



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

MCPB No. 18-052  
Site Plan No. 82004015N  
Park Potomac  
Date of Hearing: June 28, 2018

**JUL 03 2018**

**RESOLUTION**

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, under Section 59-7.7.1.B.3, the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014; and

WHEREAS, on March 19, 2004, the Planning Board, by Resolution, approved Site Plan No. 820040150 for to allow construction of 450 multi-family dwelling units (including 61 MPDUs), 830,000 square feet of office and 30,000 square feet of retail use on 20.28 acres of I-3 zoned-land, located northwest of the intersection of Montrose Road and I-270 ("Subject Property"), in the Potomac Policy Area and in the Potomac sub-region Master plan ("Master Plan") area; and

WHEREAS, on January 12, 2007, the Planning Board approved an amendment to the site plan, Site Plan No. 820040154A (MCPB Resolution No. 0642) for the substitution of two 4-story apartment buildings with one 10-story and one 8-story condominium building in the approximate same location and revisions to the parking configuration and tabulations on the Subject Property; and

WHEREAS, on September 19, 2007, the Planning Board approved an amendment to the site plan, Site Plan No. 82004015B (MCPB Resolution No. 07-159) for modifications to the allowable density that increased retail and hotel uses, a redesign of the public amenities, streetscape, roadway alignment and parking configurations on the Subject Property; and

WHEREAS, in 2008, the Planning Director approved three administrative amendments to the site plan, Site Plan Nos. 82004015C, D, and E, for minor changes to the site plan; and

Approved as to  
Legal Sufficiency:

8787 Georgia Avenue, Suite 1200, Silver Spring, MD 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

[www.MCParkandPlanning.org](http://www.MCParkandPlanning.org) E-Mail: [mcp-chairman@mncppc.org](mailto:mcp-chairman@mncppc.org)

WHEREAS, on October 26, 2009, the Planning Board approved an amendment to the site plan, Site Plan No. 82004015F (MCPB Resolution No. 09-130) for modifications to the roadway connections, pedestrian walkways, bike rack locations and plans for Condo Building No. 1 on the Subject Property; and

WHEREAS, on October 14, 2010 and January 13, 2012, the Planning Director approved two administrative amendments to the site plan, Site Plan Nos. 82004015G and H, for minor changes to the site plan; and

WHEREAS, on September 12, 2012, the Planning Board approved an amendment to the site plan, Site Plan No. 82004015I (MCPB Resolution No. 12-90) for modifications to the roadway connections, pedestrian walkways, bike rack locations and plans for Condo Building No. 1 on the Subject Property; and

WHEREAS, on August 2, 2013, the Planning Director approved an administrative amendment to the site plan, Site Plan No. 82004015J, for minor changes to the site plan; and

WHEREAS, on June 3, 2014, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan No. 82004015K (MCPB No. 14-29), to swap square footage between two buildings, and to make minor revisions to landscape and hardscape on the Subject Property; and

WHEREAS, on August 28, 2015, the Planning Director approved an administrative amendment to the site plan, Site Plan No. 82004015L, for minor changes to the site plan; and

WHEREAS, on February 22, 2018, Adam Davis (Foulger Pratt) ("Applicant") filed an application for approval of an amendment to the previously approved site plans to increase the retail area and total size of Building E by 3,500 square feet in exchange for a reduction to Building F's retail area by 3,500 square feet, and a further reduction of gross floor area by an additional 800 square feet, reduce parking by six spaces, and include modified architecture, landscaping and circulation around Building E. on the Subject Property; and

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 82004015N, Park Potomac ("Site Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated June 14, 2018, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on June 28, 2018, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 82004015N to increase the retail area and total size of Building E by 3,500 square feet in exchange for a reduction to Building F's retail area by 3,500 square feet and a further reduction of gross floor area by an additional 800 square feet, reduce parking by six spaces, and include modified architecture, landscaping and circulation around Building E by adding the following conditions:

1. Density

The Site Plan is limited to a maximum of 849,200 square feet of non-residential density comprised of up to 144,200 square feet of retail, 570,000 square feet of office/employment, 133,000 square feet of hotel and up to 450 residential multi-family dwelling units.

2. Site Design

The exterior architectural character, proportions, materials, and articulation for the restaurant expansion to Building E must be substantially similar to the schematic elevations shown on sheets ARCH-82004015N-A201 through A203, as determined by Staff.

3. Certified Site Plan

Prior to Certified Site Plan, the Applicant must receive Staff approval for the location, language and design of the new wayfinding signs shown on the Site Plan, directing patrons to the parking garage for additional accessible handicap parking spaces.

BE IT FURTHER RESOLVED that all other site plan conditions of approval for this project remain valid, unchanged and in full force and effect

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Park Potomac, No. 82004015N, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as

modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan as revised by previous amendments, and all findings not specifically addressed remain in effect.*
2. *The site plan meets all of the requirements of the zone in which it is located.*

The Site Plan still conforms to all of the requirements of the I-3 Zone, which was the zone in place during the original review of the Site Plan. There are no changes to the previously approved mix of uses, only modifications to their locations and a small reduction of the total density on the Subject Property. This Application also continues to conform to the development standards of the I-3 zone. The reduction in total square footage of 800 square feet is done to ensure that the minimum parking ratios are maintained on the Subject Property after removing six existing spaces for the restaurant expansion. There is no change to building height or green area, and the addition to building E does not modify the approved setbacks on the Site Plan.

The following project data table summarizes the approved modifications as part of this Site Plan Amendment, compared to the requirements of the Zoning Ordinance and the requirements of the most recent previous approval.

<b>Development Standard</b>	<b>Permitted/Required by the Zoning Ordinance</b>	<b>Previously Approved by Site Plan No. 82004015L</b>	<b>Approved by Site Plan No. 82004015N</b>
<b>Net Lot Area</b>	N/A	20.28 ac.	20.28 ac.
<b>Gross Floor Area</b>			
Building E	N/A	<b>184,000 sq. ft.</b>	<b>187,500 sq. ft.</b>
Building F	N/A	<b>151,700 sq. ft.</b>	<b>147,400 sq. ft.</b>
<b>Parking Calculations Non-Residential Buildings</b>			
POD A: Building A & B	645 spaces	645 spaces	645 spaces
POD B: Buildings C, D, E, F & G	<b>1603 spaces</b>	<b>1609 spaces</b>	<b>1603 spaces</b>
<i>Non-Residential Total</i>	<i>2248 spaces</i>	<i>2254 spaces</i>	<i>2248 spaces</i>

- 3. The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

#### Buildings and Structures

The location of buildings and structures remains safe, adequate, and efficient on the Subject Property. The 3,500-square foot restaurant expansion for Building E is a one-story extension from the southwest corner of the building. The expansion does not cause any negative changes to building massing or setbacks on the Subject Property given its small scope and proximity to other commercial buildings. The design of the addition will be unique, mimicking a wooden barn consistent with the tenant's farm-to-table theme, while maintaining compatibility within the total development. The unique architecture will provide visual interest to the office-dominated environment of the area, and the expanded frontage and outdoor seating opportunities will help further enliven the street level near the existing public plaza.

#### Landscaping and Lighting

The landscaping and lighting with this Amendment will remain safe, adequate and efficient. The Application removes one existing free-standing light, which was providing illumination for the six parking spaces and associated sidewalk area which are being removed. The new sidewalks will now be illuminated by lighting elements mounted to the side of the restaurant expansion. The area of the building expansion is almost all hardscape, either as patio seating, sidewalk or parking, therefore there is no loss in landscaping area. The Amendment provides new raised planters along the façade of the restaurant and along a portion of the partition between the sidewalk and outdoor dining that will be planted mostly with summer and cool season annuals and herbs. These planters are consistent in the design and scale of urban outdoor amenity areas and are adequate for providing visual interest and providing some space separation.

#### Pedestrian and Vehicular Circulation

Pedestrian and vehicular circulation will remain safe, adequate and efficient with this Amendment. As part of the restaurant expansion, six vehicle parking spaces will be removed. These six spaces were isolated from the primary parking areas, and their removal reduces a curb cut to the parking lot, improving upon circulation efficiency for both vehicles and pedestrians. The Applicant is unable to relocate these spaces, resulting in the need to further reduce density on the Subject Property to maintain the minimum parking ratio. The Applicant is also providing site modifications to maintain safe and adequate pedestrian circulation. The building expansion will cut off a currently accessible pedestrian route between the southern parking areas and building E. To maintain a safe and accessible pedestrian route, the Applicant is making modifications to the

existing structure that covers the stairwell leading from the street level down into the parking garage below by relocating a support column and removing a section of wall. These changes will maintain a minimum six-foot clearance between obstructions and curb edge around the stairwell.

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

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

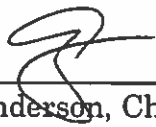
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUL 03 2018 (which is the date that this resolution is mailed to all parties of record); and

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

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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Commissioner Patterson, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, June 28, 2018, in Silver Spring, Maryland.

  
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Casey Anderson, Chair  
Montgomery County Planning Board