

MINIMUM ELEMENTS OF IMA

1. The use of the property will be limited to multifamily residential and associated garage and surface parking.
2. Maximum building height on the Property will be 140' for existing building, however new development will be limited to 98 feet to height.
3. Total residential units on-site will not exceed 217 units.
4. Vehicular access to the Site will be limited to the existing driveway (access point).
5. Fifteen percent of the total units on-site will be required as Moderately Priced Dwelling Units, per Chapter 23A of the County Code, subsequent to the expiration of the LUTC restrictions and any other State restricted-use covenants.

GENERAL NOTES

1. This site is located on Tax Map J961 and WSSC Grid 211/001, and identified as Parcel 9955 with Tax ID number 0097511. Street address is 8860 Piney Branch Drive.
2. Fieldwork for Boundary Information, and Topography Information - 2" contours, was conducted on 11/25/2019 by Charles P. Johnson & Associates.
3. Soil information was obtained from www.mdt.state.md.us/roads/geo on June 10, 2020.
4. The site is located within the Northwest Branch of the Annapolis River watershed.
5. The site is not located in a FEMA Flood Zone.
6. The site contains no Special Protection (SPA) or Primary Management (PMA) areas.
7. No Historic Resources are located within or adjacent to this property.
8. No Rare or Threatened Species, Critical Habitats were observed on this property verified by the Maryland DNR.
9. There are steep slopes located on-site.
10. The site contains a small portion of forest along the east property line according to MORTALIS.
11. There are no significant views or vistas located on this site.
12. This site is located on Tax Map J961.
13. This site is located on WOC 200 West 211/001.
14. This site is located in Election District 20.
15. WSSC vehicle categories: S, L, W, 1.
16. Site is to be serviced by public water and sewer systems.
17. Legal descriptions
18. Parcel No. Tax ID Liber/Folio Address
- 935 0097511 5742/231 8860 Piney Branch Road
19. Soil type is TC as shown on the Natural Resources Observation Service website.
20. Utility Companies
- Electric: Pepco
- Telephone: Verizon
- Gas: Washington Gas
- Water: WSSC
21. Stormwater management to be provided on-site to meet the MSB requirements to the MRP.
22. Designated area = TBD
23. Topography and boundary by Charles P. Johnson and Associates, January 2020

SITE CONSTRUCTION NOTES

Remediation Plan: Removal of the existing 2-story parking structure will use sound practices for removing and disposing of materials and any hazardous waste encountered. The existing dry area equipment will be salvaged and reinstalled at a new location on-site.

Site Work: All site work will follow Maryland Department of the Environment (MDE) 2011 Standards for Soil Erosion and Sediment Control during construction. Limiting areas of disturbance to immediate work areas. Site work will include parking, parking areas, and storm water structures will be completed with the approval and direction of the geotechnical engineer. Access to site will be limited when vehicle and construction activity encroaches beyond the site.

Landscaping: All new plantings will utilize at least 50% native plantings. Project will select native, highly durable, drought / disease resistant plantings that are suitable for the project soil and macroclimate. Where possible, all existing large trees will be protected and preserved on the site during construction.

DATATABLE

Category	Sub-Category	Possible Points	Proposed Points
Transit Proximity - Section 4.7.3.B	Level 2 - Transit Proximity	10	10
Quality Building & Site Design - Section 4.7.3.E	Structured Parking	20	14***
Affordable Housing - Section 4.7.3.D	Moderately Priced Dwelling Units	No Limit*	30***
TOTAL POINTS REQUIRED: 50 (CAT Zone)			54

Category	Sub-Category	Possible Points	Proposed Points
Transit Proximity - Section 4.7.3.B	Level 2 - Transit Proximity	10	10
Quality Building & Site Design - Section 4.7.3.E	Structured Parking	20	14***
Affordable Housing - Section 4.7.3.D	Moderately Priced Dwelling Units	No Limit*	30***
TOTAL POINTS REQUIRED: 50 (CAT Zone)			54

* Pursuant to the approved October 2008 Comprehensive Zoning Ordinance and Enforcement Order, the number of affordable housing units available for siting must be 10% of the total units in the project. The Montgomery County Board of Commissioners has approved the following standards for the number of affordable housing units to be included in the project. The standards are as follows:

** The Project is proposing a minimum of 20% MPRD and, therefore, qualifies for 30 points based on the following formula: (20% x 12) = 24 points.

*** The Project is proposing 30 structured parking spaces (20% x 120) = 24 points.

NOTE: The Public Benefit Point categories, specific number of points, and point names (which this requirement will be satisfied with) will be defined and finalized at the time of Draft Site Plan application, and only apply to the site.

FOR ILLUSTRATIVE PURPOSES ONLY

DEVELOPMENT STANDARDS

Category	Sub-Category	Possible Points	Proposed Points
Transit Proximity - Section 4.7.3.B	Level 2 - Transit Proximity	10	10
Quality Building & Site Design - Section 4.7.3.E	Structured Parking	20	14***
Affordable Housing - Section 4.7.3.D	Moderately Priced Dwelling Units	No Limit*	30***
TOTAL POINTS REQUIRED: 50 (CAT Zone)			54

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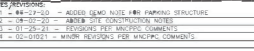
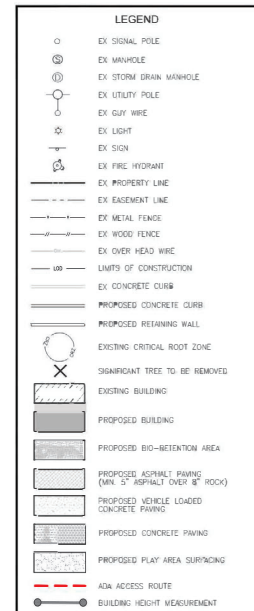
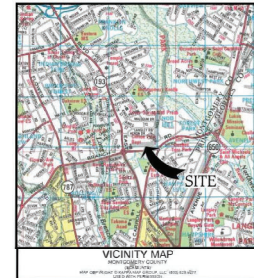
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DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

December 22, 2021

Ms. Grace Bogdan, Planner Coordinator
Downcounty Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive, 14th Floor,
Wheaton, MD 20902

RE: Sketch Plan Letter
Sketch Plan No. 320220030
Park Montgomery

Dear Ms. Bogdan:

We have completed our review of the revised Sketch Plan uploaded in eplans dated December 8, 2021. This plan was reviewed by the Development Review Committee at its meeting on November 23, 2021. We recommend approval for the plan based to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. The public street fronting the subject property is Piney Branch Road (MD-320) and is maintained by Maryland State Highway Administration (MDSHA). Therefore, MCDOT does not have any jurisdiction other than the maintenance and operation of the traffic signal, sidewalk/shared use path, bus stop/bus shelter on Piney Branch Road (MD-320). Per Montgomery County Code Chapter 50 Section 4.2, MCDOT shall provide recommendation along Piney Branch Road (MD-320) frontage for the attention of the concerned agencies.
2. We recommend that the applicant comply with the Bicycle Master Plan requirements.
3. Access and improvements along Piney Branch Road (MD-320) as required by the MDSHA.
4. We recommend removing the existing sidewalk other than as needed at the transitions on either end of the subject property boundary.

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

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Located one block west of the Rockville Metro Station

Ms. Grace Bogdan
 Sketch Plan No. 320220030
 December 22, 2021
 Page 2

5. Design all access points and alleys to be at-grade with the sidewalk, dropping down to street level between the sidewalk / sidepath and roadway.
6. We recommend a paved walkway to the sidewalk on the eastern side of the property at the Carroll Ave intersection. There are two existing bus stops along the site frontage of which only one is shown on the plan. Any impacts should be coordinated with Mr. Wayne Miller of our Division of Transit Services to coordinate improvements mentioned above to the RideOn bus facilities in the vicinity of this project. Mr. Miller may be contacted at 240 777-5836 or at Wayne.Miller2@montgomerycountymd.gov.
7. We defer the sight distance to be approved by MDSHA.
8. Storm Drain: We defer to MDSHA.
9. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Deepak Somarajan, our Development Review Team for this project at deepak.somarajan@montgomerycountymd.gov or (240) 777-2194.

Sincerely,

Deepak Somarajan

Deepak Somarajan, Engineer III
 Development Review Team
 Office of Transportation Policy

M:\Subdivision\Deepak\Sketch Plan\ 320220030-Park Montgomery\Letter\ 320220030-Park Montgomery-Sketch Plan Letter.docx

cc: SharePoint\Correspondence Folder FY 22

cc-e: Louis Kiang	Owner
Michael Loe	CPJ Associates
Heather Dlhopsky	Wire Gill LLP
Atiq Panjshiri	MCDPS RWPR
Sam Farhadi	MCDPS RWPR
Mark Terry	MCDOT DTEO
Wayne Miller	MCDOT DTS
Rebecca Torma	MCDOT OTP



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

January 26, 2022

Ms. Grace Bogdan, Planner Coordinator
Downtown Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedy Drive, 14th Floor,
Wheaton, MD 20902

RE: Sketch Plan Letter
Sketch Plan No. 320220030
Park Montgomery
REVISED LETTER

Dear Ms. Bogdan:

This letter supersedes the previous letter dated December 22, 2021. We have completed our review of the revised Sketch Plan uploaded in eplans dated December 8, 2021. This plan was reviewed by the Development Review Committee at its meeting on November 23, 2021. We recommend approval for the plan based to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. The public street fronting the subject property is Piney Branch Road (MD-320) and is maintained by Maryland State Highway Administration (MDSHA). Therefore, MCDOT does not have any jurisdiction other than the maintenance and operation of the traffic signal, sidewalk/shared use path, bus stop/bus shelter on Piney Branch Road (MD-320). Per Montgomery County Code Chapter 50 Section 4.2, MCDOT shall provide recommendation along Piney Branch Road (MD-320) frontage for the attention of the concerned agencies.
2. Prior to issuance of the first above-grade building permit or right-of-way permit (whichever comes first), the Applicant must make a payment of \$172,595 to the Montgomery County Department of Transportation towards the construction of a bikeway improvement in the Purple Line East

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Ms. Grace Bogdan
Sketch Plan No. 320220030
January 26, 2022
Page 2

transportation policy area. The payment will be inflated based on the Federal Highway Administration's National Highway Construction Cost Index from the mailing date of the Planning Board resolution to the date of the first above-grade building permit or right-of-way permit (whichever comes first).

3. Access and improvements along Piney Branch Road (MD-320) as required by the MDSHA.
4. We recommend removing the existing sidewalk other than as needed at the transitions on either end of the subject property boundary.
5. Design all access points and alleys to be at-grade with the sidewalk, dropping down to street level between the sidewalk / sidepath and roadway.
6. We recommend a paved walkway to the sidewalk on the eastern side of the property at the Carroll Ave intersection. There are two existing bus stops along the site frontage of which only one is shown on the plan. Any impacts should be coordinated with Mr. Wayne Miller of our Division of Transit Services to coordinate improvements mentioned above to the RideOn bus facilities in the vicinity of this project. Mr. Miller may be contacted at 240 777-5836 or at Wayne.Miller2@montgomerycountymd.gov.
7. We defer the sight distance to be approved by MDSHA.
8. Storm Drain: We defer to MDSHA.
9. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Deepak Somarajan, our Development Review Team for this project at deepak.somarajan@montgomerycountymd.gov or (240) 777-2194.

Sincerely,

Deepak Somarajan

Deepak Somarajan, Engineer III
Development Review Team
Office of Transportation Policy

M:\Subdivision\Deepak\Sketch Plan\ 320220030-Park Montgomery\Letter\ 320220030-Park Montgomery-Sketch Plan Revised Letter.docx

cc: SharePoint\Correspondence Folder FY 22

Ms. Grace Bogdan
Sketch Plan No. 320220030
January 26, 2022
Page 3

cc-e:	Louis Kiang	Owner
	Michael Loe	CPJ Associates
	Heather Dlhopsky	Wire Gill LLP
	Kwesi Woodroffe	MDSHA District 3
	Atiq Panjshiri	MCDPS RWPR
	Sam Farhadi	MCDPS RWPR
	Matt Johnson	MCDOT DTE
	Corey Pitts	MCDOT DTE
	Mark Terry	MCDOT DTEO
	Wayne Miller	MCDOT DTS
	Rebecca Torma	MCDOT OTP

DPS-ROW CONDITIONS OF APPROVAL**November 15, 2021****820220020 Park Montgomery**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

“07-SITE-820220020-003.pdf V3” uploaded on/ dated **“10/22/2021”**.

As there seems to be minimal impact to the County ROW (per the above site plan), we do not have any comments at this point.

Please note, access and improvements along Piney Branch Road (MD 320) is per MSHA. We recommend construction of Master-Planned bikeways along the site frontage.



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

Aseem K. Nigam
Director

January 4, 2022

Grace Bogdan
Down-County Planning Division
Montgomery County Planning Department
2425 Reddie Drive
Wheaton, Maryland 20902

Re: Park Montgomery
Sketch Plan No. 320220030 & Site Plan No. 820220020

Dear Ms. Bogdan

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plans and recommends Approval. The final MPDU locations and layouts will be determined at the Agreement to Build stage and should ensure units comply with Chapter 25A of the Code and Regulations.

Sincerely,

Somer Cross, Manager
Affordable Housing Programs Section

Cc: Heather Dlhopsky

Division of Housing

Affordable Housing

Common Ownership Communities

Landlord-Tenant Affairs

Multifamily Housing

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DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

June 28, 2021

Ms. Katherine Mencarini, Planner Coordinator
Downcounty Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive, 13th floor,
Wheaton, MD 20902

RE: Park Montgomery
Traffic Impact Study Review
REVISED LETTER

Dear Ms. Mencarini:

The is letter superseded the previous letter dated June 24, 2021. We have completed our review of the revised Traffic Impact Study (TIS) report dated February 2021, prepared by Traffic Concepts Inc. Total development evaluated by the analysis includes the construction of a second residential building on the existing Park Montgomery site. The completed project will create a maximum of ~~75~~ 76 multi-family (apartment) units.

The subject property is fronting a public street that is maintained by Maryland State Highway Administration (MDSHA). Therefore, MCDOT does not have any jurisdiction other than the maintenance and operation of the traffic signal on state-maintained roadways. Per Montgomery County Code Chapter 50 Section 4.2, MCDOT shall provide recommendation about the subject property for the attention of the concerned agencies.

Based on the TIS report, we offer the following comments:

General Comment

1. The traffic counts were conducted on November 2020 and based on the Maryland-National Capital Park and Planning Commission (M-NCPPC)-Memorandum dated September 17, 2020- "*Briefing on Temporary Policy for Traffic Counts Collection and Transportation Impact Study Submission During COVID-19 Pandemic*". If the historical traffic counts have not been completed in three years, then we recommend that an adjustment factor in addition to the adjustment factor for the school

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Ms. Katherine Mencarini
 Park Montgomery TIS
 June 28, 2021
 Page 2

not being in session be added to the counts done during the pandemic. We believe that traffic will return to pre-pandemic levels.

2. The study is based on the 2017 Local Area Transportation Review and Transportation Policy Area Review (LATR) Guidelines.

Adequacy Determination

1. The study indicates that the proposed development generates more than 50-peak hour person trips. The pedestrian, bicycle and transit adequacy tests are not required since the development generates less than 50-peak hour trips.

Motor Vehicle System Adequacy

1. The subject development is required to meet the Local Area Transportation Review (LATR) test for motor vehicle system adequacy. The LATR test for the Long Branch policy area uses the Critical Lane Volume (CLV) Congestion standard of 1,600 and Highway Capacity Manual (HCM) with an average vehicle delay standard of 80 seconds per vehicle. The consultant studied two (2) intersections and one existing access point.
2. Per the report, the additional units would allow all the study intersections to continue operating within the CLV congestion standard of 1,600. The subject site falls under the Orange Policy Area per the LATR guidelines; therefore, the consultant had to perform HCM analysis.
3. Based on the attached traffic counts in the report (completed in accordance with the MNCPPC-Memorandum dated September 17, 2020), consultants conclude that all the study intersections would continue to operate within the HCM delay standard of 80 seconds/vehicle.
4. We defer to the Maryland State Highway Administration (MDSHA) for comments regarding intersections maintained by MDSHA jurisdiction.

Pedestrian and Bicycle Impact Statement

1. The consultant provided an evaluation of the pedestrian, bicycle and transit infrastructure for the studied intersections and roadways. The report did not include the presence of existing street lighting inventory in the vicinity of the site. Section III(C)(2).

SUMMARY

1. We **agree** that the traffic study was done in compliance with the MNCPPC-Memorandum dated

Ms. Katherine Mencarini
 Park Montgomery TIS
 June 28, 2021
 Page 3

September 17, 2020. We believe that the consultant should have used historical counts when available or an adjustment factor in addition to the adjustment factor for the school not being in session be added to the counts to be closer to pre-pandemic counts.

2. We **concur** with the consultant that the pedestrian, transit and bicycle adequacy tests are not required.
3. We defer to the Maryland State Highway Administration (MDSHA) for comments regarding intersections maintained by MDSHA jurisdiction.

Thank you for the opportunity to review this report. If you have any questions or comments regarding this letter, please contact me for this project, at deepak.somarajan@montgomerycountymd.gov or at (240) 777-2194.

Sincerely,

Deepak Somarajan

Deepak Somarajan, Engineer III
 Development Review Team
 Office of Transportation Policy

[SharePoint/transportation/directors office/development review/Deepak/TIS/ Park Montgomery\Letter\ Park Montgomery Revised TIS Letter](#)

cc: SharePoint\Correspondence FY-21

cc-e: Mark Keeley	Traffic Concepts Inc.
Heather Dlhopsky	Wire Gill LLP
Kwesi Woodroffe	MDSHA District 3
Atiq Panjshiri	MCDPS
Sam Farhadi	MCDPS
Mark Terry	MCDOT DTEO
Kamal Hamud	MCDOT DTEO
Rebecca Torma	MCDOT OTP



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

September 1, 2021

Ms. Elvina Newton
Charles P. Johnson, Inc.
1751 Elton Road, Suite 300
Silver Spring, MD 20903

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
Park Montgomery
8860 Piney Branch Road
Sketch Plan #: 320220030
Site Plan #: 820220020
SM File #: 287089
Tract Size/Zone: 3.29 ac/ R-H
Total Concept Area: 1.93 ac/ 84,023 sq.ft.
Parcel(s): N935 and Lot 1
Watershed: Northwest Branch, IV
Type of Development: Redevelopment

Dear Ms. Newton:

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 micro-bioretenention.

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.
4. The detailed plan must utilize the latest DPS guidance.
5. Provide documentation of approval by SHA to make connections to existing public storm drain.
6. Plan must include sediment control for improvements in the SHA ROW. Any SWM for improvements in the SHA ROW must be approved by SHA and included in the DPS plan set.
7. This list may not be all-inclusive and may change based on available information at the time. Ude



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Ms. Elvina Newton
September 1, 2021
Page 2 of 2

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

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Mary Fertig at 240-777-6202 or at mary.fertig@montgomerycountymd.gov.

Sincerely,

Mark Etheridge

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

MCE: mmf

cc: N. Braunstein
SM File # 287089

Target PE 2.0"/ Provided PE 2.0"
ESDv required 8,041 cf/ESDv provided 8,275 cf
STRUCTURAL: n/a
WAIVED: n/a



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www.montgomerycountymd.gov/permittingservices

March 15, 2021

Mr. Mark Keeley, PTP
Traffic Concepts, Inc.
7525 Connelley Drive, Suite B
Hanover, Maryland 21076

Dear Mr. Keeley:

Thank you for the opportunity to review the **traffic impact study (TIS)** prepared by Traffic Concepts, Inc., dated February 2021 (received on February 19, 2021) for the proposed **Park Montgomery** Residential Development – **21APMO005XX** in Montgomery County. The Maryland Department of Transportation State Highway Administration (MDOT SHA) review is complete and we are pleased to respond.

- The proposed development is a 75 multi-family apartment unit, which will be the second residential building on the existing Park Montgomery Apartments, located at 8860 Piney Branch Road.
- Full movement access is provided from the existing unsignalized entrance along Piney Branch Road (MD 320).
- The key studied intersections for the development are:
 - MD 320 (Piney Branch Road) & MD 193 (University Blvd E)
 - MD 320 (Piney Branch Road) & Site Access
 - MD 320 (Piney Branch Road) @ Carroll Avenue

Based on the information provided, please address the following comments in a point-by-point response:

Travel Forecasting & Analysis Division (TFAD) Comments (Provided by Scott Holcomb):

TFAD does not have any comments on the resubmitted TIS report.

Traffic Development & Support Division (TDSD) Comments (Provided by Obianuju Ani):

TDSD does not have any further comments at this time.

District 3 Traffic Comments (Provided by Jack Goode):

We offer no further comments at this time.

Mr. Mark Keeley
SHA Tracking No.: 21APMO005XX
Page 2 of 2
March 15, 2021

The SHA concurs with the report findings for this project as currently proposed and will not require the submission of any additional traffic analyses. However, an access permit will be required for all construction within the SHA right of way. Please provide an Electronic Submission containing the proposed improvement plans (including a set of hydraulic plans and computations) and all supporting documentation to the Access Management Division. For electronic submissions create an account with our online system <https://mdotsha.force.com/accesspermit>. Please reference the SHA tracking number on any future submissions. Please keep in mind that you can view the reviewer and project status via SHA Access Management Division web page at <https://www.roads.maryland.gov/mdotsha/pages/amd.aspx>. Please note, if this project has not obtained an SHA access permit and begun construction of the required improvements within five (5) years of this approval, extension of the permit shall be subject to the submission of an updated traffic impact analysis in order for SHA to determine whether the proposed improvements remain valid or if additional improvements will be required of the development. If you have any questions, or require additional information, please contact Mr. Kwesi Woodroffe at 301-513-7347, by using our toll free number (in Maryland only) at 1-800-749-0737 (x7347), or via email at kwoodroffe@mdot.maryland.gov or shaamdpermits@mdot.maryland.gov.

Sincerely,



for Erica Rigby
District Engineer

ER/cmh

cc:

Ms. Natasha Aidoo, MDOT SHA – District 3 Traffic
Ms. Obianuju Ani, MDOT SHA – TDSD
Ms. Rola Daher, MDOT SHA – TFAD
Mr. Jack Goode, MDOT SHA – District 3 Traffic
Mr. Derek Gunn, MDOT SHA – District 3 Traffic
Mr. Scott Holcomb, MDOT SHA – TFAD
Ms. Kathrine Mencarini, Montgomery County Planning Department
Mr. William Stroud, MDOT SHA – TDSD
Mr. Kwesi Woodroffe, MDOT SHA – District 3 Regional Engineer
Mr. Oscar Yen, MDOT SHA – TDSD

January 25, 2022

Heather Dlhopsky
Wire Gill, LLP
4800 Hampden Lane, Suite 200
Bethesda, MD 20814

Dear Ms. Dlhopsky:

Thank you for the opportunity to review the **Site Plan** for the proposed **Park Montgomery** Residential Development – **21APMO005XX** on **MD 320** (Piney Branch Road) (Mile Point: 2.6) in Montgomery County. The Maryland Department of Transportation State Highway Administration (MDOT SHA) review is complete and we are pleased to respond.

- The proposed development is a 76 multi-family apartment unit, which will be the second residential building on the existing Park Montgomery Apartments, located at 8860 Piney Branch Road.
- Full movement access is provided from the existing unsignalized entrance along Piney Branch Road (MD 320).
- The key studied intersections for the development are:
 - MD 320 (Piney Branch Road) & MD 193 (University Blvd E)
 - MD 320 (Piney Branch Road) & Site Access
 - MD 320 (Piney Branch Road) @ Carroll Avenue

Based on the information provided, please address the following comments in a point-by-point response:

District 3 Access Management Division Conditional Approval

District 3 Access Management supports the proposed frontage and access improvements shown on the submitted site plan in concept. We recommend conditional approval of the improvements; the condition being that detailed engineering drawings and supporting documents are submitted to SHA for a comprehensive review. Once all comments have been addressed (this is when the plans are officially approved), an access permit will be processed and issued.

Heather Dlhposky
SHA Tracking No.: 21APMO005XX
Page 2 of 2
January 25, 2022

Further plan submittals should reflect the above comments. Please provide an Electronic Submission containing the plans and all supporting documentation in PDF format, including a point-by-point response to reflect the comments noted above directly to the Access Management Division, attention of Mr. Kwesi Woodroffe. For electronic submissions create an account with our online system <https://mdotsha.force.com/accesspermit/>. Please reference the SHA tracking number on future submissions. Please keep in mind that you can view the reviewer and project status via the SHA Access Management web page at <https://www.roads.maryland.gov/mdotsha/pages/amd.aspx>.

If you have any questions or require additional information please contact Mr. Kwesi Woodroffe at 301-513-7347, by using our toll free number (in Maryland only) at 1-800-749-0737 (x7347), or via email at kwoodroffe@mdot.maryland.gov or shaamdpermits@mdot.maryland.gov.

Sincerely,



for Erica Rigby
District Engineer, District 3, MDOT SHA

ER/cmh

cc:

Mr. Derek Gunn, MDOT SHA – Acting Deputy District Engineer
Ms. Kathrine Mencarini, Montgomery County Planning Department
Mr. Kwesi Woodroffe, MDOT SHA – District 3 Regional Engineer

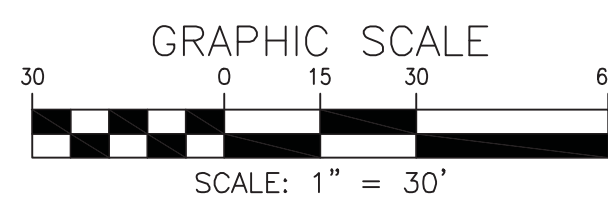
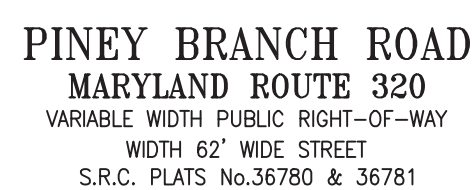
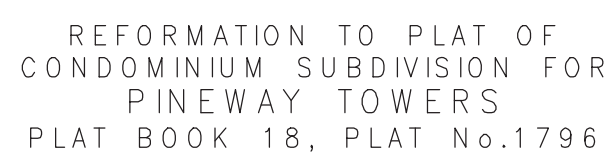


Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 01-Feb-22
TO: Michael Loe - mloe@cpja.com
Charles P Johnson & Associates
FROM: Marie LaBaw
RE: Park Montgomery
820220020

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **01-Feb-22** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.



DocuSigned by:
320BA0647C4F432...
Not valid without signature

1. ALL ACCESS DOORS TO BE LOCATED ON THE FRONT SIDE OF ALL BUILDINGS.

- * - BUILDINGS THAT HAVE THEIR MAIN HINGE DOOR ACCESS MORE THAN 50' FROM THE FIRE ACCESS ARE RESTRICTED TO A MAXIMUM OF 27' FROM THE GROUND TO THE UPPER STORY WINDOW LEDGE, INCLUDING FALSE DORMERS.

PARK MONTGOMERY
FIFTH (5TH) DISTRICT
MONTGOMERY COUNTY, MD

CLIENT: ENTERPRISE COMMUNITY DEVELOPMENT, INC. 893 HOLLINS STREET, SUITE 202 BALTIMORE, MD 21201	TAX MAP/WSSC [P/21/INE01]		SITE PLAN NO.	
	DESIGN	DMO	SHEET 1	OF 1
	DRAFT	MED		
	DATE AUG., 2020		FILE NO. 2019-1296-45.0 B	
COPYRIGHT © LATEST DATE HEREON CHARLES P. JOHNSON & ASSOCIATES, INC. ALL RIGHTS RESERVED. UNAUTHORIZED USE OR REPRODUCTION IS PROHIBITED.				
SCALE AS SHOWN				

BY: _____ FM: _____ DATE: _____

SITE CONSTRUCTION NOTES:
Demolition Plan - Demolition of the existing 2-story parking structure will use sound practices for removing and disposing of materials and any hazardous waste encountered. The existing play area equipment will be salvaged and reinstalled at a new location on-site.

Site Work- All site work will follow Maryland Department of the Environment (MDE) 2011 Standards for Soil Erosion and Sediment Control during construction. Limiting area of disturbance to immediate work area. Site work at building pad, parking areas, and storm water structures will be completed with the approval and direction of the geotechnical engineer. Access to site will be limited when vehicle and construction activity environmentally degrade the site.

Landscaping- All new plantings will utilize at least 50% native plantings. Project will select native, highly suitable, drought / disease tolerant plantings that are suitable for the project soil and microclimate. Where possible, all existing large trees will be protected and preserved on the site during construction.

- BINDING ELEMENTS OF LMA**
- (1) The use of the property will be limited to multifamily residential and associated garage and surface parking.
 - (2) Maximum building height on the Property will be 140 feet for the existing building, however new development will be limited to 98 feet in height.
 - (3) Total residential units onsite will not exceed 217 units.
 - (4) Vehicular access to the site will be limited to the existing driveway (access point).
 - (5) Fifteen percent of total units onsite will be regulated as Moderately Priced Dwelling Units, per Chapter 25A of the County Code, subsequent to the expiration of the LIHTC restrictions and any other State restricted-use covenants.

LEGEND

○	EX SIGNAL POLE
⊙	EX MANHOLE
⊕	EX STORM DRAIN MANHOLE
○	EX UTILITY POLE
○	EX GUY WIRE
☆	EX LIGHT
⚡	EX SIGN
⚡	EX FIRE HYDRANT
---	EX PROPERTY LINE
---	EX EASEMENT LINE
---	EX METAL FENCE
---	EX WOOD FENCE
---	EX OVER HEAD WIRE
---	LIMITS OF CONSTRUCTION
---	EX CONCRETE CURB
---	PROPOSED CONCRETE CURB
---	PROPOSED RETAINING WALL
---	EXISTING CRITICAL ROOT ZONE
✕	SIGNIFICANT TREE TO BE REMOVED
▨	EXISTING BUILDING
▨	PROPOSED BUILDING
▨	PROPOSED BIO-RETENTION AREA
▨	PROPOSED ASPHALT PAVING
▨	PROPOSED VEHICLE LOADED CONCRETE PAVING
▨	PROPOSED CONCRETE PAVING
▨	PROPOSED PLAY AREA SURFACING
---	ADA ACCESS ROUTE
---	BUILDING HEIGHT MEASUREMENT

DATA TABLE	
Zoning	CRTF-1.6, C-0, R-1.6, H-140
Ex. Water/Sewer Categories	W-1/S-1
Method of SWM	Environmental Site Design
Watershed	Northwest Branch
Topographical Information from	CPI Survey
Contour Interval	2'
Boundary Information from	Charles P. Johnson & Associates
Maryland State Grid Datum Used	NAD 83/91
Tax Map Reference	JP61
WSSC Base Map	211NE01
Areas	
Area of CRTF-1.6, C-0, R-1.6, H-140	3.29 Acres / 143,348 sf.
Gross Tract Area	3.45 Acres / 150,087 sf.
Previous Dedication to Public	6,740 sf.
Net Tract Area	None
100 Year Floodplain	None
Stream Valley Buffer	None
Wetlands	None

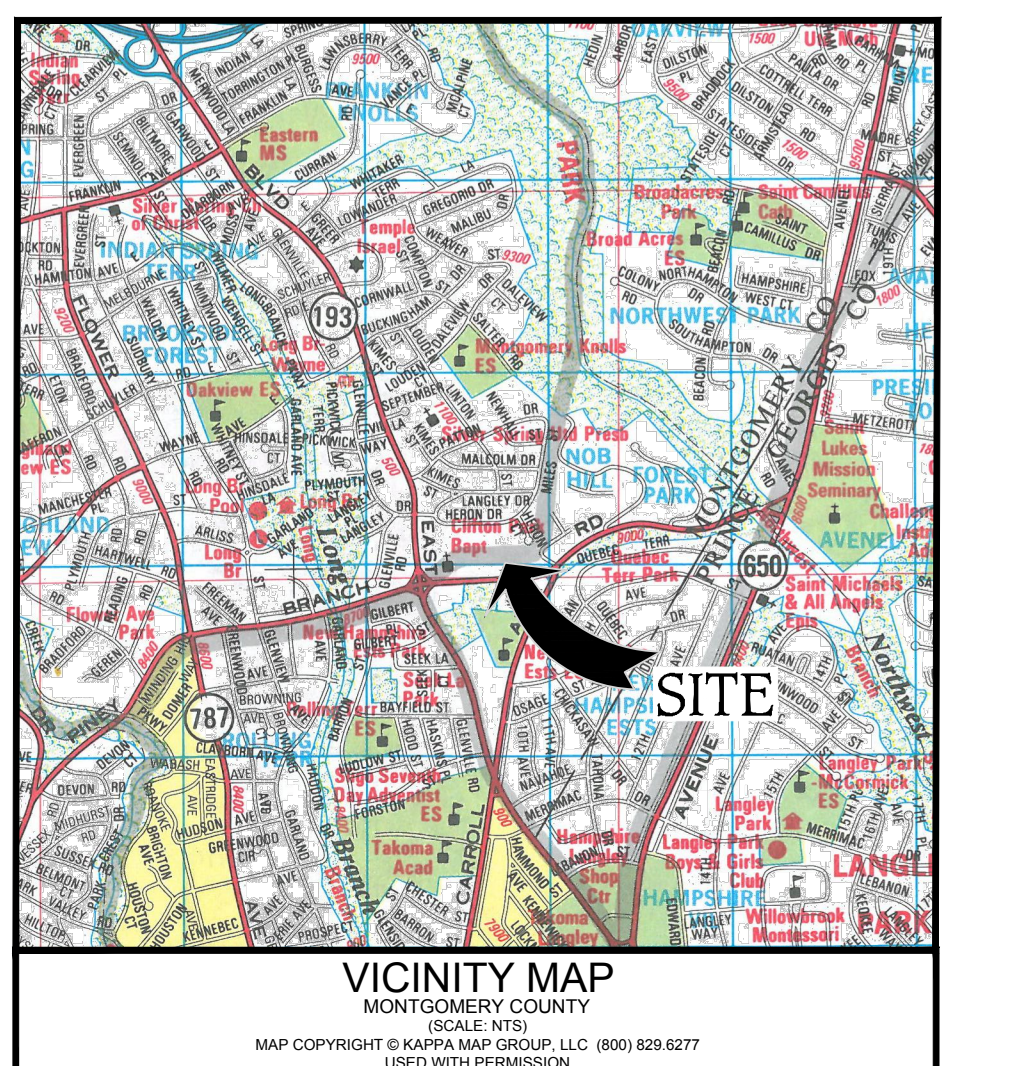
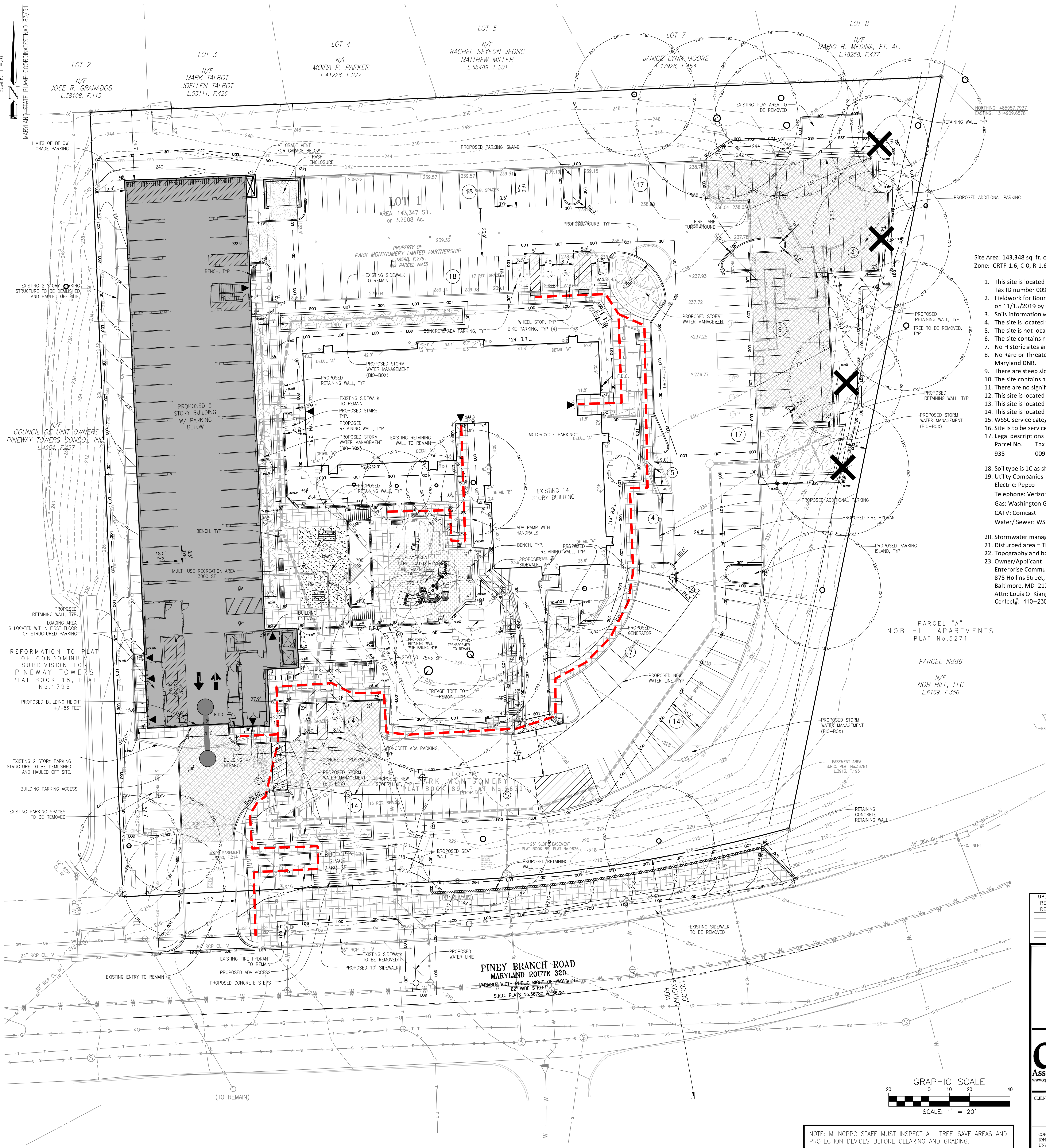
PUBLIC BENEFIT POINTS			
CATEGORY	SUB-CATEGORY	POSSIBLE POINTS	PROPOSED POINTS
Transit Proximity - Section 4.7.3.B	Level 2 - Transit Proximity	20	10
Affordable Housing- Section 4.7.3.D	Moderately Priced Dwelling Units	No Limit	136
Quality Building & Site Design- Section 4.7.3.E	Structured Parking	20	16
TOTAL POINTS REQUIRED- 50 (CRT Zone)			
TOTAL POINTS PROPOSED			52
*The Project is providing a minimum of 15.3% MPOUs and, therefore, qualifies for 36 points based on the following formula: (15.3% / 12.5%) * 12 = 36 points.			
*The Project is providing 36 structured parking spaces. (62/209)*10 = (44/209)*20 = 6 points			

DEVELOPMENT STANDARDS			
Zoning (CRTF-1.6, C-0, R-1.6, H-140)			
	Existing	Proposed	Proposed
Gross Tract Area	150,087 SF		150,087 SF
Prior Dedications	6,740 SF		6,740 SF
Proposed Dedications	0		0
Site Area	143,347 SF		143,347 SF
	Required	Allowed	Proposed
Public Open Space	5% (7,168 SF)	No Limit	1.6% (2,360 SF)
Maximum Building Height	35'	140'	90'
Moderately Priced Dwelling Units	12.50%	No Limit	15.5% (36 DU)
	Existing Building	Proposed Building	Total
Proposed Residential Density (FAR)	143,256 SF	94,481 SF	237,737 SF (1.58)
Dwelling Units	141 DU	76 DU	217 DU
Vehicle Parking	Min. 1 SP/Unit; Max 1 SP/STUDIO; 1.25 SP/1BR; 1.5 SP/2BR, 2 SP/ 3BR		
Residential	109 Spaces (217 Proposed DU *1.5 SP/DU)	343 Spaces (73 1BR, 71 2BR, 73 3BR)	84 SP (Interior) + 122 SP (Exterior) = 206 SP (Total)
Motorcycle Parking	Min. 2% of total parking spaces		5 SP
Bicycle Parking	Min. 0.5 SP/Unit; Max 100 SP (95% Long Term) (217 Proposed DU *1.5 SP/DU) = 100 SPACES		38 SP (Long Term) 12 (Short Term) = 50 SP (Total)
Minimum Building Setbacks (Sec. 5.3.5)	Min. Principal Bldg Setback: F-0' / S-10' / R-30'		Min. F-82' / S- 15' / R- 34'

1 5% Public Open Space requirement satisfied through a combination of onsite and fee-in-lieu per MNCPPC Section 59-6.3.6.C.2 requirements. See Statement of Justification for additional information on satisfying the Public Open Space requirements.

2 Proposed building is limited in height to 98' per the binding elements of the LMA.

3 Total onsite dwelling units are limited to 217 per the binding elements of the LMA.



- Site Area: 143,348 sq. ft. or 3.29 Acres
Zone: CRTF-1.6, C-0, R-1.6, H-140
1. This site is located on Tax Map JP61 and WSSC grid 211NE01, and identified as Parcel N935 with Tax ID number 00975711. Street address is 8860 Piney Branch Drive.
 2. Fieldwork for Boundary information, and Topography information - 2" contours, was conducted on 11/15/2019 by Charles P. Johnson & Associates.
 3. Soils Information was obtained from www.websoilsurvey.nrcs.usda.gov on June 10, 2020.
 4. The site is located within the Northwest Branch of the Anacostia River watershed.
 5. The site is not located in a FEMA flood zone.
 6. The site contains no Special Protection (SPA) or Primary Management (PMA) areas.
 7. No Historic sites are located within or adjacent to this property.
 8. No Rare or Threatened Species, Critical Habitats were observed on this property verified by the Maryland DNR.
 9. There are steep slopes located on-site.
 10. The site contains a small portion of forest along the east property line according to MCATLAS.
 11. There are no significant views or vistas located on this site.
 12. This site is located on tax map JP61.
 13. This site is located on WSC 200 sheet 211NE01.
 14. This site is located in Election District 20.
 15. WSSC service categories: S-1, W-1.
 16. Site is to be serviced by public water and sewer systems.
 17. Legal descriptions
Parcel No. Tax ID Liber/Folio Address
935 00975711 57142/231 8860 Piney Branch Road
 18. Soil type is 1C as shown on the Natural Resources Conservation Service website.
 19. Utility Companies
Electric: Pepco
Telephone: Verizon
Gas: Washington Gas
CATV: Comcast
Water/Sewer: WSSC
 20. Stormwater management to be provided on-site to meet the ESD requirements to the MEP.
 21. Disturbed area = TBD
 22. Topography and boundary by Charles P. Johnson and Associates, January 2020
 23. Owner/Applicant
Enterprise Community Development, Inc.
875 Hollins Street, Suite 202
Baltimore, MD 21201
Attn: Louis O. Kiang
Contact#: 410-230-1232

Developer's Certificate 820220020

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

Developer: Enterprise Community Dev Inc. Louis O. Kiang
Address: 875 HOLLINS STREET, SUITE 202 BALTIMORE, MD
Phone: 410-332-7400
Signature: Louis Kiang

LANDSCAPE ARCHITECT CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND TAKEN FROM AVAILABLE PLANS AND RECORDS.

MICHAEL J. LOE
REGISTERED LANDSCAPE ARCHITECT
MD #3822
EXPIRES: 3/16/2023
DATE: _____
Seal not valid without signature

UPDATES/REVISIONS:
REV 1 - 12/19/21 - ADDRESS DRC COMMENTS
REV 2 - 12/28/21 - ADDRESS 2ND DRC COMMENTS

DATE	DESCRIPTION	BY	DATE	DESCRIPTION	BY
12/19/21	210E01	JP61			
12/28/21	MIL				
12/28/21	MIL/DHL				
12/28/21	3				
12/28/21	14				

CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9594
www.cpj.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT: Enterprise Community Development, Inc.
875 Hollins Street, Suite 202
Baltimore, MD 21201
Attn: Louis O. Kiang

SCALE: 1" = 20' 0"

FILE NO.: 2019-1296-21

NOTE: M-NCPCC STAFF MUST INSPECT ALL TREE-SAVE AREAS AND PROTECTION DEVICES BEFORE CLEARING AND GRADING.

GENERAL NOTES

1. THE PROPERTY IS 3.29 ACRES.
2. THE PROPERTY IS LOCATED ON WSSC MAP 211NE01.
3. THE SUBJECT PROPERTY IS LOCATED ON TAX MAP JP61.
4. THE SUBJECT PROPERTY COMPRISES THE FOLLOWING:
LOT/PARCEL NO. BLOCK TAX ACCT. NO. LIBER & FOLIO
PARCEL N935 00975711 L. 18598, F. 779
5. SUBJECT PROPERTY ADDRESS IS 8860 PINEY BRANCH ROAD.
6. THE SUBJECT PROPERTY IS ZONED R-H (RESIDENTIAL HIGHRISE).
7. SITE BOUNDARY WAS DONE BY CHARLES P. JOHNSON & ASSOCIATES ON NOVEMBER 15, 2019.
8. SITE TOPOGRAPHY WAS DONE BY CHARLES P. JOHNSON & ASSOCIATES ON NOVEMBER 15, 2019 WITH 2' CONTOURS.
9. THE SUBJECT PROPERTY IS LOCATED IN THE NORTHWEST BRANCH WATERSHED OF THE ANACOSTIA RIVER.
10. SOILS INFORMATION WAS OBTAINED FROM
WWW.WEBSOILSURVEY.NCRS.USDA.GOV ON MAY, 2020.
11. THERE ARE NO MAPPED FEMA OR MNCPPC 100 YEAR FLOODPLAIN LOCATED WITHIN THE SITE.
12. PER U.S. FISH & WILDLIFE SERVICES NATIONAL WETLANDS INVENTORY ON-LINE MAPPER (HTTP://WWW.FWS.GOV/WETLANDS/DATAMAPPER.HTML) AND MARYLAND'S ENVIRONMENTAL RESOURCES AND LAND INFORMATION NETWORK (MERLIN) (HTTP://WWW.MDMERLIN.NET), THERE ARE NO WETLANDS LOCATED ON THE SITE.
13. THIS SITE CONTAINS NO SPECIAL PROTECTION (SPA) OR PRIMARY MANAGEMENT (PMA) AREAS.
14. THE SUBJECT PROPERTY IS NOT IDENTIFIED IN THE MONTGOMERY COUNTY HISTORIC PRESERVATION ON-LINE MAPPER.
15. THERE ARE APPROXIMATELY 12,876 SQ. FT. OF EXISTING FOREST AS DEFINED BY MONTGOMERY COUNTY FOREST LEGISLATION LOCATED ON THE SUBJECT PROPERTY AS DESCRIBED IN THE FOREST STAND CLASSIFICATION AND DESCRIPTION (CHAPTER 22A).
16. THERE ARE STEEP SLOPES (25% OR GREATER) LOCATED ON THE SUBJECT PROPERTY (SHOWN ON PLAN).
17. SEE THE SIGNIFICANT AND SPECIMEN TREE TABLE AND PLAN FOR LOCATIONS AND INFORMATION ABOUT SIGNIFICANT AND SPECIMEN TREES WITHIN THE NRI STUDY AREA.
18. FIELD WORK WAS CONDUCTED BY CHARLES P. JOHNSON & ASSOCIATES. STAFF: MARK STANFORD AND CHRIS SHIPLEY ON AUGUST 19, 2020. A 1" TAPE WAS USED TO MEASURE TREES. TREE LOCATIONS SHOWN WERE EITHER SURVEYED OR FIELD LOCATED BY VISUAL OBSERVATIONS. NO SEPARATE FIELD DATA SUMMARY SHEETS WERE PREPARED WITH THIS PLAN.
19. NRI/FSD 420210430 WAS APPROVED BY MNCPPC ON OCTOBER 20, 2020.

SOILS CHART				
SYMBOL	NAME	HYDRIC	SLOPE	SOIL GROUP
1C	Gala silt loam	No	8-15%	B
				Well drained

FOREST STAND ANALYSIS

The subject property is located at 8860 Piney Branch Road and is located on Tax Map JP61-Parcel 935. The parcel has an existing 14 story Residential Apartment building with surface parking and parking garage. There is also a small playground near the northeast corner of the parcel. The site slopes from west to east with steep slopes from the edge of the surface parking to Piney Branch Road and off-site east to the adjacent parcel.

The site has a small forest of approximately 12,876 sqft, east of the surface parking lot and is contiguous with the forest on the adjacent parcel. There is one forest stand which consists of Red Maple and various Oaks as the dominant species and Green Hawthorn and Black Locust as co-dominant species. The forest should be considered third stage forest, well established. Due to the very heavy canopy and deer browsing, there is not much understory with limited regeneration. What understory is first stage Red Maple and Green Hawthorn with honeysuckle sprinkled about. There is approximately 20-25% downed woody material with 50% canopy overhead. The herbaceous coverage is limited due to the deer browsing and thick canopy, also approximately 15% invasive species. The overall forest structure is fair due to the limited regeneration, some trees choked with ivy and dead limbs that come with the age of certain trees.

No critical habitats or endangered species were observed during the site visit. There are no trees designated by the state or county as a State, County, or National Champion tree, or a tree that is 75% or more of the current state champion on site. There are no Historic or Cultural sites located within or adjacent to this site. There are no Wetland, Floodplain, Stream Valley Buffer, or Special Protection areas located within the site.

NOTE:
SEE SHEET 2 FOR FOREST
CONSERVATION WORKSHEET,
SPECIMEN TREE LIST, MITIGATION
TREE LIST AND DETAILS.

CERTIFICATE OF COMPLIANCE

I DO HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND REASONABLE BELIEF, THAT ALL OF THE INFORMATION AND DATA PROVIDED WITH THIS APPLICATION IS ACCURATE, AND ALL OF THE FEATURES AND ELEMENTS PROVIDED ON THE PLANS IS CONSISTENT WITH THE STANDARDS OF THE APPLICABLE ZONE. THE CERTIFICATION INCLUDES, BUT IS NOT LIMITED TO, BOUNDARY INFORMATION, PROPERTY INFORMATION AND OWNERSHIP, TOPOGRAPHY, HISTORIC RESOURCES, ETC. I AGREE THAT THE SUBMITTED PLANS MAY BE REJECTED OR RETURNED BY THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION IF THE PLANS ARE FOUND TO BE INACCURATE, FALSE OR MISLEADING.

DEVELOPER'S CERTIFICATE

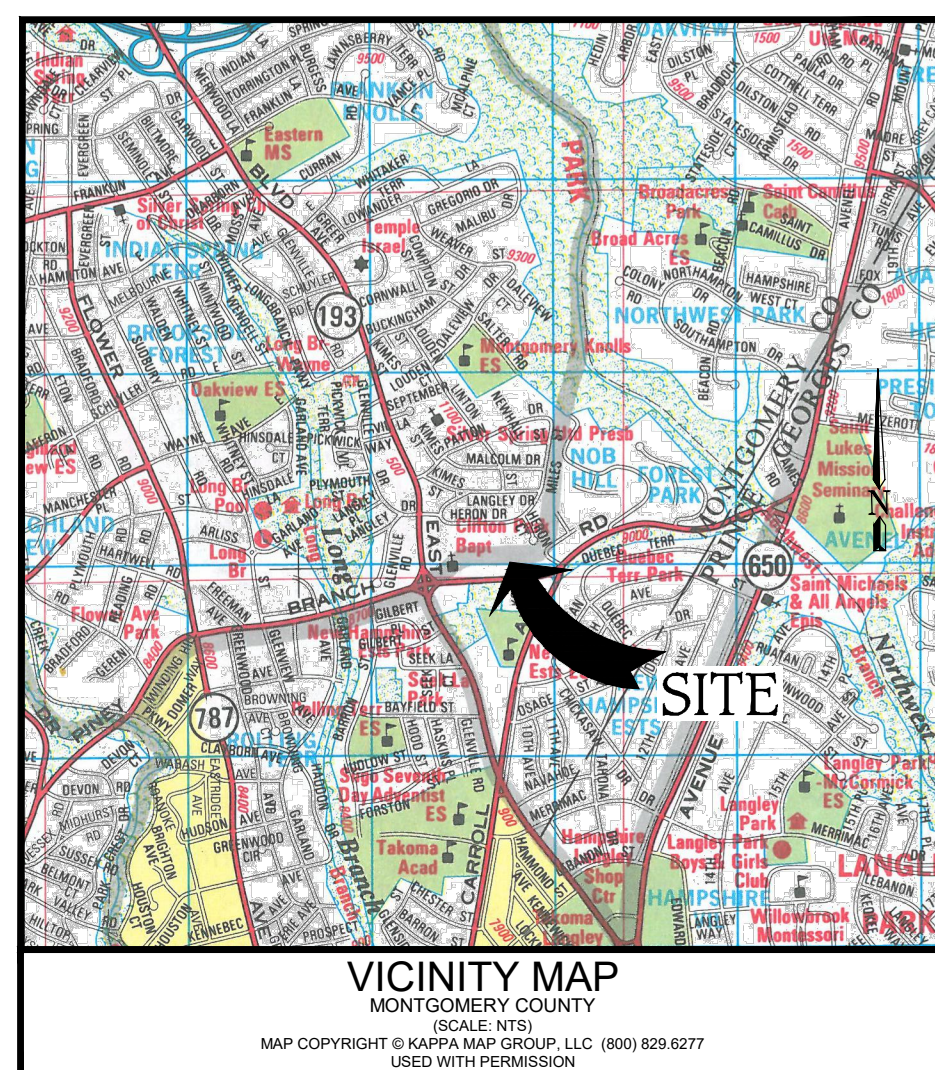
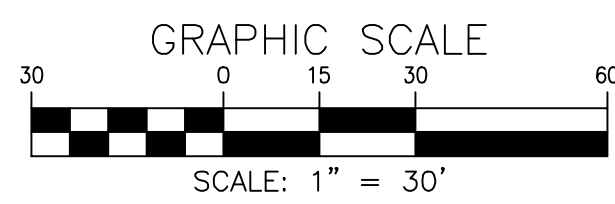
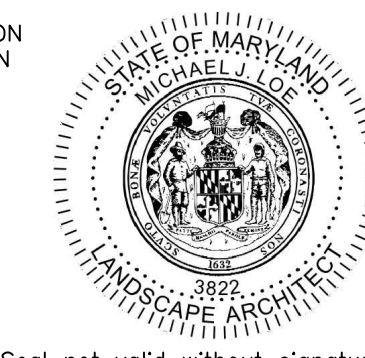
The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. _____ including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Enterprise Community Development, Inc.
Printed Company Name
Contact Person or Owner: Louis Kiang
Printed Name
Address: 875 Hollins Street, Suite 202, Baltimore, MD 21201
Phone and Email: 410-230-2132 kiang@enterprisecommunity.org
Signature: _____

LANDSCAPE ARCHITECT CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND TAKEN FROM AVAILABLE PLANS AND RECORDS.

MICHAEL J. LOE
REGISTERED LANDSCAPE ARCHITECT
MD #3822
EXPIRES: 3/16/2021
DATE _____



LEGEND

- EX SIGNAL POLE
- ⊙ EX MANHOLE
- ⊙ EX UTILITY POLE
- ⊙ EX STORM DRAIN MANHOLE
- ⊙ EX GUY WIRE
- ⊙ EX LIGHT
- ⊙ EX SIGN
- ⊙ EX FIRE HYDRANT
- EX PROPERTY LINE
- EX EASEMENT LINE
- EX METAL FENCE
- EX WOOD FENCE
- EX OVER HEAD WIRE
- EX TREE CANOPY
- STEEP SLOPES (15-25%)
- STEEP SLOPES (>25%)
- EXISTING BUILDING
- PROPOSED BUILDING
- RP — ROOT PRUNING
- LOD — LIMITS OF DISTURBANCE
- SSF — SUPER SILT FENCE
- TPF — TEMPORARY TREE PROTECTION FENCE
- SCT — TEMPORARY CONSTRUCTION ENTRANCE
- PROPOSED LANDSCAPING TO BE USED FOR MITIGATION
- PROPOSED LANDSCAPING TO BE USED FOR LANDSCAPE CREDIT
- EXISTING SPECIMEN TREE
- EXISTING SPECIMEN TREE TO BE REMOVED

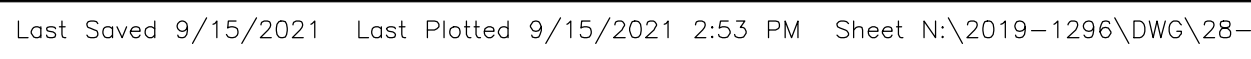
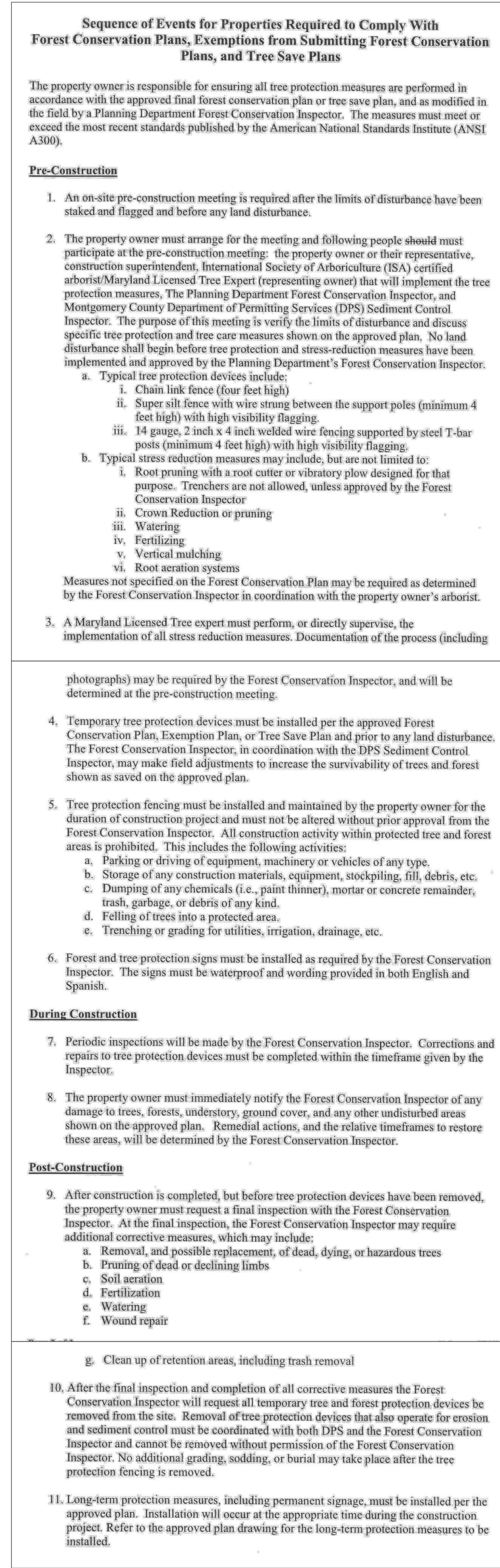
UPDATES/REVISIONS:
REV. 1 (11-18-20) ADDRESS MNCPPC COMMENTS
REV. 2 (01-29-21) ADDRESS MNCPPC COMMENTS

PRELIMINARY/FINAL FOREST CONSERVATION PLAN PARK MONTGOMERY FIFTH (5TH) DISTRICT MONTGOMERY COUNTY, MD

CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394
www.cpj.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT: Enterprise Community Development, Inc. 675 Hollins Street, Suite 202 Baltimore, MD 21201 Attn: Louis O. Kiang	WSSC GRID: 201NE01 DESIGN: MTL DRAFT: MES DATE: Oct. 2020 SCALE: 1" = 30'-0"	TAX MAP: JP61 SHEET: 1 OF 2 FILE NO.: 2019-1296-26D
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Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors

Silver Spring, MD • Gaithersburg, MD • College Park, MD • Frederick, MD • Fairfax, VA

March 2, 2022

Mr. Aaron Savage
Senior Planner
M-NCPPC – Montgomery County Planning Dept.
2425 Reedie Drive
Wheaton, Maryland 20902

Re: Forest Conservation Variance Request
Park Montgomery
FCP #pending
CPJA Project # 2019-1296

Dear Mr. Savage:

On behalf of our client, Enterprise Community Development, Inc. ("the Applicant"), the owner of approximately 3.29 acres of land located at 8860 Piney Branch Road, Silver Spring, MD ("the Property"), we hereby request, pursuant to Section 22A-21(b) of the Montgomery County Code ("the Code"), approval of a tree variance from the provisions of the Maryland Code, Natural Resources Article §5-1607(c)(2)(ii) and §5-1607(c)(2)(iii) to allow the removal of trees on the Property that are 30" diameter at breast height (DBH) or greater, and trees that are 75% the diameter of the state champion for that species. As explained more fully below, retention of the trees proposed to be removed or impacted, identified on the plan attached hereto as Exhibit "A" (the "Subject Trees"), would result in undue hardship to the Applicant, and the peculiar conditions of the Property and the nature of the proposed improvements justify the granting of the requested Variances pursuant to Section 22A-21 (b) of the code.

This variance request is submitted as an attachment to the Preliminary Forest Conservation Plan (FCP) for the property known as "Park Montgomery". A Natural Resources Inventory Plan (NRI) for "Park Montgomery" was approved by The Maryland-National Capital Park and Planning Commission (M-NCPPC) on October 20, 2020 (NRI# 4-20210430). Approval of this variance would allow the removal of two (2) trees with a DBH greater than 30 inches, as noted on the FCP (see the attached Exhibit A-Specimen Tree List for Park Montgomery).

		SPECIMEN REMOVAL		TREE						
TAG NO	COMMON NAME	SCIENTIFIC NAME	DB H	HEALT H	RP	TF	CA	SP	COMMENTS	IMPAC T
6	Red Maple	Acer rubrum	24	Fair					To be removed	45%
10	White Oak	Quercus alba	34	Fair					To be removed	60%
12	Red Maple	Acer rubrum	28	Fair					To be removed	67%
13	Scarlet Oak	Quercus coccinea	33	Fair					To be removed	41%

SPECIMEN TREE IMPACT										
TAG NO	COMMON NAME	SCIENTIFIC NAME	DBH	HEALTH	RP	TF	CA	SP	COMMENTS	IMPACT
1	Willow Oak	Quercus phellos	27						Off-site	24%
2	Scarlet Oak	Quercus coccinea	30	Good					To remain	0%
3	Scarlet Oak	Quercus coccinea	40	Good	X			X	To remain	21%
4	Scarlet Oak	Quercus coccinea	36	Good	X			X	To remain	41%
5	Scarlet Oak	Quercus coccinea	33	Good	X			X	To remain	17%
7	White Oak	Quercus alba	33	Fair	X			X	To remain	12%
8	White Oak	Quercus alba	35						Off-site	1%
9	Red Maple	Acer rubrum	24						Off-site	26%
11	White Oak	Quercus alba	32						Off-site	16%
14	Red Maple	Acer rubrum	29	Fair		X		X	To remain	0%
15	Red Maple	Acer rubrum	27	Good				X	To remain	0%
16	Red Maple	Acer rubrum	33	Fair		X		X	To remain	17%
17	White Oak	Quercus alba	37	Fair		X		X	To remain	43%
18	Tulip Poplar	Liriodendron tulipifera	49	Fair		X		X	To remain	66%
19	Willow Oak	Quercus phellos	26	Good		X		X	To remain	49%
20	Bradley Pear	Pyrus communis	24	Good				X	To remain	46%
21	Bradley Pear	Pyrus communis	25	Good				X	To remain	3%
22	Bradley Pear	Pyrus communis	25	Good				X	To remain	22%
Notes:										
1. Trees #4, #7, #17, #18, and #19 Best practices will be used to retain. Their survival is not 100% guaranteed.										
(RP)-Root Pruning										
(TF)-Topical Fertilizer Biostimulant such as Mycor Tree Saver or equivalent product. Apply with high-pressure injection probe during construction.										
(CA)-Core Aeration/Vertical Mulching using 2" auger bit. Space holes 2' apart in grid pattern in the CRZ to the dripline.										
(SP)-Sanitary pruning is the removal of dead/dying limbs on a tree to improve its health and appearance. Pruning may be needed to raise the crown for construction.										
119" of total tree calipers to be removed and replaced at a quarter, or 25%, of the total tree calipers. 30" of tree caliper to be replaced.										
Trees to be removed will be replaced with trees from the Plant Schedule.										
119" x 0.25 = 29.75" or 30" of tree caliper to be replaced.										

EXHIBIT A

As detailed below, existing conditions, site constraints and the nature of the proposed project justify the granting of the variance pursuant to Section 22A-21(b) of the Code. Additionally, the variance is in conformance with Section 22A-21(d) of the Code because the granting of the variance (i) will not confer a special privilege on the Applicants that would be denied to others (examples – Strathmore, Grovesnor, Heart House, Mateny Hill Road Property) ; (ii) is not based on conditions or circumstances which result from the action of the Applicants; (iii) is not based on a condition related to land or building use, either permitted or nonconforming, on a neighboring property; and (iv) will not violate State water quality standards or cause measurable degradation in water quality.

Pursuant to Section 22A-21(b) of the Forest Conservation Law, the Variance request must provide the following:

1. Describe the special conditions peculiar to the property which would cause the unwarranted hardship;
2. Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;
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; and
4. Provide any other information appropriate to support the request.

The Applicant provides the following to address the above criteria:

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

The subject property is located at 8860 Piney Branch Road (Parcel N935 Tax Map JP61). It is currently developed with a Residential Single Family High-Rise with on-site parking and a two-story parking structure along the west property line. The proposal to develop the property in accordance with the existing zoning (R-H) will result in the addition of second Residential Single-Family Mid-Rise with parking garage underneath it. The existing Single Family High-Rise will remain and a new single family Mid-Rise will be built where the existing two-story parking structure is located, for a total of approximately 217 units on 3.29 acres.

The proposed disturbances to trees greater than 30" DBH is needed to allow the proposed residential development for Park Montgomery. The project is not seeking any special privilege - only the minimal amount of relief necessary to allow the project to be built through the established variance process under the Forest Conservation Law.

The impacts to the trees are due to the need to provide additional parking for the new Mid-Rise building along with providing an approved fire access hammerhead on the site. We looked at different ways to reduce or provide other areas of parking and storm water management. Unfortunately, permeable pavement was not allowed due to the existing soils and steep slopes and green roofs would not provide adequate treatment.

Numerous parking options were looked at to reduce the parking spaces. An additional level of structured parking did not work due to the size of the building which does not allow enough room a ramp and vehicular circulation inside the building. It would also impact our height limit along the 45 degree setback. The parking quantity reduction was looked at, but client research for marketability of similar projects requires approximately 1 space per unit.

As you can see, every effort was made to reduce the impact of the parking and storm water management on the site to protect as many existing trees as possible, but due to the requirements for parking, fire access, storm water management, and steep slopes makes impacting the existing trees unavoidable. (See Exhibit B)

The site design is driven by the challenges to make the grading and drainage work given the existing topography, small size of the site, desired drainage for storm sewer and newer storm water recharge requirements, in addition to trying to attain required perimeter setbacks. The proposed environmental elements such as micro bio-retention areas are designed to improve rainwater management and to provide a visual, amenity. The variance request is not the result of conditions or circumstances from action taken by the Applicants and the Applicant has gone to great lengths with the site design and layout to save as many existing trees as possible.

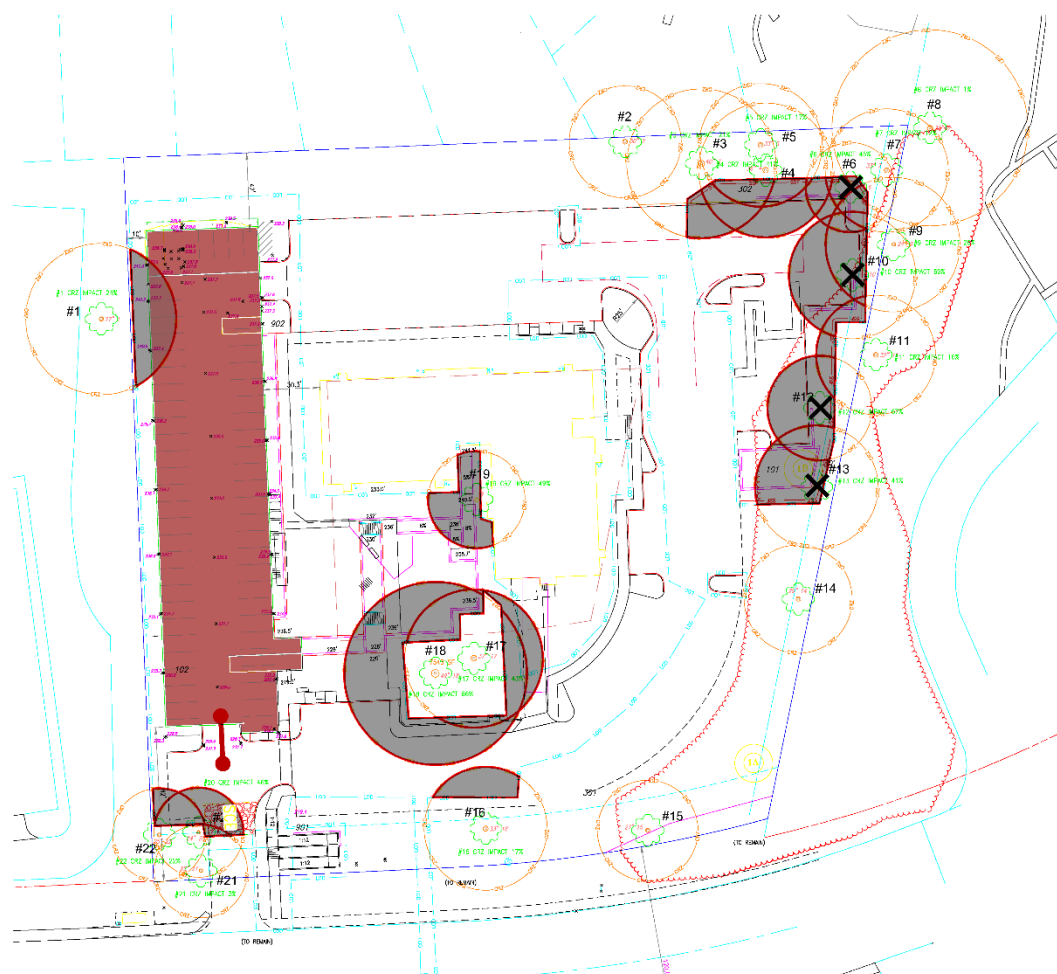


EXHIBIT B

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

The inability to remove/impact the subject trees would prevent this Applicant from developing this site which would provide much needed affordable housing to the area with close access to the future Purple Line. The code requirements for fire access, ADA access, parking and SWM makes the development of the site impossible if the existing trees are not allowed to be impacted or removed. The required grading for the site makes the impacts to the trees unavoidable without subjecting this property owner to unfair treatment. Tree removal for similar projects is common and a denial of the variance would deprive this owner of a right enjoyed by others (examples – Strathmore, Grovesnor, Heart House, Mateny Hill /road Property).

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 Project will meet all applicable water quality resource protection requirements. The Applicant will submit a Stormwater Management Concept Plan for the Project to the Montgomery County Department of Permitting Services (DPS), Water Resources Section. The Project will also meet the required water quality treatment and water quantity control needs through use of Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP). Proposed stormwater management quantity control and quality improvement techniques include micro-biofilter

Park Montgomery (contd.)
Forest Conservation Variance Request
Page 5 of 5

facilities in open spaces including planter boxes and possible green roofs. Therefore, the removal of the noted specimen trees will not adversely affect water quality in any measurable way.

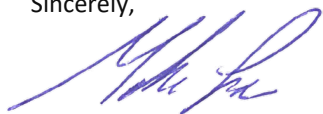
4. Provide any other information appropriate to support the request.

The applicant met with staff on several occasions to review the proposed development plan and existing forest save areas along the boundary with adjacent subdivisions of Nob Hill Apartments and Clifton Park Village. At that time, staff indicated that although the on-site mitigation was being met, they preferred the applicant obtain reforestation off-site. Furthermore, the best practices will be used to retain trees #3, #4, #5, #7, #16, #17 and #19. It must be noted that while the Applicant will do their best to retain these trees their survival is not 100% guaranteed. As we progress through the design process, we will work with an Arborist to determine if any of these trees will need to be removed.

In accordance with Section 22A-21 (d) of the Code, the granting of this request would not confer on the Applicant a special privilege that would be denied to other applicants (examples – Strathmore, Grovesnor, Heart House, Mateny Hill Road Property). This request is typical for an application of this type. The request is not based on a condition related to land or building use on a neighboring property, and the granting of this request will not violate State water quality standards or cause measureable degradation in water quality.

Thank you for your consideration of this variance request. 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,



Michael Loe, PLA, ASLA
Senior Landscape Architect
Charles P. Johnson & Assoc., Inc.

Attachments

- Attachment A – Specimen Tree List(s)
- Attachment B– Impact Exhibit

February 23, 2022

Casey Anderson, Chair
Montgomery County Planning Board
2425 Reddie Drive, 14th Floor
Wheaton, Maryland 20902

Sent via email to: mcp-chair@mncppc-mc.org

**Re: Opposition to
Park Montgomery, Sketch Plan No. 320220030 & Site Plan No. 820220020,
Regulatory Extension Request No. 2
Meeting Date: February 24, 2022**

Dear Chair Anderson:

Please be advised that this firm represents the Pineway Towers Condominium, Inc. (the “Condominium”). The Condominium is comprised of 143 privately owned condominium units and is governed by a Board of Directors (the “Board”). The Condominium is located at 8830 Piney Branch Road, Silver Spring, Maryland 20903 (the “Condominium’s Property”) and has been there for more than forty years. At the direction of the Board, I am sending this letter as written comment to **oppose** the Applications request that was submitted by Park Montgomery to construct a new multifamily affordable housing building up to 94,481 square feet for up to 76 units with structured parking, with an existing 143,526 square foot multifamily building with up to 141 units to remain onsite. CRTF-1.6, C-0.0 R-1.6 H-140’, 3.45 acres; located at 8860 Piney Branch Avenue approximately 900 feet east of University Boulevard; 2013 Long Branch Sector Plan.

Pursuant to plans submitted by Park Montgomery, they plan to construct a new five-story apartment building on their site, which is adjacent to the Condominium’s Property which would increase the density on the site. Furthermore, Park Montgomery plans to construct their new apartment building over top of an existing two-story concrete parking garage. To replace the parking garage will require blasting which may cause structural damage to the existing building on the Condominium’s Property. In addition, the new seven-story building will block views and vistas that owners and residents in the Condominium have typically enjoyed for decades. Based on these concerns, the Board of Directors for the Condominium opposes Park Montgomery’s Applications request and respectfully requests that the Montgomery County Planning Board disapprove of it.

I understand that last spring the Montgomery County Planning Board approved of Park Montgomery’s request to increase the density which is permitted on their property. However,

despite our written notification to Park Montgomery with our concerns about the project and our intention to oppose of the request, the Condominium was not afforded an opportunity to be heard because no notice was given to the Condominium of the Montgomery County Planning Board. Therefore, the Applications request by Park Montgomery to construct a new five-story apartment building over top of their existing two-story concrete garage should not be approved.

The Board of Directors and several unit owners and residents of the Condominium are greatly concerned about the negative impacts which Park Montgomery's proposed new apartment building will have upon adjacent properties, the area, the views, and vistas that will be eliminated, the higher density of apartment units on their site, and the potential impacts on the structure of the Condominium's building. During an informational meeting, representatives of Park Montgomery would not consider alternative locations on their site for their new proposed building due to increased costs. But the impacts from building a new building on Park Montgomery's site on the side which is closest to the Condominium's Property will have even greater negative impacts on property values of individual condominium units and upon the lower density and views/vistas which condominium owners have historically enjoyed. Many condominium owners have also expressed their concerns about rodent infestation which could be caused by construction on Park Montgomery's site.

At the beginning of January 2022, Park Montgomery's contractors made entry onto the Condominium's Property without obtaining prior consent and approval of the Condominium to perform engineering tests to protect their property without regard to their neighbors. Park Montgomery has not attempted to accommodate any of the Condominium's concerns about the location of their proposed new apartment building or the negative impacts it will have upon the adjacent Condominium Property.

On behalf of the Condominium's Board of Directors, I respectfully request an opportunity to be heard and to testify during the February 24, 2022, meeting of the Montgomery County Planning Board, and all future meetings concerning this matter. In addition, please consider this letter as written comments and the Condominium's opposition to the above referenced Applications request submitted by Park Montgomery. If you have any questions, please do not hesitate to contact me via email or by phone at (410) 212-4112. Thank you for your time and consideration.

Sincerely,

Sean E. Suhar

Sean E. Suhar

Cc: Board of Directors



Heather Dhopolsky
 hdhopolsky@wiregill.com
 301-263-6275

February 28, 2022

Via E-Mail (mcp-chair@mncppc-mc.org)
 Mr. Casey Anderson, Chairman
 Montgomery County Planning Board
 2425 Reedie Drive, 14th Floor
 Wheaton, MD 20902

Re: Park Montgomery – Sketch Plan No. 320220030 and Site Plan Application No. 820220020
 (collectively, the “Applications”) – Response to February 23, 2022 Correspondence

Dear Chairman Anderson and Members of the Montgomery County Planning Board:

On behalf of Park Montgomery Limited Partnership (the “Applicant”), we are providing this letter in response to the letter submitted to the Maryland-National Capital Park and Planning Commission (“M-NCPPC”) by Sean E. Suhar, Esq. of Nagle & Zaller, P.C., on behalf of his clients, Pineway Towers Condominium, Inc. (“Pineway Towers”). While several of the points raised by Mr. Suhar are not typically of the sort addressed by the Montgomery County Planning Board at their consideration of the Applications at the public hearing scheduled for March 17, 2022, notwithstanding we are responding for purposes of the record and to clarify certain facts.

With regard to the concerns that Mr. Suhar expresses about the placement of the new building, and demolition and construction processes related to such, a few corrections:

- The new building (5 stories above 2 levels of parking) will not block any views or vistas from Pineway Towers, given that Pineway Towers is at a significantly higher elevation than the Applicant’s site and is itself 13 stories in height, the northern leg of the Pineway Towers building jogs west and does not even face the Applicant’s site, and the southern leg of the Pineway Towers building that does face east toward the Applicant’s site looks directly on the Applicant’s existing 14-story building to remain. This is all clearly illustrated on the attached exhibit that was submitted as part of the rezoning case for the subject property.
- As was discussed in the Applicant’s pre-submission community meeting on the Applications held on August 17, 2021 (which Mr. Suhar attended and in which he participated), and documented in minutes of that meeting submitted to M-NCPPC as part of the Applications, there are no alternative locations on the site aside from the location in which the new building is proposed. Because the new building will replace existing structure, the location reduces disturbance on the site, and the only other space on the site, to the east of the existing building to remain, has not only exceptionally challenging topography but a number of significant and specimen trees which would be adversely affected if the Applicant sought to place the new building in that location.



Heather Dhopolsky
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- No blasting will be done to demolish the existing parking garage, a fact which was stated in the Applicant's pre-submission community meeting on the Applications held on August 17, 2021, and documented in minutes of that meeting submitted to M-NCPPC as part of the Applications.
- At the aforementioned pre-submission community meeting (which the civil engineer hired by Pineway Towers attended, along with several residents of Pineway Towers) and following the meeting, the Applicant's team promised continuing contact leading up to and during the construction process, and a willingness to continue discussions on any questions or concerns. With regard to Mr. Suhar's statement in his letter that the Applicant's contractors entered the Pineway Towers property without permission, Mr. Louis Kiang of the Applicant indicates that he discussed this entry with Ms. Denise Monroe, who we believe is the current Board President of Pineway Towers, and Pineway Towers' engineer, and he indicates they did not express any objections. However, geotech engineers were released earlier to perform this work than the Applicant had indicated, and for that miscommunication we apologize. Nevertheless, no damage was done, everything was restored as required, and the Applicant provided a copy of the report that was prepared by the geotech engineers to Pineway Towers.

With regard to the concerns that Mr. Suhar expresses regarding noticing:

- The Applicant voluntarily held a pre-submission community meeting, in advance of submitting the rezoning application for the subject property, on August 31, 2020. A pre-submission community meeting is not a requirement for rezoning applications, but nevertheless the Applicant determined that outreach in advance of a rezoning application is the correct step to take. Dozens of residents of Pineway Towers were mailed notice of that meeting, several of whom attended the meeting, as was the Pineway Towers building itself and its management company. The same notice list was used for all subsequent mailings required as part of the rezoning application and the current Applications, periodically updated by the Applicant team as required by M-NCPPC.
- Subsequent to that meeting, on September 30, 2020, Mr. Suhar emailed me and asked for information related to the project. I responded to him on October 2, 2020, forwarding the presentation used in the pre-submission community meeting, and offering to meet to discuss his questions. I did not receive a response from him.
- The rezoning application proceeded through review at M-NCPPC, the Office of Zoning and Administrative Hearings ("OZAH"), and the Montgomery County Council from late fall of 2020 through summer of 2021. M-NCPPC, OZAH, and the County Council handle noticing of those proceedings, based on the notice list provided by the Applicant which, as previously mentioned includes dozens of residents of Pineway Towers, the Pineway Towers building itself, and its management company.
- As mentioned, on August 17, 2021, the Applicant's team held the required pre-submission community meeting on the Applications. Mr. Suhar, several Pineway Towers residents, and the Pineway Towers' engineer attended that meeting, among others.
- Following that meeting, on August 18, 2021, I forwarded the approved rezoning plan to Mr. Suhar as he had requested in the meeting, and again offered to meet with him and his



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clients to discuss their questions and concerns, and asked for their availability. While Mr. Suhar and I exchanged two subsequent emails on August 23rd and August 24th, he did not address our offer to meet.

- On October 4, 2021, I emailed Mr. Suhar to let him know that M-NCPPC was completing its intake process on the Applications, that he and his clients would soon receive notices regarding the Applications' acceptance for review, requesting if they had technical plans of their site that would assist the Applicant as they proceed toward eventual construction, and again offered to meet with him and his clients to discuss their questions and concerns. I did not receive a response from him.

We thank you for your consideration of the Applications and this correspondence. We would also like to express the willingness that the Applicant team has stated throughout these review processes to meet with Pineway Towers to discuss their questions and concerns, a willingness that we will maintain through the construction process, should these Applications be approved. Please do not hesitate to contact us if additional information is necessary.

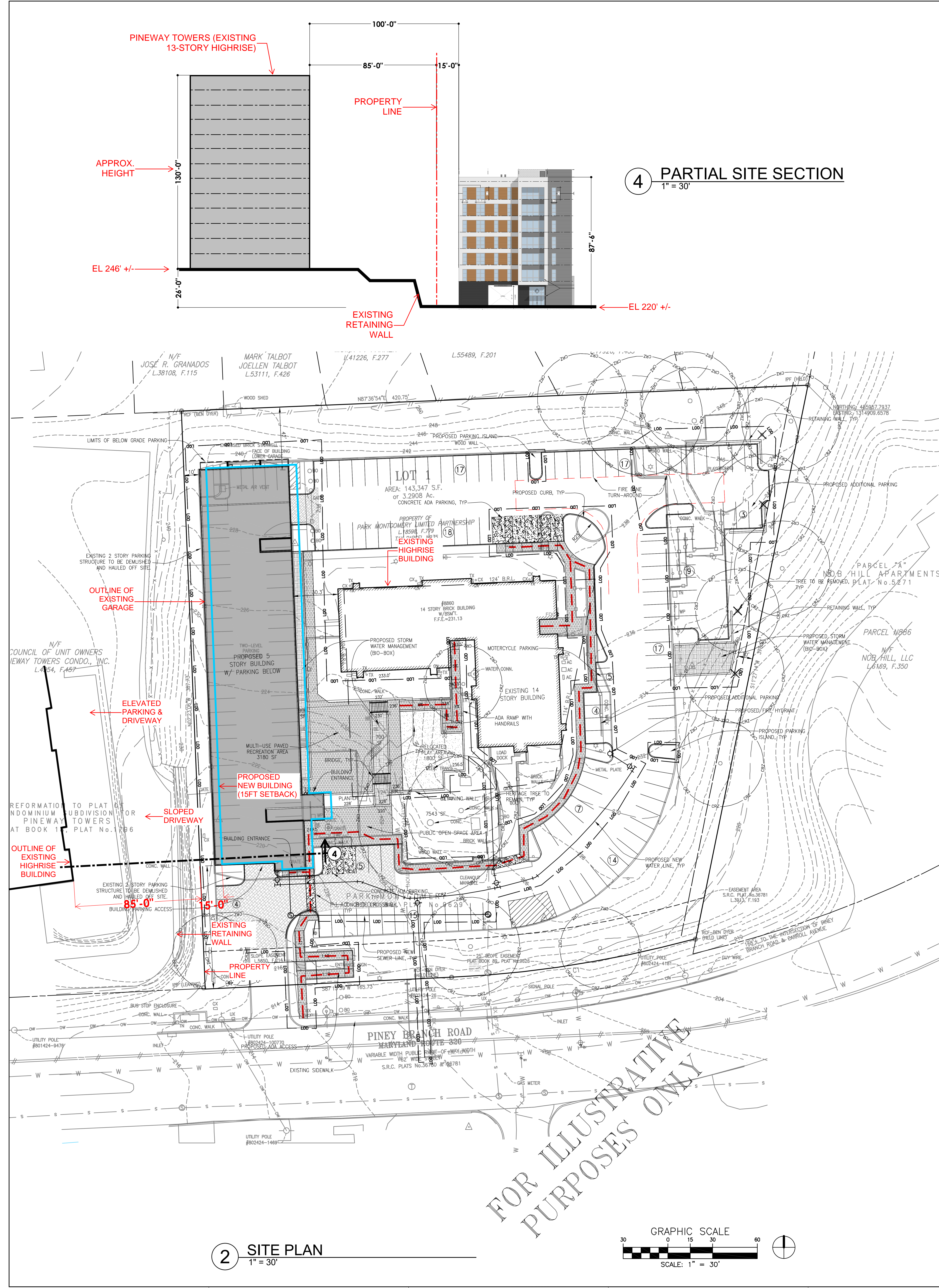
Sincerely,

Wire Gill LLP

Heather Dlhopsky

Heather Dlhopsky

cc: Ms. Grace Bogdan, M-NCPPC
Mr. Louis Kiang, Applicant



3 BIRD'S EYE VIEW
N.T.S.



1 SATELLITE VIEW
1" = 70'

PROFESSIONAL CERTIFICATION
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT IN THE STATE OF MARYLAND, LICENSE NUMBER 16486, EXPIRATION DATE 03/09/2023



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PROPOSED
BUILDING
(EXHIBIT)

DATE	REVISION	#

A-04
NOT FOR CONSTRUCTION
03/24/2021