301 595-6052.

Very Truly Yours

A handwritten signature in black ink that reads "Robert E. Thompson".

Robert E. Thompson