



## 4900 Nicholson Court, Site Plan No. 820180150



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Completed: 07/06/18

### Description

Request for the approval of a Site Plan to construct a 134,922 square-foot self-storage facility, pedestrian and vehicular circulation improvements and landscaping, and the associated Final Forest Conservation Plan.

Location: 4900 Nicholson Court.

Master Plan: 2010 *White Flint Sector Plan* and 2018 *White Flint 2 Sector Plan*.

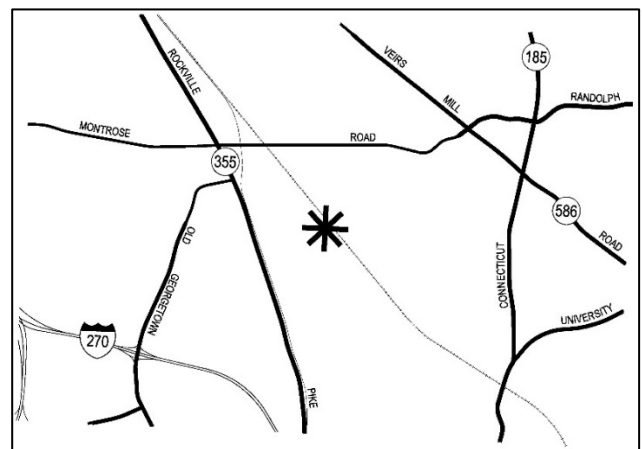
Zone: IL-1.0, H-50.

Property Size: 3.10 acres.

Applicant: 4900 MD LLC.

Acceptance Date: March 20, 2018.

Review Basis: Chapter 59, Site Plan.



### Summary

- Staff recommends approval with conditions.
- As a condition of Site Plan approval, the applicant has agreed to record a covenant to provide an easement for an 18-foot-wide pedestrian and bicycle connection on Parcel P818 for the future implementation of the trail connection recommended between Nicholson Court and Wyaconda Road in the 2018 Bicycle Master Plan Planning Board Draft.
- A Final Forest Conservation Plan and Tree Variance are associated with this Site Plan.

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## SECTION 1: RECOMMENDATIONS AND CONDITIONS

Staff recommends approval of Site Plan No. 820180150. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.<sup>1</sup>

### Density

1. Maximum Density

The Site Plan is limited to 134,922 square feet of self-storage use allowed under the development standards of the zone.

### Environment

2. Forest Conservation

- a. The Sediment and Erosion Control Plan and Storm Water Management Plan must be consistent with the limits of disturbance and associated tree/forest preservation measures of the Final Forest Conservation Plan (FFCP).
- b. The Applicant must comply with all tree protection and tree save measures shown on the approved FFCP Amendment. Additional tree save measures not specified on the FFCP Amendment may be required by the M-NCPPC forest conservation inspector at the pre-construction meeting.

3. Stormwater Management

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept letter dated May 9, 2018 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval.

### Open Space, Facilities and Amenities

4. Amenity Open Space, Facilities and Amenities

- a. The Applicant must provide a minimum of 13,288 square feet of amenity space (10% of the site area) on-site.
- b. Before the issuance of final Use and Occupancy Certificates for the industrial development, all amenity space areas on the Subject Property must be completed.

5. Maintenance of Amenities

The Applicant is responsible for maintaining all amenities on the Subject Property, including, but not limited to private pedestrian pathways and landscaping.

### Transportation and Circulation

6. Pedestrian and Bicycle Circulation

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<sup>1</sup> For the purposes 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.

- a. The Applicant must provide a five-foot-wide sidewalk between the existing sidewalk on Nicholson Court and the proposed building entrance.
- b. Prior to release of Building Permit, the Applicant must record in the Land Records of Montgomery County a covenant, in a form approved by the M-NCPPC Office of General Counsel, to provide an easement on Parcel P818 for the creation of part of a future bicycle / pedestrian trail connecting Nicholson Court and Wyaconda Road via a crossing over the CSX railroad tracks (the "Trail"). At a minimum, the covenant must address the following:
  - i. The easement must be provided upon the satisfaction of the following conditions:
    1. the pending Bicycle Master Plan is approved and adopted and recommends implementation of the Trail; and
    2. the Trail is included in a Montgomery County Capital Improvements Program, and the County has executed a contract for preliminary design of the Trail.
  - ii. The easement must grant to the County or otherwise provide for:
    1. access for preliminary surveying and geotechnical analysis;
    2. the right for temporary grading, construction, and installation of the Trail improvements;
    3. County responsibility for operation, maintenance, repair and replacement of the Trail improvements;
    4. authorization for use of Parcel P818 by the public for ingress and egress on, over, and across the Trail; and
    5. County liability for the Trail.
  - iii. This condition will become void if the approved and adopted Bicycle Master Plan: (a) does not recommend the Trail or (b) recommends that the Trail be built in a location that does not include Parcel P818.
- c. Prior to issuance of the final Use and Occupancy Certificate, the applicant must resubmit a revised Certified Site Plan for recertification upon recordation of the covenant in the Land Records, to include the Liber and Folio reference on Parcel P818.

## **Site Plan**

### **7. Site Design**

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheets P200-P204 of the submitted architectural drawings, as determined by Staff.

### **8. Building Height**

The building is limited to a maximum height of 50 feet as measured from the building height measurement point illustrated on the Certified Site Plan.

### **9. Landscaping**

- a. Prior to issuance of the final Use and Occupancy Certificate, all on-site amenities shown on the Certified Site Plan including, but not limited to sidewalks, pedestrian pathways, seating and fencing must be installed.
- b. The applicant must install landscaping no later than the next growing season after completion of site work.

10. Lighting

- a. Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b. All onsite down-lights must have full cut-off fixtures.
- c. Deflectors will be installed on all fixtures to prevent excess illumination and glare.
- d. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.

11. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, trash enclosures, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks.

12. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

13. Certified Site Plan

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

- a. Include the stormwater management concept approval letter, development program, and Site Plan resolution (and other applicable resolutions) on the approval or cover sheet(s).
- b. Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
- c. Add a note stating that "Minor modifications to the limits of disturbance shown on the Site Plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- d. Modify data table to reflect development standards approved by the Planning Board.
- e. Ensure consistency of all details and layout between Site and Landscape plans.
- f. Revise the Site Plan to reference the covenant for the pedestrian and bicycle connection.

#### 14. Storm Drain Analysis

The applicant must submit a storm drain analysis to the Department of Permitting Services Right-of-Way Permitting Section at the time of Right-of-Way Permit to assess whether improvements are needed for the connection to the public storm drain system. Any required improvements are subject to review and approval by the Department of Permitting Services Right-of-Way Section and must be included in the Right-of-Way Permit or as otherwise required by the Department of Permitting Services.

## SECTION 2: SITE DESCRIPTION

### Site Vicinity

The 4900 Nicholson Court Property (Property or Subject Property – outlined in red in Figure 1 below) is located in an industrial park at the end of Nicholson Court. The 3.10-acre Property is within the 2010 *White Flint Sector Plan* and the 2018 *White Flint 2 Sector Plan*, and is bordered by industrial uses to the north and west, the CSX railroad tracks to the east and detached single-family residential houses to the south. An existing forest area, located in a Forest Conservation Easement, provides a buffer between the Property and the single-family residential community to the south.



Figure 1: 4900 Nicholson Court (Property outlined in red)

## **Site Description**

The Property is located approximately 2,500 feet east of Rockville Pike at the end of Nicholson Court, with vehicular access from Nicholson Court. It includes two parcels of land (Parcel G N871 and Parcel P818) that total approximately 132,881 square feet (3.05 acres). The gross tract area, which includes prior right-of-way dedication for Nicholson Court is 134,922 square feet (3.10 acres). The Property is currently zoned IL-1.0, H-50 and is improved with two industrial buildings and a large surface parking lot used as an operation and maintenance facility for the Barwood Taxi Company.

The Property includes several significant easements, including a Washington Suburban Sanitary Commission right-of-way that extends along the length of the northern property boundary. A storm drain easement, approximately 35-feet in width, extends from the end of Nicholson Court along the western portion of the Property and a Category I Forest Conservation Easement, approximately 56-feet in width, extends along the southern property line. The forested area within the easement provides a buffer between the industrial use of the Property and the adjacent single-family residential community. The proposed self-storage building does not impact these easements.

## **Background**

The Planning Board approved Preliminary Plan No. 1-94022 for the Property on February 3, 1994. The Preliminary Plan approval limited development of the site to an automotive (taxi) operation and maintenance facility and required the applicant to enter into a traffic mitigation agreement to reduce the number of vehicular trips to and from the site. The transportation mitigation program required by the agreement concluded in the fourth quarter of 2009, pursuant to the term limits established in the agreement. An amendment to the Preliminary Plan is not necessary, as the proposed Site Plan continues to meet the Preliminary Plan conditions of approval including the adequate public facilities test, and the proposed self-storage facility generates fewer trips than the automotive (taxi) operation.

## **SECTION 3: PROJECT DESCRIPTION**

### **Proposal**

The applicant, 4900 MD LLC, requests approval of a Site Plan to construct a 134,922 square-foot facility with 133,722 square-feet of self-storage uses, 1,200 square-feet of ancillary office, surface parking and amenity open space. The proposed building includes a maximum height of 50-feet, as measured from the average elevation of the finished ground surface along the front of the building, pursuant to Section 59.4.1.7.C of the County code.

### **Site Design**

As shown in Figure 2, the proposed self-storage facility is positioned in the center of the site, with access from Nicholson Court. The facility is designed to provide one-way vehicular circulation for parking and loading. Pedestrian access is also provided by a sidewalk connection between Nicholson Court and the primary building entrance. The building, drive aisles and surface parking are positioned outside of the existing stormwater and forest conservation easements.



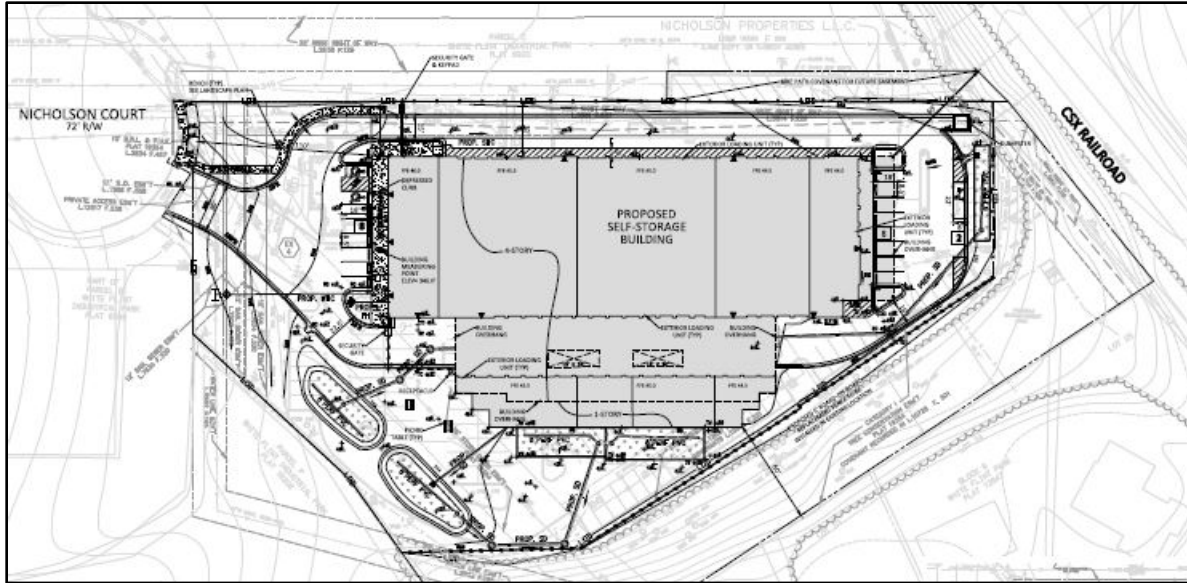


Figure 2: Proposed Site Plan

## Building Design

The proposed building, generally positioned in an east-west orientation on the Property, includes approximately 134,922 square-feet within a maximum height of 50-feet. The building entrance, located at the northwest corner of the Property and visible from Nicholson Court, incorporates a modern design, with a combination of masonry walls, metal panels and storefront glass. The northern building facade, which faces the adjacent industrial uses, incorporates exterior masonry walls at the building base and metal insulated panels on the upper floors. Corrugated metal panels are interspersed along the length of the northern façade and create the appearance of bays, which reduces the perceived mass and scale of the overall building, as visible from the north.



Figure 3: Proposed Northern Building Elevation

The masonry walls at the ground floor and metal insulated panels at the upper floors are continued along the eastern façade, adjacent to the CSX railroad tracks. The upper floors of the eastern façade are



cantilevered over surface parking. The southern façade, adjacent to the existing forest conservation easement, primarily consists of white metal insulated panels to provide a discrete background for the forested buffer and the adjacent single-family residential community.

The southern portion of the proposed building includes a covered drive aisle to screen loading activities. The upper floors of the building extend over the drive aisle and loading activities are screened by the proposed building on both the north and south.

### **Open Space and Amenities**

Pursuant to Section 6.3.7 of the Zoning Ordinance, any development in the industrial zone must provide amenity open space for the use and enjoyment of employees and visitors. The Applicant proposes to provide approximately 13,893 square feet (10.5 percent) of amenity open space, located on the western portion of the Property. The applicant proposes landscaping, seating and pedestrian circulation in the amenity open space. The proposed amenity open space is approximately 90 percent permeable and includes approximately 4,448 square feet of tree canopy (32 percent).

### **Circulation and Transportation**

#### Vehicular Access Points

The proposed self-storage facility maintains the existing vehicular access from Nicholson Court. Internally, the site features one-way (clockwise) vehicular circulation for parking and loading.

#### On-Site Parking

The site will provide 18 vehicular parking spaces, split between the front and the rear of the Property. Two parking spaces are for handicap individuals, and the Applicant will ensure that handicap parking spaces are compliant with the Americans with Disabilities Act (ADA).

#### Available Public Transit Service

The Property is located 0.7 miles from the White Flint Metro Station, which is served by Metrorail's Red Line. The Red Line provides inbound service to NIH, Bethesda, downtown Washington, D.C., Union Station, and Silver Spring, and to Rockville and Shady Grove in the outbound direction.

The following Metrobus and Ride On bus routes operate along the site's adjacent roadways:

1. **Metrobus C8:** Operates service from White Flint Metro Station to College Park-University of Maryland Metro Station, with a stop on Nicholson Lane.
2. **Ride On 38:** Operates service from Wheaton to White Flint, with a stop on Nicholson Lane.
3. **Ride On 42:** Operates service from White Flint to the Montgomery Mall Transit Center, with a route variation providing service to Boiling Brook Parkway, via Nicholson Lane. Nicholson Lane is only served on 3-4 weekday round trips and is not served on Saturday.

The 2010 *White Flint Sector Plan* recommended a MARC train station at Nicholson Court. While the approved and adopted 2018 *White Flint 2 Sector Plan* also recommends a MARC station, it does not recommend a specific location. Rather, the 2018 plan indicates that a new MARC station is desired for the plan area in the long-term and recommends that the Maryland Department of Transportation conduct a feasibility study for an infill station in the White Flint Sector Plan areas (2010 and 2018).

### Pedestrian and Bicycle Facilities

Pedestrian access to the site is from Nicholson Court, and the applicant proposes to provide a five-foot-wide sidewalk connection from Nicholson Court to the proposed building entrance at the northwest corner of the site. A marked crosswalk should be installed where pedestrians cross the drive aisle to access the building entrance. The 2018 *White Flint 2 Sector Plan* supports a pedestrian – bicycle crossing of the CSX railroad tracks. The 2018 Bicycle Master Plan Planning Board Draft builds on this and recommends separated bike lanes and an off-street trail connection from Nebel Street to Schuylkill Road via Nicholson Court and Wyaconda Road, over the CSX railroad tracks. This connection is identified as a Tier 3 Bikeway, recommended for substantial completion within the next 20 years.

As the recommended connection is envisioned in the general location of this Property, Staff has requested that the applicant record a covenant to provide an easement on Parcel P818 for the creation of part of a trail connecting Nicholson Court and Wyaconda Road via a future bicycle / pedestrian crossing over the CSX railroad tracks. The easement must be provided when the pending Bicycle Master Plan is approved and adopted and recommends implementation of the trail, the trail is included in a Montgomery County Capital Improvements Program and the County has executed a contract for preliminary design of the trail.

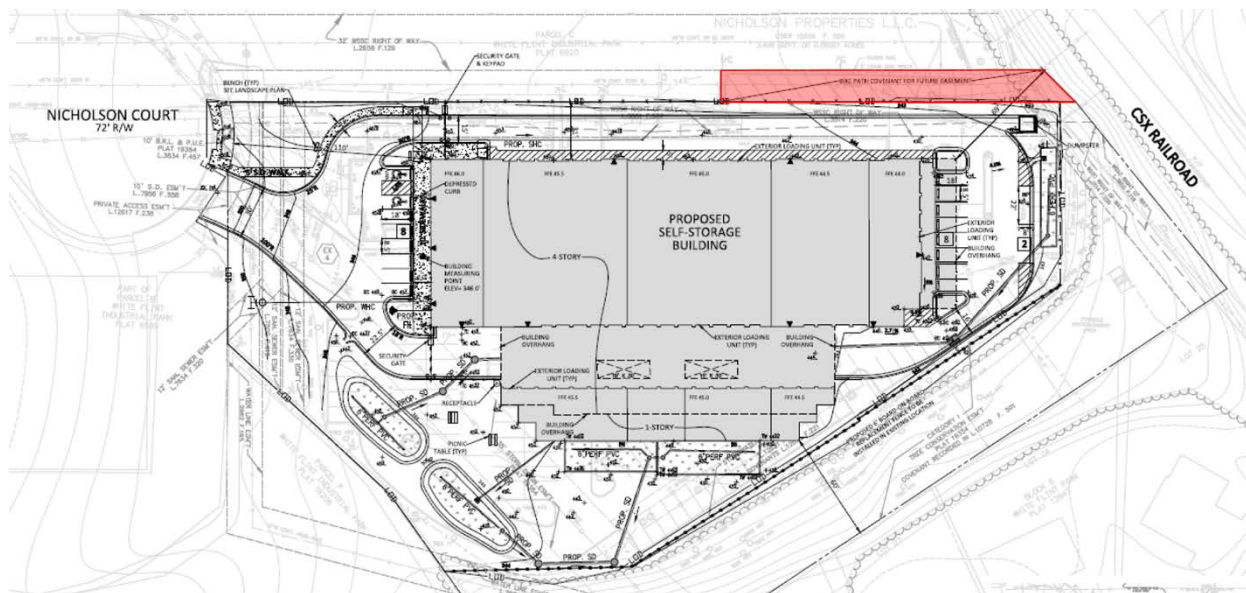


Figure 4: Location of Future Trail Connection on Parcel P818

### **Environment**

#### Environmental Guidelines

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) was approved for this site on August 19, 1993, in conjunction with the initial development of the site as an operating facility for Barwood Cabs. At the time of NRI/FSD approval, the site contained no streams or stream buffers, wetlands or wetland buffers, 100-year floodplains, hydraulically adjacent steep slopes, or known occurrences of rare, threatened or endangered species. Those conditions remain unchanged. The plan is therefore in conformance with the Montgomery County Planning Department's Environmental Guidelines.

### Stormwater Management

This project received approval of its stormwater management concept plan from the Montgomery County Department of Permitting Services on May 9, 2018. The development will meet its stormwater management requirements via five microbio retention facilities.

### Forest Conservation

A Final Forest Conservation Plan (FFCP) was approved with the initial Preliminary Plan approval for this site (FFCP 119940220). The original FFCP approval allowed the clearing of 1.8 acres of forest, retained 0.28 acres of forest, and required the planting of 0.63 acres of forest. The original 0.28 acres of forest retention, plus an additional 7000 square feet of new forest planting on site, are protected in an existing recorded 0.44-acre Category I Forest Conservation Easement on the southern end of the Property. The balance of the planting requirement (27,500 square feet of planting) was purchased in an approved off-site forest bank as demonstrated by an approved Certificate of Compliance dated June 24, 1994. Minor changes required for the Site Plan do not require the removal of any additional forest or change the existing recorded Category I Forest Conservation Easement on the site; therefore, the existing approved FFCP continues to meet the mitigation requirements for the site.

The new Site Plan does result in minor modifications to the previously approved Limits of Disturbance, and the amended FFCP documents those changes. In addition, although work in the parking lot along the southeastern boundary of the site does not encroach on the existing easement, the Critical Root Zone (CRZ) of one specimen black walnut tree (*Juglans nigra*) extends beyond the easement into the construction zone. This will result in a new impact to 14.21 percent of the CRZ of the specimen tree. The Applicant has submitted a Forest Conservation Variance to permit this impact.

### Forest Conservation Variance

Section 22A-12(b) (3) of County code identifies certain individual trees as high priority for retention and protection. Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone (CRZ) requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County code. The code requires no impact to trees that: measure 30 inches or greater, dbh; are part of an historic site or designated with an historic structure; are designated as a national, State, or County champion tree; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

### Variance Request

The applicant submitted a variance request on March 8, 2018 because the plan would create an impact to the CRZ of one tree that is considered high priority for retention under Section 22A-12(b) of the County code. This tree is to be saved. A copy of the variance request letter, specifying the amount of critical root zone disturbance for the impacted tree, is appended to this letter (Attachment 4).

### Justification

The site is currently developed with an existing building and parking lot. The Site Plan proposes to redevelop within the existing building envelope, which is constrained by the CSX railroad tracks to the east, existing development to the west, the Nicholson Court road right-of-way to the north, and the existing Category I forest conservation easement to the south. The new development must accommodate the proposed self-storage buildings, plus access lanes and stormwater management. The

black walnut tree in the existing easement was not a specimen tree at the time of the original Preliminary Plan approval in 1994, so variance approval was not needed for plan approval at that time.

The delineated CRZ of the tree extends under the existing parking lot, but, in reality, very little actual root growth is likely to be beneath the pavement, because roots grow where they have access to soil, nutrients, air, and water, and these resources are largely inaccessible under pavement. The Limits of Disturbance that theoretically impact the CRZ are therefore not actually likely to do significant damage to the root system of the tree. Not permitting impacts to the CRZ would require leaving the old pavement in place and would require reconfiguration of the lanes accessing the storage units, as well as a reconfiguration of the layout of the units themselves, possibly leading to fewer units constructed. This would be an unwarranted hardship given that the actual root system of the tree is unlikely to sustain significant damage, and the tree will be saved. This finding of unwarranted hardship must be met for the Planning Board to consider a variance.

Section 22A-21 of the County code sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted. Staff has made the following determinations, as the Director's designee, that granting the requested variance:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

The site is already developed, and redevelopment is being confined to the existing development envelope. The site constraints are numerous and substantial. Staff has determined that the impacts to the tree subject to the variance requirement cannot be avoided. Therefore, Staff finds that the granting of this variance is not a special privilege that would be denied to other applicants.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The requested variance is not based on conditions or circumstances which are the result of actions by the applicant, but on engineering and site constraints.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is not a result of land or building use on a neighboring property, and will not violate State water quality standards or cause measurable degradation in water quality.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The impacted tree is being retained and will continue to perform its water quality functions as before; therefore, the project will not violate State water quality standards or cause a measurable degradation in water quality.

Staff recommends approval of the revised/Final Forest Conservation Plan, including the variance.

#### SECTION 4: COMMUNITY OUTREACH

On February 27, 2018, the applicant held a pre-submittal public meeting at the Tilden Middle School. The applicant has complied with all submittal and noticing requirements. Staff has not received any correspondence from community groups or citizens to date.

#### SECTION 5: SITE PLAN ANALYSIS AND FINDINGS

1. *When reviewing an application, the approval findings apply only to the Site covered by the application.*
2. *To approve a Site Plan, the Planning Board must find that the proposed development:*
  - a. *satisfies any previous approval that applies to the Site;*

All previous conditions of the Preliminary Plan have been met and the proposed Site Plan continues to meet the conditions of approval. As the proposed self-storage facility generates fewer trips than the automotive (taxi) operation, an amendment to the Preliminary Plan is not necessary.

- b. *satisfies under Section 7.7.1.B.5 the binding elements of any development Plan or schematic development Plan in effect on October 29, 2014;*

This section is not applicable as there are no binding elements of an associated Development Plan or Schematic Development Plan.

- c. *satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014, for a Property where the zoning classification on October 29, 2014, was the result of a Local Map Amendment;*

This section is not applicable as the Subject Property's zoning classification on October 29, 2014, was not the result of a Local Map Amendment.

- d. *satisfies applicable use standards, development standards, and general requirements under this Chapter;*
    - i. *Division 4.8 Light Industrial Zones*

#### Development Standards

The Subject Property is approximately 3.10 acres and is zoned IL-1.0, H-50. The following data table demonstrates the Application's conformance to the development standards of the IL zone.

TABLE 1 - 4900 Nicholson Court Data Table			
		Required/Allowed	Proposed
Gross Tract Area			3.10 AC (134,922 SF)
	Previous Dedication		0.05 AC (2,041 SF)
	Parcel P818		0.08 AC (3,488 SF)
	Parcel G (N871)		2.97 AC (129,393 SF)
Zoning		IL-1.0, H-50	IL-1.0, H-50
<b>Density and Height (Section 4.8.2)</b>			
	Total Density (max.)	1.0 FAR (134,922 SF)	1.0 FAR (134,922 SF)
	Height (max.)	50 FT	50 FT
<b>Development Standards (Section 4.8.3)</b>			
Amenity Open Space (% of Site Area)		10 percent (13,288.10 SF)	10.5 percent (13,893 SF)
	Permeable Area (% of Open Space)	10 percent (1,329 SF)	90 percent (12,834 SF)
	Tree Canopy (% of Open Space)	10 percent (1,329 SF)	32 percent (4,448 SF)
Principal Building Setbacks			
	Front	10 FT	110 FT
	Side (Abutting Residential)	30 FT	60 FT
	Side (Abutting Industrial)	0	31 FT
	Rear	0	69 FT
<b>Parking and Loading Spaces, Minimum (Section 6.2.3)</b>			
Vehicular			
	1 space / 10,000 SF	12	12
	3 spaces / 1,000 SF of office space gross floor area for units with driveway access	4	4
	1 space / employee	2	2
Bicycle		0	0



*ii. Division 6.1. Site Access*

The Applicant proposes to retain the existing vehicular entrance from Nicholson Court for vehicles to enter and exit the Property. The applicant also proposes a five-foot-wide sidewalk to provide a pedestrian connection between Nicholson Court and the primary entrance to the self-storage facility.

*iii. Division 6.2 Parking, Queuing and Loading*

The proposed Site Plan provides adequate parking, queuing and loading. The applicant proposes one-way vehicular circulation to access the parking and loading. The one-way drive aisle provides access to 18 parking spaces, consistent with the requirements of Section 6.2.4. This includes eight perpendicular parking spaces on the western portion of the site, adjacent to the site entrance, and ten parking spaces on the eastern portion of the site, including eight perpendicular and two parallel spaces. Two loading spaces, consistent with the requirements of Section 6.2.8, are proposed within a covered portion of the drive aisle. The loading spaces are concealed by the proposed building on both the north and the south.

Pursuant to section 59-6.2.4.B., parking for self-storage facilities is calculated based on the following metrics: 10,000 square feet of gross floor area for storage units without driveway access; 1,000 square feet of office space gross floor area for storage units with driveway access; and one space per employee. Approximately 15,500 square feet of the proposed self-storage facility has direct driveway access, while the remaining square footage of self-storage use (118,222 square feet) does not have direct driveway access. Therefore, the proposed Site Plan utilizes each of the above referenced metrics to calculate the required parking, as shown in Table 2.

*Table 2: Parking Tabulations*

	Metric	Square Feet	Required	Proposed
Self-Storage (No Driveway Access)	1/10,000 SF GFA	118,222 SF	12	12
Self-Storage (with Driveway Access)	3/1,000 SF Office GFA	1,200 SF	4	4
Employee	1 / Employee		2	2
Total			18	18

The proposed Site Plan also complies with section 59.6.2.9C: *Parking Lot Requirements for 10 or More Spaces*, which requires landscaped areas, tree canopy and perimeter screening for the surface parking area. The proposed surface parking area is approximately 11,332 square feet, and 567 square feet of landscaped area is required. The applicant proposes to provide 590 square feet of landscaped area within landscaped islands which are a minimum of 100 contiguous square feet. A minimum tree canopy of 25 percent (2,833 square feet) is also required and the applicant proposes 41 percent tree canopy (4,625 square feet).

Finally, the proposed Site Plan complies with the perimeter screening requirements to provide a buffer between the industrial use and the residential detached properties to the south. The existing forested area within the existing Forest Conservation Easement is approximately 56 feet in width and includes a robust tree canopy. The Applicant also proposes to install a 6-foot board

on board fence between the southern portion of the building and the Forest Conservation Easement.

*iv. Division 6.3 Amenity Open Space*

Amenity open space, calculated on the area of the site, is required for development in the industrial zone. As the Applicant proposes a general building type on a tract greater than 10,000 square feet, the applicant is required to provide 10 percent Amenity Open Space on site. The Site Plan proposal includes 10.5 percent open space, or 13,893 SF, located on the western portion of the site, adjacent to Nicholson Court. The applicant proposes to include landscaping, seating and sidewalks within the amenity open space for the enjoyment of patrons and employees.

*v. Division 6.4 General Landscaping and Outdoor Lighting*

The proposed landscaping and building mounted lighting, as shown on the Site Plan, comply with the standards of Division 6.4.

As shown in the Development Standards table, the Site Plan meets the general requirements and development standards of Section 4.8 of the Zoning Ordinance and the general development requirements of Article 59-6 of the Zoning Ordinance.

*e. satisfies the applicable requirements of:*

*i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and*

This project received approval of its stormwater management concept plan from the Montgomery County Department of Permitting Services on May 9, 2018. The development will meet its stormwater management requirements via five microbioretention facilities.

*ii. Chapter 22A, Forest Conservation.*

As stated in the Environment Section above in this report, this Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law. As conditioned, the plan meets the requirements. There are minor modifications to the previously approved Limits of Disturbance, and the amended Final Forest Conservation Plan documents those changes. In addition, although work in the proposed parking lot along the southeastern boundary of the site does not encroach on the existing easement, the Critical Root Zone (CRZ) of one specimen black walnut tree (*Juglans nigra*) extends beyond the easement into the construction zone. This will result in a new impact to 14.21 percent of the CRZ of the specimen tree. The Applicant has submitted a Forest Conservation Variance to permit this impact. The findings for granting the variance request are addressed above in the Environment Section of the staff report.

*f. provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and Site amenities;*

The proposed Site Plan provides safe, well-integrated parking and circulation patterns, building massing, open space and site amenities. The proposed Site Plan includes one vehicular entrance with a one-way circulation pattern to access the parking and loading.

The building integrates variation in materials and colors to reduce the perceived mass and introduces a transition in height from north to south, with the southern portion of the building only one-story in height.

The Site Plan proposal includes 10.5 percent open space, or 13,893 SF, located on the western portion of the site, adjacent to Nicholson Court. The applicant proposes to include landscaping, seating and sidewalks within the amenity open space for the enjoyment of patrons and employees.

- g. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable Plan;*

The proposed self-storage facility is located within the approved and adopted 2010 *White Flint Sector Plan* area and the approved and adopted 2018 *White Flint 2 Sector Plan* area. The Property is within the White Flint Mall District (Nicholson Court block) in the 2010 Sector Plan and within the Parklawn South area (Nicholson Court area) in the 2018 Sector Plan.

The 2010 Sector Plan confirmed the industrial zone, then the Low-Intensity, Light Industrial (I-4), for the Subject Property to permit the White Flint 2 Sector Plan to evaluate both sides of the CSX tracks.

The overall White Flint Mall District height and density map, in the 2010 Sector Plan, illustrates a buffer zone to the existing White Flint Park residential neighborhood for Nicholson Court properties. The 2010 Plan also recommended a MARC station at Nicholson Court and the 2018 Sector Plan supports a pedestrian-bike crossing of the CSX tracks.

The 2014 District Map Amendment changed the I-4 zone to the Light Industrial (I-1 1.0 H-50) zone and the 2018 *White Flint 2 Sector Plan* confirmed the Light Industrial (I-1 1.0 H-50) zone for the Property. The 2018 Sector Plan states that “industrial zoned properties provide several functions: basic needs for county residents and public agencies; opportunities for different forms of employment including vocational and entry-level jobs; and space for small businesses, entrepreneurs, and artisans” (p.46). The 2018 Sector Plan makes specific recommendations for industrial properties in the Parklawn South District. It recommends that property owners of retained industrial uses should “make industrial land uses more sustainable” through county environmental initiatives (p.67).

As proposed, the overall Site Plan is consistent with the recommendations in the 2010 *White Flint Sector Plan* and the 2018 *White Flint 2 Sector Plan*. The forest conservation easement area implements the buffer area recommended in both Sector Plans and contributes to preserving and enhancing natural resources, as well as making industrial uses more sustainable.

- h. will be served by adequate public services and facilities including police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public*

*services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

All previous conditions of the Preliminary Plan and the adequate public facilities test have been met and the proposed Site Plan continues to meet the conditions of approval. As the proposed self-storage facility generates fewer trips than the automotive (taxi) operation, an amendment to the Preliminary Plan and a new adequate public facilities test are not required.

- i. on a Property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and*

The Subject Property is not located in a Rural Residential or Residential zone.

- j. on a Property in all other zones, is compatible with existing and approved or pending adjacent development.*

The proposed self-storage facility is compatible with the existing adjacent industrial development and a significant buffer is provided to achieve greater compatibility between the continued industrial use and the existing residential detached community. As the 2018 *White Flint 2 Sector Plan* confirms the industrial zoning for the Nicholson Court area, the use is compatible with the future development envisioned.

- 3. To approve a Site Plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.*

This section is not applicable as this Site Plan does not include a restaurant with a drive-thru.

- 4. For a Property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.*

This section is not applicable as the Subject Property is not zoned C-1 or C-2.

## **SECTION 6: CONCLUSION**

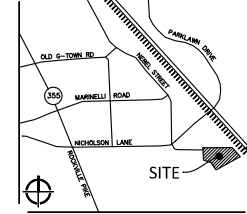
The Site Plan complies with the general requirements and development standards of Section 4.8 and the general development requirements of Article 59-6 of the Zoning Ordinance. The Site Plan substantially conforms with the goals and recommendations of the 2010 *White Flint Sector Plan* and the 2018 *White Flint 2 Sector Plan*. Therefore, Staff recommends approval of Site Plan No. 820180150, with the conditions specified at the beginning of this report.

## **ATTACHMENTS**

1. Site Plan
2. Stormwater Management Concept Approval Letter
3. Forest Conservation Plan
4. Forest Conservation Variance Request

# ATTACHMENT 1

E-FILE STAMP



VICINITY MAP  
SCALE: 1" = 2000'



PREPARED FOR:  
**4900 MD LLC**  
8627 16TH STREET  
SILVER SPRING, MD 20910  
301.588.8885  
HARVEY MAISEL

DESIGN CONSULTANTS

**ARCHITECT**  
**BUTZ WILBERN**  
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JACK WILBERN

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CHANDLER REAUFORT

**ATTORNEY**  
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JASON EVANS

REVISIONS	DATE
INITIAL SUBMISSION	3/8/2018
TRC RESPONSE	4/25/2018
COMMENT RESPONSE	5/15/2018


PROFESSIONAL SEAL

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR BY ONE WHO HAS A SEAL & LICENSE, AND I AM A REGISTERED PROFESSIONAL UNDER THE JURISDICTION OF THE STATE OF MARYLAND.

**4900 NICHOLSON COURT**  
4TH ELECTION DISTRICT  
MONTGOMERY COUNTY,  
MARYLAND  
WSSC GRID: 215NW05  
TAX MAP: HQ22

**DETAILED SITE PLAN**

DRAWN BY: \_\_\_\_\_  
DESIGNED BY: \_\_\_\_\_  
DATE ISSUED: 03/08/18

PROJECT: 50247A

AGENCY: 820180150

SHEET NO. SP-3

## PLAN LEGEND

PROPERTY LINES	PROPOSED WATER LINE	EXISTING GUY POLE	EXISTING BOLLARD	EXISTING ELECTRICAL JUNCTION BOX
EXISTING CABLE TELEVISION CONDUIT	PROPOSED SANITARY SEWER WITH STRUCTURE	EXISTING GAS VALVE	EXISTING SIGN POST	EXISTING ELECTRICAL MANHOLE
EXISTING ELECTRICAL CONDUIT	PROPOSED STORM DRAIN	EXISTING LIGHT POLE	EXISTING WOOD POST	EXISTING FIRE DEPARTMENT CONNECTION
EXISTING EDGE OF PAVEMENT	PROPOSED UNITS OF DISTURBANCE	EXISTING PHONE MANHOLE	EXISTING INLETS	EXISTING GAS HYDRANT
EXISTING FENCE LINE	PROPOSED STORM WATER EASEMENT	EXISTING UTILITY POLE	EXISTING CURB INLET	EXISTING GAS MANHOLE
EXISTING NATURAL GAS CONDUIT	PROPOSED DECORATIVE ALUMINUM FENCE (SEE SHEET 501)	EXISTING SANITARY MANHOLE	EXISTING TRAFFIC CONTROL BOX	BUILDING HEIGHT MEASURING POINT
EXISTING OVERHEAD WIRES	PROPOSED BOARD-ON-BOARD FENCE (SEE SHEET 501)	EXISTING TRAFFIC SIGNAL POLE	EXISTING TRAFFIC SIGNAL POLE	PROPOSED PARKING LABELS
EXISTING TELEPHONE CONDUIT	PROPOSED VINYL DIPPED CHAIN LINK FENCE (SEE SHEET 501)	EXISTING TREE	EXISTING CABLE TELEVISION PEDISTAL	PROPOSED HARDSCAPE
EXISTING PUBLIC UTILITIES EASEMENTS	EXISTING FENCIBLE LABEL	EXISTING WATER METER	EXISTING UNKNOWN UTILITY MANHOLE	PROPOSED FIRE HYDRANT
EXISTING SANITARY SEWER CONDUIT	EXISTING SANITARY CLEANOUT	EXISTING WATER MANHOLE	EXISTING BUILDING RESTRICTION LINE	DOOR LOCATION
EXISTING STORM DRAIN CONDUIT	EXISTING STORM DRAIN MANHOLE	EXISTING WATER VALVE	EXISTING RIGHT-OF-WAY	PROPOSED SWM FACILITY
EXISTING WATER CONDUIT				
EXISTING ZONE LIMITS				
EXISTING 10' CONTOUR				
EXISTING 2' CONTOUR				



SCALE: 1" = 30'



SCALE: 1" = 80'

**LEGEND**  
Amenity Open Space (13,893 SF)  
20-Year Tree Canopy (4,448 SF)

Open Space (min.)	Site Area	Required SF (Per the Area)	Required % (Per the Area)	Proposed SF (Per the Area)	Proposed % (Per the Area)
		132,881			
		13,288	10%	13,893	10.5%
		1,329	10%	12,834	90%
		1,329	10%	4,448	32%

The undersigned agrees to ensure all the features of the Site Plan Approval No. 820180150, including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: 4900 MD LLC  
Contact Person: Harvey Maisei  
Address: 8627 16th Street, Suite 200, Silver Spring, Maryland 20914  
Phone: 301.588.8885

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# ATTACHMENT 2



## DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Diane R. Schwartz Jones  
Director

May 9, 2018

Mr. Ryne McCoy  
VIKA Maryland, LLC  
20251 Century Blvd, Suite 400  
Germantown, MD 20874

Re: **COMBINED STORMWATER MANAGEMENT  
CONCEPT/SITE DEVELOPMENT  
STORMWATER MANAGEMENT PLAN** for  
Nicholson Court Self Storage  
Preliminary Plan #: 119940220  
SM File #: 283709  
Total Concept Area: 3.05 Ac  
Parcel(s): G, White Flint Industrial Park  
Watershed: Lower Rock Creek

Dear Mr. McCoy:

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 five (5) microbioretention facilities.

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. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

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



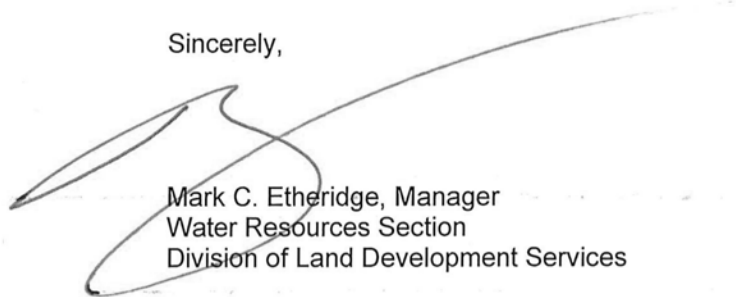
255 Rockville Pike, 2<sup>nd</sup> Floor, Rockville, Maryland 20850 | 240-777-0311  
[www.montgomerycountymd.gov/permittingservices](http://www.montgomerycountymd.gov/permittingservices)



Mr. Ryne McCoy  
May 9, 2018  
Page 2 of 2

If you have any questions regarding these actions, please feel free to contact Jean Kapusnick at [jean.kapusnick@montgomerycountymd.gov](mailto:jean.kapusnick@montgomerycountymd.gov) or 240-777-6345.

Sincerely,

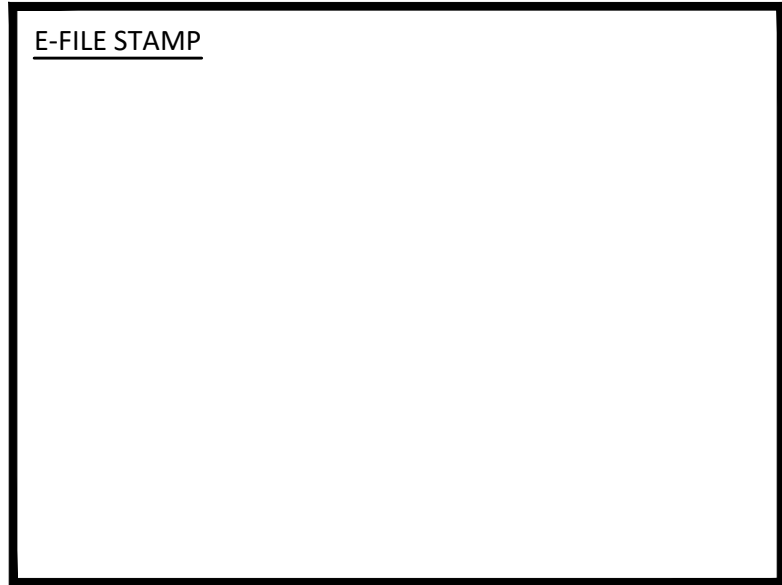
A handwritten signature in black ink, appearing to read 'Mark C. Etheridge', is written over the typed name and title.

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

MCE: jak

cc: N. Braunstein  
SM File # 283709

ESD: Required/Provided 11,205 cf / 11,294 cf  
PE: Target/Achieved: 2.06"/2.08"  
STRUCTURAL: 0.00 cf  
WAIVED: 0.00 ac.

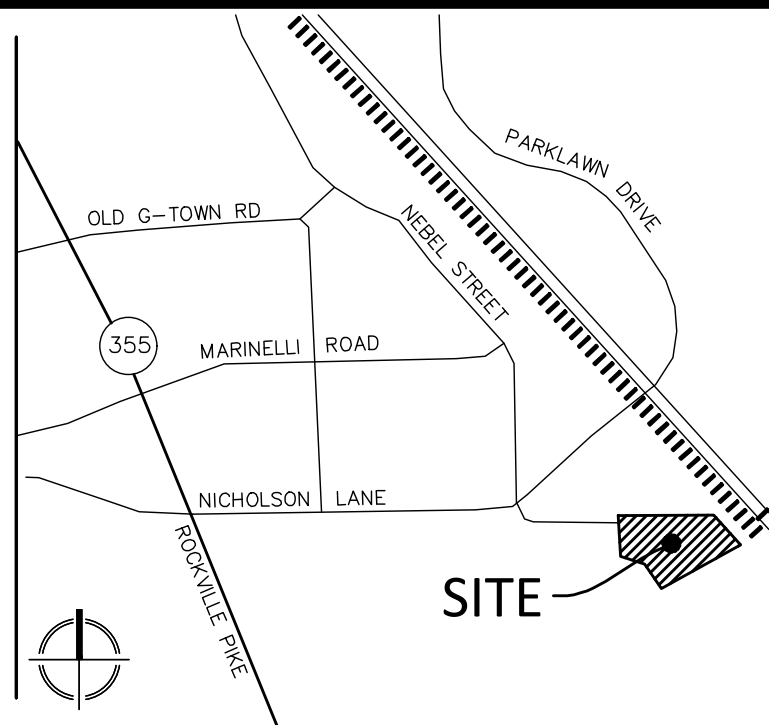


# 4900 NICHOLSON COURT

## FINAL FOREST CONSERVATION PLAN

### AMENDMENT # 119940220 FOR

### SITE PLAN # 820180150





ENGINEERS PLANNERS  
LANDSCAPE ARCHITECTS SURVEYORS  
VIKA MARYLAND, LLC  
20251 CENTURY BOULEVARD SUITE #400  
GERMANTOWN, MARYLAND 20874  
PHONE: (301) 916-4100  
FAX: (301) 916-2262  
GERMANTOWN, MD. TYSONS, VA.

PREPARED FOR:  
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301.916.4100  
JASON EVANS

#### GENERAL NOTES

- THE SITE AREA IS 3.05 ACRES. PARCEL G (N871) IS 2.97 ACRES. PARCEL 818 IS 0.08 ACRES IS NOT BEING DISTURBED, BUT IS PART OF SITE PLAN 820180150.
- THE SITE IS LOCATED ON WSSC MAP 209NW05 .
- THE SITE IS LOCATED ON TAX MAP HQ22.
- THE SUBJECT PROPERTY COMPRISES THE FOLLOWING:

LOT /PARCEL	BLOCK	TAX ACCT NO.	LIBER& FOLIO	PLAT NO.
PARCEL G (N871)	-	04-03058996	-	19354
P818	-	04-03246130	L. 16699, F. 566	-
- THE SUBJECT PROPERTY IS ZONED IL-1.0, H-50.
- THE HORIZONTAL DATUM IS BASED ON NAD 83/91 MARYLAND COORDINATE SYSTEM.
- BOUNDARY AND TOPOGRAPHY SURVEY WAS PERFORMED BY VIKA MARYLAND, LLC, JANUARY 2018.
- FCP 1194022 FOR THE SUBJECT PROPERTY WAS APPROVED 04/05/1994.
- THE SUBJECT PROPERTY DRAINS TO KENGAR TRIBUTARIES, WHICH DRAINS TO LOWER ROCK CREEK, WHICH FLOWS INTO ROCK CREEK, A USE CLASS I STREAM, AND EVENTUALLY INTO THE POTOMAC RIVER.
- THIS SITE IS NOT WITHIN AN SPA OR PMA.
- THERE ARE NO PERENNIAL OR INTERMITTENT STREAMS OR THEIR ASSOCIATED BUFFERS LOCATED ON, OR WITHIN 200' OF THE SUBJECT PROPERTY.
- THERE ARE NO WETLANDS OR THEIR ASSOCIATED BUFFERS LOCATED ON THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY IS LOCATED IN ZONE "X" (AREA OF 0.2% ANNUAL CHANCE OF FLOOD) AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 24031C0361D, FOR MONTGOMERY COUNTY, MARYLAND, DATED SEPTEMBER 29, 2006.
- THERE ARE 0.44 ACRES OF FOREST CONSERVATION EASEMENT ON THE SUBJECT PROPERTY.
- SEE THE SIGNIFICANT AND SPECIMEN TREE TABLE AND PLAN FOR LOCATIONS AND INFORMATION ABOUT SIGNIFICANT AND SPECIMEN TREES ON THE SUBJECT PROPERTY AND WITHIN THE REMAINDER OF THE NRI STUDY AREA.
- THERE ARE NO CHAMPION TREES OR TREES 75% OF THE STATE CHAMPION ON THE SUBJECT PROPERTY OR WITHIN THE REMAINDER OF THE NRI STUDY AREA.
- ALL TREES <24" DBH WITHIN THE LOD ARE TO BE REMOVED. ALL SIGNIFICANT AND SPECIMEN TREES TO BE REMOVED ARE SHOWN WITH AN 'X' AS DETAILED IN THE LEGEND.
- A VARIANCE REQUEST HAS BEEN SUBMITTED WITH THIS PLAN FOR SPECIMEN TREES TO BE IMPACTED OR REMOVED. SEE THE SIGNIFICANT & SPECIMEN TREE TABLE FOR DETAILS.

#### FCP WORKSHEET (ORIGINAL FROM 1994)

FCFP Table		
A.	TOTAL AREA TRACT:	2.97 acres
B.	AREA WITHIN 100 YEAR FLOODPLAIN: (>400 ac. D.A. or Use III/III-waters)	0 acres
C.	AREA OF LAND TO BE USED FOR AGRICULTURE:	0 acres
D.	AREA WITHIN ROW/EASEMENT FOR WHICH WSSC OR MCDOT/SHA WILL BE RESPONSIBLE:	0.45 acres
E.	NET TRACT AREA (A-B-C-D):	2.52 acres
F.	LAND USE CATEGORY: INST (FROM Table 2)	I-1
*G.	AFFORESTATION THRESHOLD (% from Table 3, 15%xE)	0.38 acres
*H.	CONSERVATION THRESHOLD (% from Table 3, 20%xE)	0.38 acres
I.	EXISTING FOREST COVER:	2.08 acres
J.	FOREST COVER ABOVE AFFORESTATION THRESHOLD (I-G):	1.70 acres
K.	FOREST COVER ABOVE CONSERVATION THRESHOLD (I-H):	1.70 acres
CALCULATION OF BREAK-EVEN POINT (Forested acres to be saved for no planting requirements):		
L.	IF K ≤0 AND I ≥ G, BREAK EVEN POINT EQUALS 1: (IF I < G, THERE IS NO BREAK EVEN POINT AND AFFORESTATION PLANTING IS REQUIRED. REFER TO P, BELOW) IF K > 0, BREAK EVEN POINT EQUAL (KX20%) + H:	0.72 acres
*M.	FOREST COVER TO BE RETAINED:	0.28 acres
*N.	TOTAL AREA OF FOREST TO BE CLEARED: (IF N IS GREATER THAN I-L, REFORESTATION PLANTING IS REQUIRED. SEE Q-W, BELOW)	1.80 acres
CALCULATION OF AFFORESTATION REQUIREMENT:		
P.	AFFORESTATION REQUIREMENT: G-I=	0 acres
CALCULATION OF REFORESTATION REQUIREMENT:		
Q.	AREA OF FOREST ABOVE CONSERVATION THRESHOLD TO BE CLEARED (If K ≥ N, use N; K < N, use K):	1.70 acres
*R.	AREA OF FOREST BELOW CONSERVATION THRESHOLD TO BE CLEARED (N-Q):	0.10 acres
S.	FORESTED AREA ABOVE CONSERVATION THRESHOLD TO BE SAVED (M-H):	0 acres
T.	PLANTING REQUIRED FOR CLEARING ABOVE THRESHOLD: Q X 0.25=	0.43 acres
*U.	PLANTING REQUIRED FOR CLEARING BELOW THRESHOLD: R X 2=	0.20 acres
V.	CREDIT FOR FOREST SAVED ABOVE CONSERVATION THRESHOLD(S):	0 acres
*W.	TOTAL REFORESTATION REQUIREMENT: T+U-V=	0.63 acres
TOTAL PLANTING REQUIREMENT:		
*X.	AFFORESTATION AND REFORESTATION: P+W=	0.63 acres
Y.	CREDIT FOR TREES AND LANDSCAPING 3:	0.00 acres
*Z.	TOTAL FOREST PLANTING REQUIREMENT: X-Y=	0.63 acres
1	Use 0 for all negative numbers that result from the calculations.	or 27,500 sq ft
2	See appendix A - Glossary, for definition of terms. Refer to Section III,B(4) of this manual for detailed explanation. All areas which are appropriate for establishing forest cover must be utilized before credit may be taken for trees and landscaping.	
3		
*	7,000 sq. ft. of forestation was provided on-site. An off-site conservation easement was obtained to satisfy the remaining 20,500 sq. ft. area	

#### AFFORESTATION/REFORESTATION CREDIT TABLE

	AC
AFFORESTATION/REFORESTATION REQUIRED	0.63
FOREST PLANTING AREA (CATEGORY I EASEMENT)	0.16
OFF-SITE FOREST BANKING	0.47
PROPOSED LANDSCAPE CREDIT	0.00
20 YR. CANOPY CREDIT	0.00
SAVED EXISTING CRITICAL ROOT ZONE CREDIT	0.00
LANDSCAPE AREAS AT FULL CREDIT	0.00
LANDSCAPE AREAS AT 1/4 CREDIT	0.00
TOTAL PROPOSED LANDSCAPE CREDIT	0.00
PROPOSED FEE-IN LIEU	0.00
TOTAL CREDITS	0.63
REMAINING REQUIREMENT	0.00

#### SIGNIFICANT & SPECIMEN TREE TABLE (BASED ON FIELD VISIT - FEB. 2017)

TREE NO.	BOTANICAL NAME	COMMON NAME	D.B.H. (in.)*	VARIANCE TREE	CONDITION	CRZ (SF)	CRZ IMPACT (SF)	CRZ IMPACT %	DISPOSITION
ON-SITE TREES (TAGGED)									
436	Ulmus rubra	Slippery Elm	11		Fair			0.00	SAVE
438	Nyssa sylvatica	Black Gum	9		Fair			0.00	SAVE
439	Juglans nigra	Black Walnut	18		Fair			0.00	SAVE
440	Ulmus rubra	Slippery Elm	7		Poor			0.00	SAVE
441	Juglans nigra	Black Walnut	13		Good			0.00	SAVE
442	Nyssa sylvatica	Black Gum	11		Fair			0.00	SAVE
443	Juniperus virginiana	Eastern redcedar	8		Poor			0.00	SAVE
444	Juglans nigra	Black Walnut	29		Good	5,945	505	8.49	SAVE
445	Ulmus rubra	Slippery Elm	14		Fair			0.00	SAVE
446	Juglans nigra	Black Walnut	9		Poor			0.00	SAVE
447	Juglans nigra	Black Walnut	31	✓	Fair	6,793	965	14.21	SAVE
448	Juniperus virginiana	Eastern redcedar	7		Fair			0.00	SAVE
449	Juniperus virginiana	Eastern redcedar	9		Poor			0.00	SAVE
450	Juglans nigra	Black Walnut	10		Good			0.00	SAVE
451	Nyssa sylvatica	Black Gum	18		Fair			0.00	SAVE
452	Liriodendron tulipifera	Tulip Poplar	24		Poor	4,072	0	0.00	SAVE
453	Ulmus rubra	Slippery Elm	6		Good			0.00	SAVE
454	Ulmus rubra	Slippery Elm	7		Fair			0.00	SAVE
455	Ulmus rubra	Slippery Elm	8		Poor			0.00	SAVE
456	Ulmus rubra	Slippery Elm	11		Good			0.00	SAVE
457	Liriodendron tulipifera	Tulip Poplar	15		Poor-Fair			0.00	SAVE
458	Liriodendron tulipifera	Tulip Poplar	19		Poor			0.00	SAVE
459	Liriodendron tulipifera	Tulip Poplar	22		Good			0.00	SAVE
460	Nyssa sylvatica	Black Gum	14		Fair			0.00	SAVE
461	Ulmus rubra	Black Walnut	7		Poor			0.00	SAVE
462	Quercus rubra	Northern Red Oak	13		Good			0.00	SAVE
463	Liriodendron tulipifera	Tulip Poplar	21		Fair			0.00	SAVE
464	Liriodendron tulipifera	Tulip Poplar	22		Poor			0.00	SAVE
465	Liriodendron tulipifera	Tulip Poplar	18		Good			0.00	SAVE
466	Ulmus rubra	Slippery Elm	12		Fair			0.00	SAVE
467	Pinus strobus	White Pine	10		Poor			0.00	SAVE
468	Pinus strobus	White Pine	7		Good			0.00	SAVE
469	Ulmus rubra	Slippery Elm	11		Fair			0.00	SAVE
470	Pinus strobus	White Pine	13		Poor			0.00	SAVE
471	Acer rubrum	Red Maple	13		Fair			0.00	REMOVE
472	Acer rubrum	Red Maple	9		Fair-Good			0.00	REMOVE
473	Acer rubrum	Red Maple	9		Good			0.00	REMOVE
474	Acer rubrum	Red Maple	12		Fair			0.00	REMOVE
475	Acer rubrum	Red Maple	12		Good			0.00	REMOVE
476	Acer rubrum	Red Maple	9		Good			0.00	REMOVE
477	Acer rubrum	Red Maple	9		Good			0.00	REMOVE
478	Acer rubrum	Red Maple	15		Fair-Good			0.00	REMOVE
479	Acer rubrum	Red Maple	11		Poor			0.00	REMOVE
480	Acer rubrum	Red Maple	17		Fair-Good			0.00	REMOVE
481	Acer rubrum	Red Maple	18		Good			0.00	REMOVE
482	Acer rubrum	Red Maple	17		Good			0.00	REMOVE
483	Acer rubrum	Red Maple	11		Good			0.00	REMOVE
484	Pinus strobus	White Pine	6		Good			0.00	REMOVE

BOLD TEXT = SPECIMEN TREE 30" OR GREATER DBH

\*DIAMETER AT BREAST HEIGHT

#### SOILS TABLE

SYMBOL	SOIL*	CHARACTERISTICS				
		PRIME AGRICULTURE**	HIGHLY ERODIBLE***	SERPENTINIC****	HYDRIC GROUP*	K FACTOR*****
2B	GLENELG SILT LOAM 3-8% SLOPES	YES**	NO	NO	B	0.32
2C	GLENELG SILT LOAM 8-15% SLOPES	NO	NO	NO	B	0.32
116E	BLOCKTOWN CHANNERY SILT LOAM 25-45% SLOPES VERY ROCKY	NO	YES	NO	C/D	0.24
400	URBAN LAND	NO	--	NO	--	--

SOURCES: \*USDA NRCS WEB SOIL SURVEY (<http://websoilsurvey.sc.egov.usda.gov>)

\*\*PAGE 140 TABLE 5 MONTGOMERY COUNTY, MARYLAND SOIL SURVEY

\*\*\*URBAN OR BUILT-UP AREAS OF THE PRIME AGRICULTURAL SOILS ARE NOT CONSIDERED PRIME FARMLAND PER THE THE MONTGOMERY COUNTY, MARYLAND SOIL SURVEY PAGE 140 TABLE 5

\*\*\*\*PAGE 67 APPENDIX C ERODIBLE SOILS LIST M-NCPPC MONTGOMERY COUNTY ENVIRONMENTAL GUIDELINES

\*\*\*\*\*PAGE 120 MONTGOMERY COUNTY, MARYLAND SOIL SURVEY

\*\*\*\*\*TABLE 16 PAGE 212 MONTGOMERY COUNTY, MARYLAND SOIL SURVEY

#### SHEET INDEX

FFCP 100 COVER

FFCP 200 FINAL FCP AMENDMENT


FFCP 300 FINAL FCP DETAILS

DEVELOPER'S CERTIFICATE	
THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES OF THE APPROVED FINAL FOREST CONSERVATION PLAN NO. 820180150 INCLUDING FINANCIAL BONDING, FOREST PLANTING, MAINTENANCE, AND ALL OTHER APPLICABLE AGREEMENTS.	
DEVELOPER'S NAME: 4900 MD LLC PRINTED COMPANY NAME	
CONTACT PERSON OR OWNER: HARVEY MAISEL PRINTED NAME	
ADDRESS: 8627 16TH STREET, SILVER SPRING, MD. 20910	
PHONE : (301) 588-8885	
SIGNATURE: _____	DATE: _____

#### COVER

DRAWN BY: SDG/DLK
DESIGNED BY: DLK/CJB
DATE ISSUED: 03/08/18
VIKA PROJECT 50247A
AGENCY NO. 820180150

SHEET NO. FFCP 100



"FOR LOCATION OF UTILITIES CALL  
8-1-1 or 1-800-257-7777 OR LOG ON TO  
[www.call811.com](http://www.call811.com) or <http://www.missutility.net>  
48 HOURS IN ADVANCE OF ANY  
WORK IN THIS VICINITY"

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.



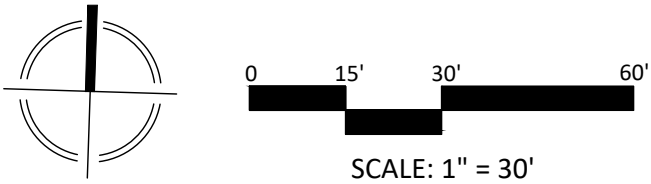
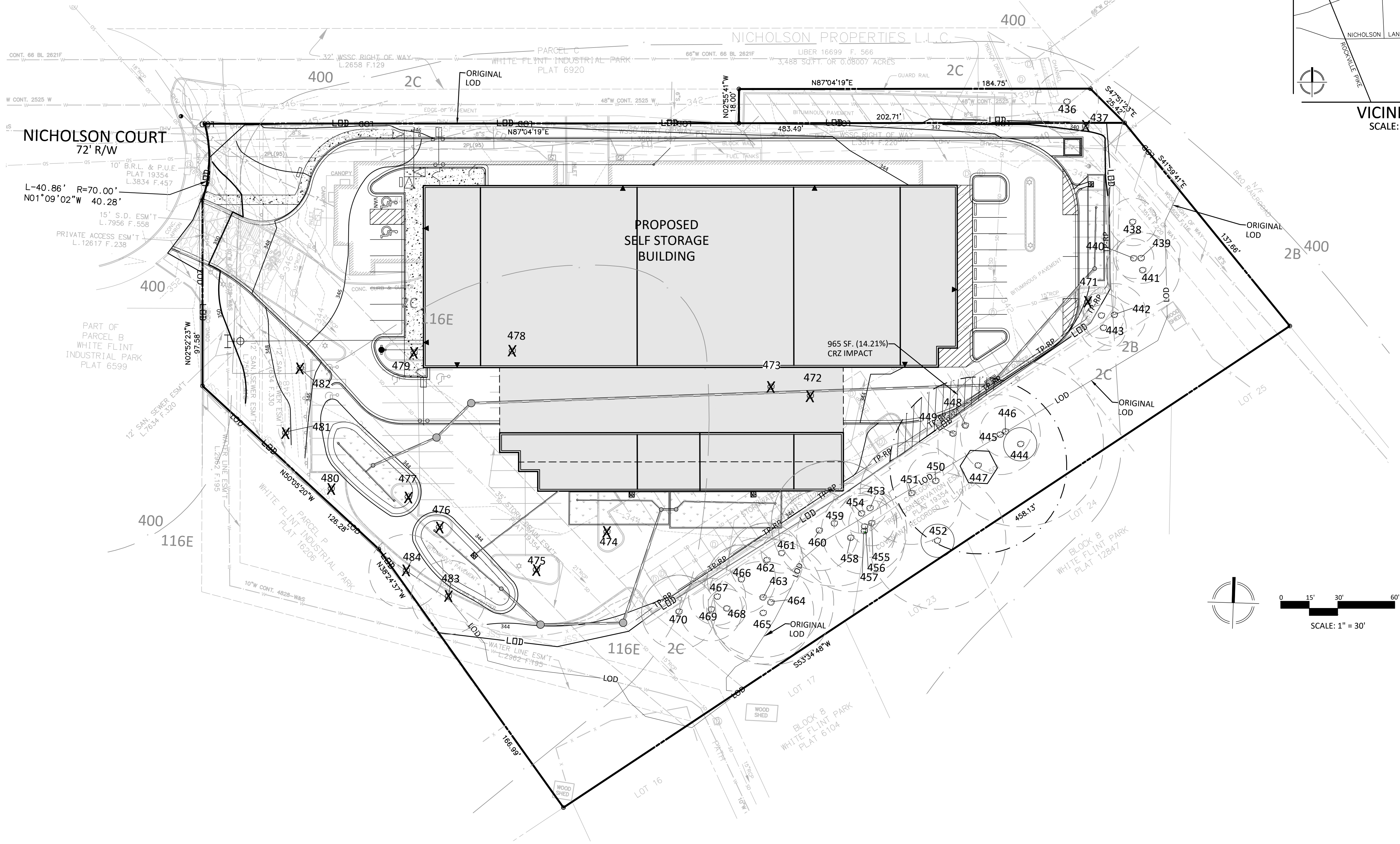


LEGEND

- PROPERTY  
ADJACENT PROPERTY/  
LOT LINES
- SOILS
- APPROXIMATE EXISTING  
TREE CANOPY
- EXISTING SIGNIFICANT  
TREE 24-29.5" DBH W/  
CRITICAL ROOT ZONE  
(CRZ) SHOWN
- EXISTING SPECIMEN  
TREE ≥ 30" DBH W/  
CRITICAL ROOT ZONE  
(CRZ) SHOWN
- LIMITS OF DISTURBANCE
- ORIGINAL FFCP LIMITS OF  
DISTURBANCE
- EXISTING TREE ≤ 24" DBH
- EXISTING TREE TO  
BE REMOVED
- CIP
- AT GRADE  
INLET PROTECTION
- STABILIZED  
CONSTRUCTION ENTRANCE
- REMOVABLE PUMPING STATION
- ROOT PRUNING

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8-1-1 or 1-800-257-7777 OR LOG ON TO  
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DEVELOPER'S NAME: 4900 MD LLC  
PRINTED COMPANY NAME

CONTACT PERSON OR OWNER: HARVEY MAISEL  
PRINTED NAME

ADDRESS: 8627 16TH STREET, SILVER SPRING, MD. 20910

PHONE : (301) 588-8885

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

**Vika**  
ENGINEERS PLANNERS  
LANDSCAPE ARCHITECTS SURVEYORS  
VIKA MARYLAND, LLC  
20251 CENTURY BOULEVARD SUITE #400  
GERMANTOWN, MARYLAND 20874  
PHONE: (301) 916-4100  
FAX: (301) 916-2262  
GERMANTOWN, MD. TYSONS, VA.

DESIGN CONSULTANTS

ARCHITECT  
**BUTZ WILBERN**  
800 WEST BROAD STREET  
SUITE 400  
FALLS CHURCH, VIRGINIA, 22046  
703.356.7010  
JACK WILBERN

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**VIKA MARYLAND, LLC**  
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301.916-4100  
DOUGLAS KOESER

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SUITE 700  
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301.986.1300  
WILLIAM KOMINERS

CIVIL ENGINEER  
**VIKA MARYLAND, LLC**  
20251 CENTURY BOULEVARD  
SUITE 400  
GERMANTOWN MD, 20874  
301.916-4100  
JASON EVANS

REVISIONS	DATE
INITIAL SUBMISSION	3/8/2018

PROFESSIONAL SEAL

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE  
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY  
LICENSED, REGISTERED LANDSCAPE ARCHITECT UNDER THE  
LAWS OF THE STATE OF MARYLAND.  
NAME: DOUGLAS L. KOESER, RLA  
LICENSE NUMBER: 3861  
EXPIRATION DATE: JANUARY 24, 2020

**4900  
NICHOLSON  
COURT**

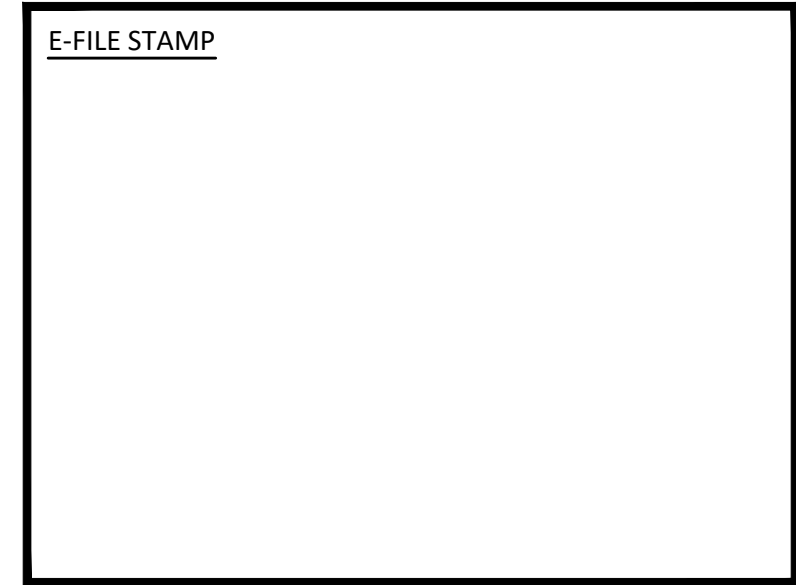
4TH ELECTION DISTRICT  
MONTGOMERY COUNTY,  
MARYLAND  
WSSC GRID: 215NW05  
TAX MAP: HQ22

FINAL FOREST  
CONSERVATION PLAN  
AMENDMENT

DRAWN BY: SDG/DLK  
DESIGNED BY: DLK/CJB  
DATE ISSUED: 03/08/18  
VIKA  
PROJECT 50247A  
AGENCY  
NO. 820180150

SHEET NO. FFCP 200





## FINAL FOREST CONSERVATION NOTES

SEQUENCE OF EVENTS FOR PROPERTIES REQUIRED TO COMPLY WITH FOREST CONSERVATION PLANS, EXEMPTIONS FROM SUBMITTING FOREST CONSERVATION PLANS, AND TREE SAVE PLANS (M-NCPPC MC PLANNING DEPARTMENT MARCH, 2017)

THE PROPERTY OWNER IS RESPONSIBLE FOR ENSURING ALL TREE PROTECTION MEASURES ARE PERFORMED IN ACCORDANCE WITH THE APPROVED FINAL FOREST CONSERVATION PLAN OR TREE SAVE PLAN, AND AS MODIFIED IN THE FIELD BY A PLANNING DEPARTMENT FOREST CONSERVATION INSPECTOR. THE MEASURES MUST MEET OR EXCEED THE MOST RECENT STANDARDS PUBLISHED BY THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI A300).

### PRE-CONSTRUCTION

- AN ON-SITE PRE-CONSTRUCTION MEETING IS REQUIRED AFTER THE LIMITS OF DISTURBANCE HAVE BEEN STAKED AND FLAGGED AND BEFORE ANY LAND DISTURBANCE.
- THE PROPERTY OWNER MUST ARRANGE FOR THE MEETING AND THE FOLLOWING PEOPLE MUST PARTICIPATE AT THE PRE-CONSTRUCTION MEETING: THE PROPERTY OWNER OR THEIR REPRESENTATIVE, CONSTRUCTION SUPERINTENDENT, INTERNATIONAL SOCIETY OF ARBORICULTURE (ISA) CERTIFIED ARBORIST/MARYLAND LICENSED TREE EXPERT (REPRESENTING OWNER) THAT WILL IMPLEMENT THE TREE PROTECTION MEASURES, THE PLANNING DEPARTMENT FOREST CONSERVATION INSPECTOR, AND MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES (DPS) SEDIMENT CONTROL INSPECTOR. THE PURPOSE OF THIS MEETING IS TO VERIFY THE LIMITS OF DISTURBANCE AND DISCUSS SPECIFIC TREE PROTECTION AND TREE CARE MEASURES SHOWN ON THE APPROVED PLAN. NO LAND DISTURBANCE SHALL BEGIN BEFORE TREE PROTECTION AND STRESS-REDUCTION MEASURES HAVE BEEN IMPLEMENTED AND APPROVED BY THE PLANNING DEPARTMENT'S FOREST CONSERVATION INSPECTOR.
  - TYPICAL TREE PROTECTION DEVICES INCLUDE:
    - CHAIN LINK FENCE (FOUR FEET HIGH)
    - SUPER SILT FENCE WITH WIRE STRUNG BETWEEN THE SUPPORT POLES (MINIMUM 4 FEET HIGH) WITH HIGH VISIBILITY FLAGGING.
    - 14 GAUGE, 2 INCH X 4 INCH WELDED WIRE FENCING SUPPORTED BY STEEL T-BAR POSTS (MINIMUM 4 FEET HIGH) WITH HIGH VISIBILITY FLAGGING.
  - TYPICAL STRESS REDUCTION MEASURES MAY INCLUDE, BUT ARE NOT LIMITED TO:
    - ROOT PRUNING WITH A ROOT CUTTER OR VIBRATORY PLOW DESIGNED FOR THAT PURPOSE. TRENCERS ARE NOT ALLOWED, UNLESS APPROVED BY THE FOREST CONSERVATION INSPECTOR.
    - CROWN REDUCTION OR PRUNING
    - WATERING
    - FERTILIZING
    - VERTICAL MULCHING
    - ROOT AERATION SYSTEMSMEASURES NOT SPECIFIED ON THE FOREST CONSERVATION PLAN MAY BE REQUIRED AS DETERMINED BY THE FOREST CONSERVATION INSPECTOR IN COORDINATION WITH THE PROPERTY OWNER'S ARBORIST.
- A MARYLAND LICENSED TREE EXPERT MUST PERFORM, OR DIRECTLY SUPERVISE, THE IMPLEMENTATION OF ALL STRESS REDUCTION MEASURES. DOCUMENTATION OF THE PROCESS (INCLUDING PHOTOGRAPHS) MAY BE REQUIRED BY THE FOREST CONSERVATION INSPECTOR, AND WILL BE DETERMINED AT THE PRE-CONSTRUCTION MEETING.
- TREE PROTECTION FENCING MUST BE INSTALLED AND MAINTAINED BY THE PROPERTY OWNER FOR THE DURATION OF CONSTRUCTION PROJECT AND MUST NOT BE ALTERED WITHOUT PRIOR APPROVAL FROM THE FOREST CONSERVATION INSPECTOR. ALL CONSTRUCTION ACTIVITY WITHIN PROTECTED TREE AND FOREST AREAS IS PROHIBITED. THIS INCLUDES THE FOLLOWING ACTIVITIES:
  - PARKING OR DRIVING OF EQUIPMENT, MACHINERY OR VEHICLES OF ANY TYPE.
  - STORAGE OF ANY CONSTRUCTION MATERIALS, EQUIPMENT, STOCKPILING, FILL, DEBRIS, ETC.
  - DUMPING OF ANY CHEMICALS (I.E., PAINT THINNER), MORTAR OR CONCRETE REMAINDER, TRASH, GARBAGE, OR DEBRIS OF ANY KIND.
  - FELLING OF TREES INTO A PROTECTED AREA.
  - TRENCING OR GRADING FOR UTILITIES, IRRIGATION, DRAINAGE, ETC..
- FOREST AND TREE PROTECTION SIGNS MUST BE INSTALLED AS REQUIRED BY THE FOREST CONSERVATION INSPECTOR. THE SIGNS MUST BE WATERPROOF AND WORDING PROVIDED IN BOTH ENGLISH AND SPANISH.

### DURING CONSTRUCTION

- PERIODIC INSPECTIONS WILL BE MADE BY THE FOREST CONSERVATION INSPECTOR. CORRECTIONS AND REPAIRS TO TREE PROTECTION DEVICES MUST BE COMPLETED WITHIN THE TIMEFRAME GIVEN BY THE INSPECTOR.
- THE PROPERTY OWNER MUST IMMEDIATELY NOTIFY THE FOREST CONSERVATION INSPECTOR OF ANY DAMAGE TO TREES, FORESTS, UNDERSTORY, GROUND COVER, AND ANY OTHER UNDISTURBED AREAS SHOWN ON THE APPROVED PLAN. REMEDIAL ACTIONS, AND THE RELATIVE TIMEFRAMES TO RESTORE THESE AREAS, WILL BE DETERMINED BY THE FOREST CONSERVATION INSPECTOR.

### POST-CONSTRUCTION

- AFTER CONSTRUCTION IS COMPLETED, BUT BEFORE TREE PROTECTION DEVICES HAVE BEEN REMOVED, THE PROPERTY OWNER MUST REQUEST A FINAL INSPECTION WITH THE FOREST CONSERVATION INSPECTOR. AT THE FINAL INSPECTION, THE FOREST CONSERVATION INSPECTOR MAY REQUIRE ADDITIONAL CORRECTIVE MEASURES, WHICH MAY INCLUDE:
  - REMOVAL AND POSSIBLE REPLACEMENT, OF DEAD, DYING, OR HAZARDOUS TREES
  - PRUNING OF DEAD OR DECLINING LIMBS
  - SOIL AERATION
  - FERTILIZATION
  - WATERING
  - WOUND REPAIR
  - CLEAN UP OF RETENTION AREAS, INCLUDING TRASH REMOVAL.
- AFTER THE FINAL INSPECTION AND COMPLETION OF ALL CORRECTIVE MEASURES THE FOREST CONSERVATION INSPECTOR WILL REQUEST ALL TEMPORARY TREE AND FOREST PROTECTION DEVICES BE REMOVED FROM THE SITE. REMOVAL OF TREE PROTECTION DEVICES THAT ALSO OPERATE FOR EROSION AND SEDIMENT CONTROL MUST BE COORDINATED WITH BOTH DPS AND THE FOREST CONSERVATION INSPECTOR AND CANNOT BE REMOVED WITHOUT PERMISSION OF THE FOREST CONSERVATION INSPECTOR. NO ADDITIONAL GRADING, SODDING, OR BURIAL MAY TAKE PLACE AFTER THE TREE PROTECTION FENCING IS REMOVED.
- LONG-TERM PROTECTION MEASURES, INCLUDING PERMANENT SIGNAGE, MUST BE INSTALLED PER THE APPROVED PLAN. INSTALLATION WILL OCCUR AT THE APPROPRIATE TIME DURING THE CONSTRUCTION PROJECT. REFER TO THE APPROVED PLAN DRAWING FOR THE LONG-TERM PROTECTION MEASURES TO BE INSTALLED.

## INSPECTIONS

(M-NCPPC MC PLANNING DEPARTMENT)

ALL FIELD INSPECTIONS MUST BE REQUESTED BY THE APPLICANT.

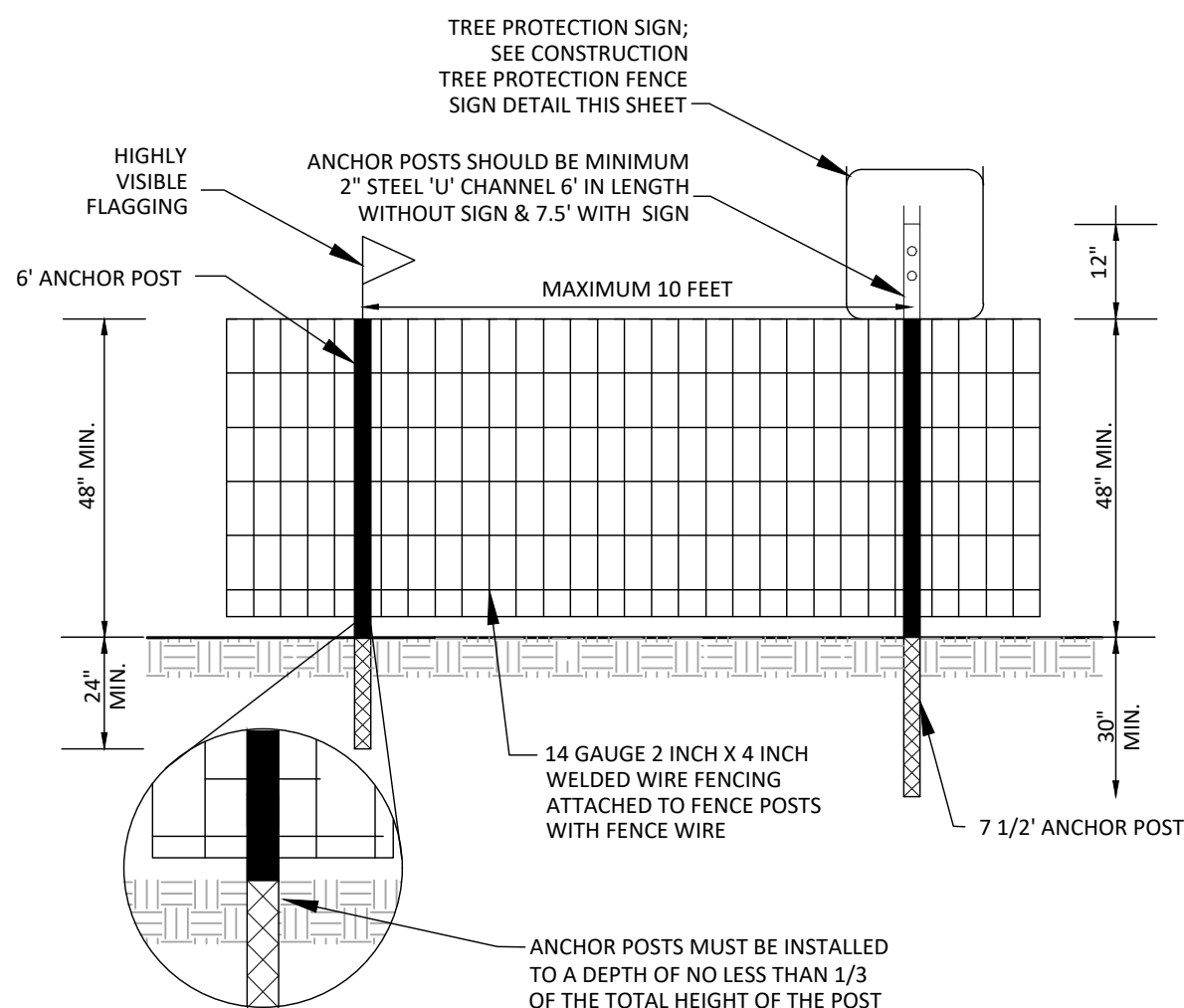
INSPECTIONS MUST BE CONDUCTED AS FOLLOWS:

### TREE SAVE PLANS AND FOREST CONSERVATION PLANS WITHOUT PLANTING REQUIREMENTS

- AFTER THE LIMITS OF DISTURBANCE HAVE BEEN STAKED AND FLAGGED, BUT BEFORE ANY CLEARING OR GRADING BEGINS
- AFTER NECESSARY STRESS REDUCTION MEASURES HAVE BEEN COMPLETED AND PROTECTION MEASURES HAVE BEEN INSTALLED, BUT BEFORE ANY CLEARING AND GRADING BEGIN AND BEFORE RELEASE OF THE BUILDING PERMIT.
- AFTER COMPLETION OF ALL CONSTRUCTION ACTIVITIES, BUT BEFORE REMOVAL OF TREE PROTECTION FENCING, TO DETERMINE THE LEVEL OF COMPLIANCE WITH THE PROVISIONS OF THE FOREST CONSERVATION.

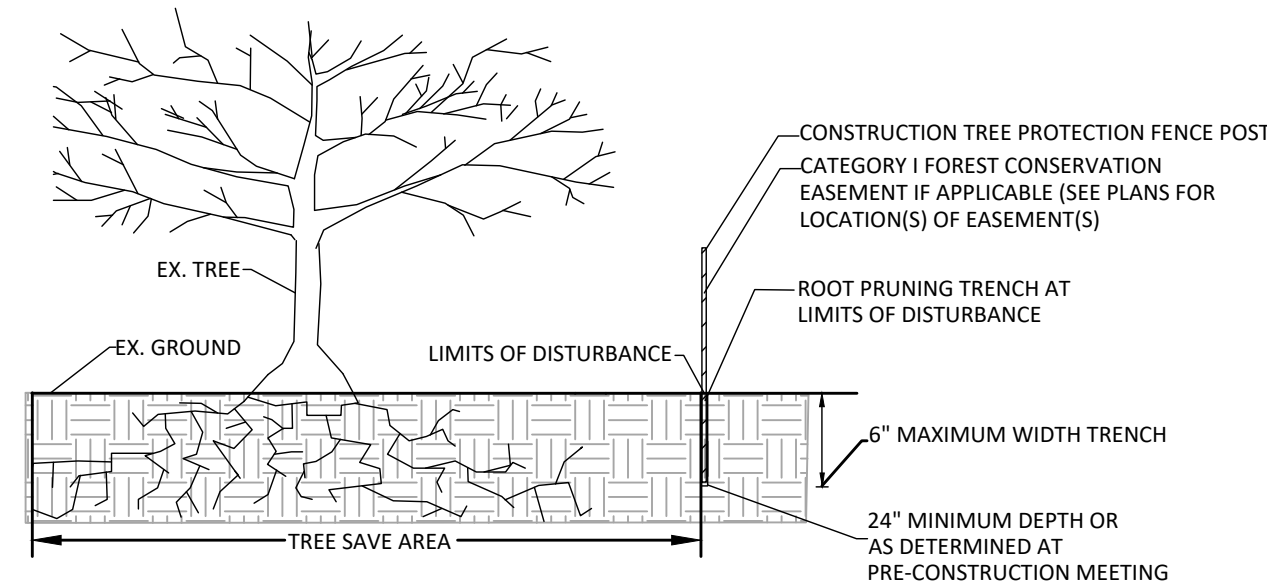
### ADDITIONAL REQUIREMENTS FOR PLANS WITH PLANTING REQUIREMENTS

- BEFORE THE START OF ANY REQUIRED REFORESTATION AND AFFORESTATION PLANTING.
- AFTER THE REQUIRED REFORESTATION AND AFFORESTATION PLANTING HAS BEEN COMPLETED TO VERIFY THAT THE PLANTING IS ACCEPTABLE AND PRIOR TO THE START OF THE MAINTENANCE PERIOD.
- AT THE END OF THE MAINTENANCE PERIOD TO DETERMINE THE LEVEL OF COMPLIANCE WITH THE PROVISIONS OF THE PLANTING PLAN, AND, IF APPROPRIATE, RELEASE OF THE PERFORMANCE BOND.



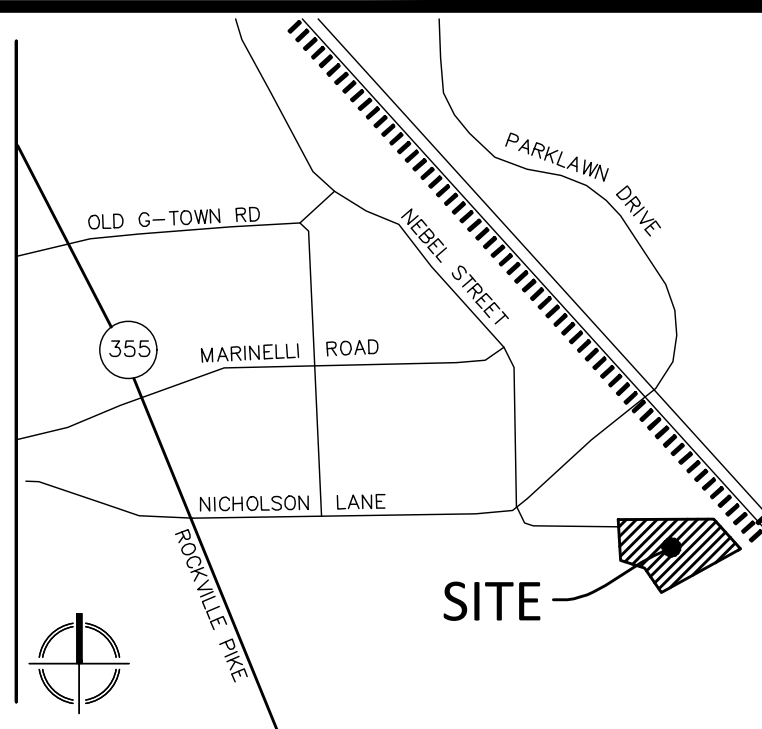
- NOTES:
- THE BOUNDARIES OF THE LIMITS OF DISTURBANCE SHOULD BE STAKED AND FLAGGED IN COORDINATION WITH THE ARBORIST, DPS AND FOREST CONSERVATION (FC) INSPECTORS PRIOR TO ERECTING THE PROTECTIVE DEVICE.
  - PRACTICE MAY BE COMBINED WITH SEDIMENT AND EROSION CONTROL FENCING AS DETERMINED BY THE ARBORIST, DPS AND FC INSPECTORS.
  - AVOID DAMAGE TO CRITICAL ROOT ZONES OF TREES. ANCHOR POSTS SHOULD BE PLACED TO AVOID SEVERING OR DAMAGING LARGE TREE ROOTS.
  - FENCING MATERIAL SHOULD BE FASTENED SECURELY TO THE ANCHOR POSTS WITH FENCE WIRE.
  - FENCE SIGNS, AND THEREFORE, THE TALLER 7 1/2' POSTS, MUST BE PLACED A MINIMUM OF 30' APART AND AT FENCE CORNERS. CONDITIONS ON SITE AFFECTING VISIBILITY MAY WARRANT PLACING SIGNS CLOSER OR FURTHER APART. ATTACHING SIGNS TO TREES IS PROHIBITED. SEE CONSTRUCTION TREE PROTECTION FENCE SIGN DETAIL THIS SHEET.
  - DEVICE SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. DO NOT REMOVE WITHOUT APPROVAL OF THE FOREST CONSERVATION INSPECTOR.
  - ADAPTED FROM MONTGOMERY COUNTY M-NCPPC PLANNING DEPARTMENT.

## 1 CONSTRUCTION TREE PROTECTION FENCE DETAIL NOT TO SCALE

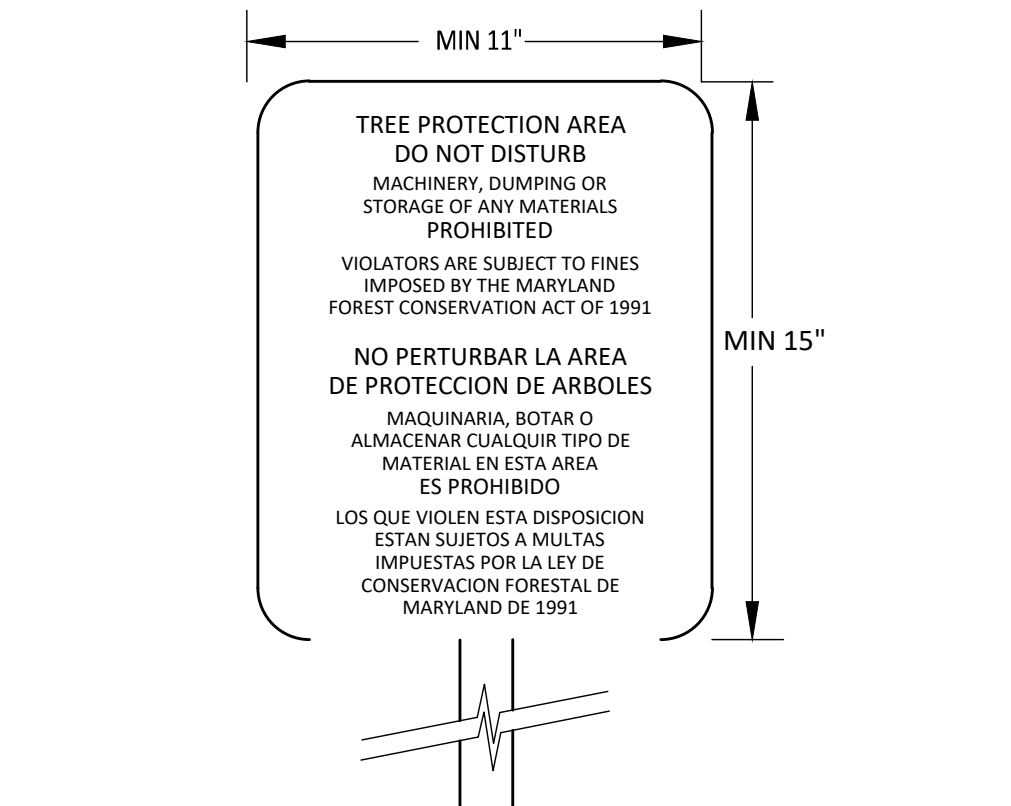


- NOTES:
- RETENTION AREAS TO BE ESTABLISHED AS PART OF THE FOREST CONSERVATION PLAN REVIEW PROCESS AND PRE-CONSTRUCTION MEETING.
  - BOUNDARIES OF RETENTION AREAS MUST BE STAKED AT THE PRE-CONSTRUCTION MEETING AND FLAGGED, PRIOR TO TRENCING.
  - EXACT LOCATION OF TRENCH SHOULD BE DETERMINED IN THE FIELD IN COORDINATION WITH THE FOREST CONSERVATION (FC) INSPECTOR.
  - TRENCH SHOULD BE IMMEDIATELY BACKFILLED WITH SOIL REMOVED OR ORGANIC SOIL AS SPECIFIED PER THE PLAN OR BY THE FC INSPECTOR.
  - ROOTS SHOULD BE CLEANLY CUT USING VIBRATORY KNIFE OR OTHER ACCEPTABLE EQUIPMENT.
  - ALL ROOT PRUNING MUST BE PERFORMED BY A MARYLAND LICENSED ARBORIST.
  - SEE THE CONSTRUCTION TREE PROTECTION FENCING DETAIL THIS SHEET.
  - ADAPTED FROM MONTGOMERY COUNTY M-NCPPC PLANNING DEPARTMENT.

## 3 TREE ROOT PRUNING DETAIL NOT TO SCALE



VICINITY MAP  
SCALE: 1" = 2000'



- NOTES:
- SIGNS MUST BE WATERPROOF.
  - SIGNS MUST BE IN ENGLISH AND SPANISH.
  - BOTTOM OF SIGNS TO BE HIGHER THAN TOP OF TREE PROTECTION FENCE.
  - SIGNS TO BE PLACED APPROXIMATELY 50' APART. CONDITIONS ON SITE AFFECTING VISIBILITY MAY WARRANT PLACING SIGNS CLOSER OR FARTHER APART.
  - ATTACHMENT OF SIGNS TO TREES IS PROHIBITED.
  - SEE CONSTRUCTION TREE PROTECTION FENCE DETAIL THIS SHEET.
  - ADAPTED FROM MONTGOMERY COUNTY M-NCPPC PLANNING DEPARTMENT.

## CONSTRUCTION TREE PROTECTION FENCE

## 2 SIGN DETAIL NOT TO SCALE

### DEVELOPER'S CERTIFICATE

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DEVELOPER'S NAME: 4900 MD LLC  
PRINTED COMPANY NAME

CONTACT PERSON OR OWNER: HARVEY MAISEL  
PRINTED NAME

ADDRESS: 8627 16TH STREET, SILVER SPRING, MD. 20910

PHONE : (301) 588-8885

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



PREPARED FOR:  
4900 MD LLC  
8627 16TH STREET  
SILVER SPRING, MD 20910  
301.588.8885  
HARVEY MAISEL

### DESIGN CONSULTANTS

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301.916.4100  
JASON EVANS

REVISIONS	DATE
INITIAL SUBMISSION	3/8/2018

### PROFESSIONAL SEAL

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED, REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.  
NAME: DOUGLAS A. KOESER, RLA  
LICENSE NUMBER: 3861  
EXPIRATION DATE: JANUARY 24, 2020

4900  
NICHOLSON  
COURT

4TH ELECTION DISTRICT  
MONTGOMERY COUNTY,  
MARYLAND  
WSSC GRID: 215NW05  
TAX MAP: HQ22

## FINAL FCP DETAILS

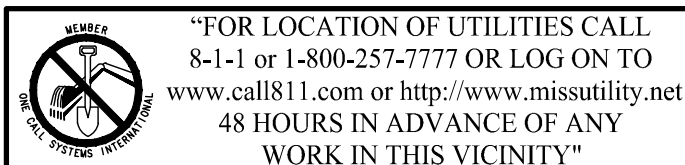
DRAWN BY: SDG/DLK  
DESIGNED BY: DLK/CIB

DATE ISSUED: 03/08/18

VIKA  
PROJECT 50247A

AGENCY  
NO. 820180150

SHEET NO. FFCP 300



The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.

## ATTACHMENT 4



ENGINEERING   ♻   PLANNING   ♻   LANDSCAPE ARCHITECTURE   ♻   SURVEYING/GEOMATICS

March 8, 2018

Area 2 Division  
Montgomery County Planning Department  
M-NCPPC  
8787 Georgia Avenue  
Silver Spring, MD 20910

**Re:   Forest Conservation Tree Variance Request  
4900 Nicholson Court  
Forest Conservation Plan Amendment #119940220 for Site Plan #820160150  
VIKA # VM50247A**

Dear Mr. Findley:

On behalf of our client, 4900 MD LLC, we are submitting this Tree Variance Request to comply with Natural Resources, Title 5, Section 5-1607 of the Maryland Code that requires the Applicant to file for a variance to remove or impact any tree greater than 30" in diameter-at-breast-height (dbh); any tree with a dbh equal to or greater than 75% of the current state champion; trees that are part of a historic site or associated with a historic structure; any tree designated as the county champion tree; and any tree, shrub, or plant identified on the rare, threatened or endangered list of the U.S. Fish and Wildlife Service of the Maryland Department of Natural Resources, if a project did not receive Preliminary Forest Conservation Plan Approval prior to October 1, 2009.

This Tree Variance Request is accompanying the submission of the Final Forest Conservation Plan Amendment #119940220 for Site Plan #820180150.

The 3.05-acre Property is in Kensington, Montgomery County, Maryland along Nicholson Court approximately 200 feet west of Nicholson Lane. It is currently developed with an industrial building and surface parking facilities. It is generally bounded by industrial and commercial to the north and west, railroad tracks to the east, and residential to the south of an existing forest conservation easement. The proposed project will consist of a proposed self-storage building.

Table 1 on the following page lists the specimen tree as it is identified on the Final Forest Conservation Plan Amendment, for which a variance is required, and provides its respective proposed impact.

**VIKA Maryland, LLC**

20251 Century Boulevard, Suite 400   ♻   Germantown, Maryland 20874   ♻   301.916.4100   Fax 301.916.2262  
Tysons, VA   ♻   Germantown, MD   ♻   Washington, DC

[www.vika.com](http://www.vika.com)

**Table 1**

TREE NO.	BOTANICAL NAME	COMMON NAME	D.B.H. (in.)*	CONDITION	CRZ (SF)	CRZ IMPACT (SF)	CRZ IMPACT %	DISPOSITION
<b>ON-SITE TREES (TAGGED)</b>								
447	Juglans nigra	Black Walnut	31	Fair	6,793	965	14.21	Save

\* Diameter at breast height in inches

The Assessment was performed by Doug Koeser, RLA, ISA in January 2018 as a visual, and at-grade-level inspection with no invasive, below grade, or aerial inspections performed at the time. Decay or weakness may be hidden out of sight for large trees.

- Tree # 447: 31" Black Walnut (Juglans nigra):** Tree 447 is in the forest at the southern portion of the property.
  - Field Condition:** Fair
  - Proposed CRZ Impact:** Minimal at 14.21%
  - Disposition:** Tree #447 is specified to be saved.

#### **Justification Narrative for Tree Disturbance**

We submit the following rationale in support of the request for a Forest Conservation Tree Variance:

The site is currently developed with an industrial building and associated parking as well as an existing Category 1 forest conservation easement.

Under Section 5-1611, variances may be granted

- ... where owing to special features of a site or other circumstances, implementation of this subtitle would result in unwarranted hardship to an Applicant.
- Variance procedures adopted under this section shall:
  - Be designed in a manner consistent with the spirit and intent of this subtitle; and
  - Assure that the granting of a variance will not adversely affect water quality.

Under State and Montgomery County requirements, four factors are considered when granting a variance; each of these is described in detail below.

- Describe the special conditions peculiar to the property which would cause the unwarranted hardship.**

The requested tree variance is necessary for implementation of the storage facility building and associated parking project. The site is constrained with many existing utility easements that limit site layout options.





Not granting the requested variance is an unwarranted hardship because of the particular layout necessary to implement the storage facility building

**2. Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas.**

The requested variance is based on plans being developed under 1) the zoning approved through the County planning process. There is one (1) variance tree impacted or by the proposed storage facility.

There are no conditions relating to land or building use, either permitted or non-conforming, on a neighboring property that have played a role in the need for this variance. Tree #447 is being disturbed minimally with 14.21% of its critical root zone impacted.

**3. Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance.**

The existing site, approximately 69.2% impervious, contains two buildings along with a large associated surface lot and underground stormwater storage.

The proposed redevelopment of the site decreases the site's imperviousness to approximately 50.3%. The stormwater management for the site will be designed per the Environmental Site Design (ESD) to the maximum extent practicable (MEP). The proposed development includes five (5) micro bio-retentions. No structural facilities were proposed to supplement the ESD requirement because there is a large forest conservation easement on the site along with multiple WSSC easements and a storm drain easement.

**4. Provide any other information appropriate to support the request.**

The redevelopment of the site utilizing IL zoning is approved in the recently approved sector plan and the project is maintaining the existing forest conservation easement currently on the site.

Thank you for your consideration of this Tree Variance Request. We believe that the supporting information provided with this letter justifies the variance to impact one (1) specimen tree which we will be preserving. If you have any questions or need more information, please do not hesitate to contact us so that we may discuss this matter further.

Sincerely,  
**VIKA Maryland, LLC**



Chanda S. Beaufort, RLA  
Project Manager

